PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 307

HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1997–98

COMPRISING PERIOD
23 February—6 March 1998

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23 February 1998

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 307**

FOURTEENTH VOLUME OF SESSION 1997–98

House of Commons

Monday 23 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

SOCIAL SECURITY

The Secretary of State was asked—

Pensions Review

1. **Mr. Stringer:** If she will make a statement on progress being made on the Government's pensions review. [29074]

The Secretary of State for Social Security and Minister for Women (Ms Harriet Harman): The pensions review that I announced on 17 July last year fulfilled our manifesto commitment. We have received more than 2,000 responses and we aim to publish our proposals for change in the first half of this year.

Mr. Stringer: I thank my right hon. Friend for that answer. Does she agree that the impact of the television licence on pensioners is analogous to the impact of the poll tax? Does she agree also that any review of pensions should take that into account either through direct compensation in the form of a £2 increase in pensions or by ensuring that pensioners do not have to pay the television licence fee?

Ms Harman: My hon. Friend is absolutely right. Television is very important to pensioners, and we are concerned to take action on all matters affecting pensioners' quality of life. The cost of the television licence will be considered further by my right hon. Friend the Secretary of State for Culture, Media and Sport. The value of the basic state pension is part of the pensions review, but our manifesto commitment is to maintain it as the foundation of income in retirement and to uprate it at least in line with prices.

Mr. Quentin Davies: May I give the Government yet another chance to give a straight answer to a straight question—which they have declined to do until now? Will they calm the serious anxieties and anguish felt by millions of people in this country by stating quite clearly that they have no intention of means-testing or affluence-testing the standard state retirement pension?

Ms Harman: We have made a commitment in our manifesto that we will keep the basic state pension and increase it in line with prices. I thank the hon. Gentleman for giving me another opportunity today to confirm that we will stick to our manifesto promise. We are certainly concerned to do what the previous Government never did: provide extra help for the poorest pensioners. We are doing that through winter fuel payments and by ensuring that those who are entitled to income support receive that benefit.

Mr. Winnick: What the Government have done to help pensioners since last May is, of course, appreciated by pensioners and by Labour Members. However, will my right hon. Friend bear in mind the earlier point about concessionary television licences? Pensioners' finances would be improved considerably if they did not have to pay television licence fees. In view of the rumours that are floating about, which have been mentioned in the

press, will my right hon. Friend do whatever she can to ensure that pensioners receive justice as quickly as possible? Pensioners should no longer have to pay the television licence fee or the fee should at least be halved for pensioners.

Ms Harman: My hon. Friend has repeated those points very strongly. Television licence fees are important when considering pensioners' quality of life and cost of living. My hon. Friend's points are well taken by me, but, more importantly, I am sure that they will be noted by my right hon. Friend the Secretary of State for Culture, Media and Sport.

Mr. Webb: The pensions review is concerned, among other things, with ensuring that people of modest means save more. The Treasury has undertaken an individual savings account review that is also designed to encourage people of modest means to save more. Will the Secretary of State explain the relationship between those two reviews? Why are they being conducted at the same time, involving different people and different time scales? How will she ensure that the two reviews reach consistent conclusions?

Ms Harman: The reviews certainly will be consistent and will reach consistent conclusions. The two reviews are designed to complement each other and to have different purposes. The stakeholder pension, which we are consulting about, will ensure that people on low or intermittent earnings have the opportunity to save for their retirement so that they may retire not only on the basic state pension, but on a good, value-for-money second pension.

Mrs. Humble: Does my right hon. Friend agree that the pensions review and, indeed, the delivery of welfare benefits depend on well-motivated staff? Will either she or one of her Ministers meet me and other hon. Members who represent Fylde-coast constituencies to discuss recent suggestions, which are causing grave concern, that up to 200 jobs will be lost in the major Department of Social Security centres along the Fylde coast?

Ms Harman: I thank my hon. Friend for raising that point. The motivation of staff is critical to the quality of service and to its improvement, which we want to deliver. My hon. Friend asked for a meeting; I shall ask my right hon. Friend the Minister for Welfare Reform whether he is prepared to meet her and her colleagues from the area. My ministerial team and I regularly meet the DSS unions to ensure that they have a good working partnership with the Department, which was never done previously.

Mr. Duncan Smith: Last year, the Chancellor of the Exchequer devalued pensions through his actions in the Budget. That was made clear by the Government Actuary, who advised the Government to change the rebate to the state earnings-related pension scheme to avoid creating problems for those who had opted out. Why did the Government not accept and implement in full the Government Actuary's report, rather than slash occupational pensions?

Ms Harman: The Chancellor acted to ensure long-term investment, which is good for the economy, for pension schemes and for people with second pensions. I sought the advice of the Government Actuary, who regularly advises the Government. He gave his advice and we acted on it—everything remains completely in order.

Mr. Duncan Smith: The Government clearly did not act on the Government Actuary's advice; they did not implement the changes to occupational pensions that he advised. As a result, those with occupational pensions will now have to pay much more than before to stay out of SERPS. That goes against the Government manifesto commitment to

"support and strengthen the framework for occupational pensions."

Why has the right hon. Lady decided to slash occupational pensions?

Ms Harman: As I explained to the House previously—I take this opportunity to explain it again—I sought the Government Actuary's advice, which I considered and on which I acted. The previous Government left hundreds of thousands of people without compensation for the mis-selling of second pensions. We have acted promptly and appropriately, and we are also trying to sort out the mess that the previous Government left in relation to second pensions.

Housing Benefit

3. **Mr. Colman:** If she will make a statement on the level of fraud in housing benefit. [29076]

4. **Dr. Whitehead:** What plans she has for tackling organised fraud by landlords. [29077]

9. **Fiona Mactaggart:** What plans she has to tackle housing benefit fraud. [29082]

The Minister for Welfare Reform (Mr. Frank Field): The Government's resolution to seek out fraud wherever it occurs is matched only by our diligence to seek out those who are eligible but do not claim.

Mr. Colman: I thank my right hon. Friend for that answer. I particularly commend to him the London team against fraud, which consists of all 33 London boroughs working together and sharing information to stamp out housing benefit fraud. Will he deal with the team's concerns about whether banks and building societies can share information with it, or whether, as banks and building societies believe, they are precluded from doing so under the Data Protection Act 1988? Will he consider how he can ensure that the London team against fraud is able to deal effectively with housing mortgage fraud, which is part of housing benefit fraud?

Mr. Field: I shall certainly consider the matter. The idea for a combined effort throughout London was put to the Select Committee on Social Security, and the proposal was implemented by the previous Government. I ask my hon. Friend to take the thanks of the House to his local authority, which regularly exceeds its target for weekly benefits savings on housing benefit fraud.

Dr. Whitehead: I, too, thank my right hon. Friend the Minister for his answer. Does he accept that part of the

problem of fraud by landlords relates to their bad or incompetent management of DSS tenancies? Will he countenance projects whereby good and responsible landlords are encouraged to collaborate with local authorities and manage those tenancies more effectively?

Mr. Field: I can give my hon. Friend that assurance. In the area which I represent in the Wirral, such projects are already occurring.

Fiona Mactaggart: I thank my right hon. Friend for his reply. He might be able to implement two further measures that could help. First, he could make it easier for local authorities, such as Slough, which has been doing a great deal of work in this area, to initiate a prosecution where a claim has been withdrawn. That happens when people think that they are being sniffed around. The claim then disappears and the ability to take action is reduced.

Secondly, it might be possible to consider incentives for local authorities to improve prevention rather than opting for prosecution. I am certain that that would make a real difference, with the result that it would not be necessary to put as much energy into prosecution as is currently being expended.

Mr. Field: Last November, we increased the powers of local authorities to prosecute landlords who are committing fraud. In December, we issued a verification code, which enables fraud to be tackled at the outset of claims. I thank my hon. Friend and my hon. Friend the Member for Putney (Mr. Colman), whose local authority massively exceeds average weekly benefit savings.

Child Support Agency

5. **Mr. Olner:** If she will make a statement on the Government's approach to reforming the Child Support Agency. [29078]

Mr. Field: The Government hope to bring forward proposals for reforming the Child Support Agency before the summer is out.

Mr. Olner: I thank my right hon. Friend for his reply. For many in this place, reform will not come soon enough. The previous Government introduced the agency, and it has never worked. It has done nothing for children—in other words, it has done nothing to improve their livelihoods. The sooner that reform takes place, the better.

How widely has my right hon. Friend consulted on reforms? Once consultation has taken place, we must ensure that the appropriate legislation is put on to the statute book as quickly as possible.

Mr. Field: My hon. Friend will be aware that Baroness Hollis, the Under-Secretary of State, is spearheading the review. She has met many people already, as I have done. I am grateful for the critical faculties that Members bring to the outline proposals, which we debated the other day. I make a plea to Members on both sides of the House: when the proposals are published, let us have the most detailed and critical discussion. Last time round, we sleepwalked many of our constituents into a nightmare. [HON. MEMBERS: "Apologise."] We must not do that again.

Miss Kirkbride: In the light of the Minister's earlier answer, will he confirm that in his proposals to reform the CSA, absent parents will still be expected to make a significant contribution to their children's upkeep, and that the obligation will not fall on to the taxpayer, as before?

Mr. Field: The answer to that question is a resounding yes. I heard one of my hon. Friends saying a moment ago that I should apologise for the CSA. I, as a politician, apologise for being a Member of this place who put the CSA on to the statute book. Responsibility for the CSA rests with the House. I do not approve of the behaviour of those who, like Pontius Pilate, endlessly wash their hands and blame the agency's staff when responsibility for the operation of the agency is political. The House established the CSA and the House will need to reform it.

Pensioner Incomes

6. **Mr. Bradshaw:** What assessment she has made of *(a)* present and *(b)* future inequality in pensioner incomes. [29079]

The Parliamentary Under-Secretary of State for Social Security (Mr. John Denham): We want today's and tomorrow's pensioners to enjoy security in retirement. Estimates show that the gap between the best and worst-off pensioners will be even wider in future than it is today under current policies, so a key objective of the pensions review is to ensure that pensioners have an adequate income in retirement and that they share fairly in rising national prosperity.

Mr. Bradshaw: Can my hon. Friend confirm that the sum that the Government are spending on extra winter fuel payments is more than would have been expended if we had reintroduced the link between earnings and pensions? There is the added advantage of helping poorer pensioners most, including nearly 7,000 in my constituency in Exeter. Does this not show that things can be done now, notwithstanding the outcome of the pensions review, to help narrow the gap between rich and poor pensioners?

Mr. Denham: My hon. Friend is right. We have taken action to help all pensioners with fuel bills to pay them through winter fuel payments. Help within that has been especially focused on poorer pensioners receiving income support, who have already received their payment of £50. The total cost of the package this year is expected to be about £200 million, which is more than the additional costs that would have been involved in uprating pensions by earnings rather than by prices.

Mr. Gibb: The Secretary of State has told us that the Government sought the Government Actuary's advice and acted properly upon it. What does "acted upon it" mean? Does that mean that the Government implemented the recommendations in full, or in part?

Mr. Denham: We have considered the Government Actuary's report and have taken action.

Mr. Corbyn: Does my hon. Friend accept that, notwithstanding the welcome money for winter fuel, the real way in which to eliminate poverty for many pensioners is to re-establish the link with earnings and to

increase the pension accordingly? The previous Government took more than £20 a week off every pensioner in this country. Private provision cannot—and never will be able to—help the poorest in this country, who often do not have long-term jobs that enable them to buy into occupational pensions. Should we not look to state provision to eliminate poverty?

Mr. Denham: We have already taken action to help today's pensioners. The pensions review will report later this summer. It has involved a series of meetings with Jack Jones and the National Pensioners Convention to discuss the position of today's pensioners and what action can be taken.

Most people who enjoy security in retirement have two pensions: the basic state pension and a second pension, often provided through an invested fund. I am sure that that will be a key element of our strategy for the future.

Mr. Burns: On pensioner incomes, will the Minister confirm that the Chancellor and the Secretary of State have boasted on numerous occasions that the winter fuel payment will be paid to all pensioners in the United Kingdom? Will he now confirm that that is not the case, that anyone reaching pensionable age on or after 6 January 1998 will not receive the payments this year and that the cut-off date will affect up to 150,000 pensioners by the end of March, when the money is finally expected to be paid? Will he consider making the money available to those pensioners, who are getting not a new deal but a raw deal from the Government? Will he explain the fiasco—and apologise to the House for it—in which cheques were sent to pensioners living in residential homes, and why some of those pensioners will be able to keep the money and others will not?

Mr. Denham: The House will remember that, on a number of occasions, the hon. Gentleman voted to increase VAT on fuel to 17.5 per cent. Common sense suggests that once the announcement on winter fuel payments was made, it was essential to make payments as quickly as possible. It was important to have a qualifying period that was easier for pensioners to understand and was operationally deliverable. It was set as the week commencing 5 January. If it had been set later, the exercise could not have been completed in time for payments to be made to help with winter fuel bills.

Income Support (Pensioners)

7. **Mr. Pond:** If she will make a statement on the Government's actions to assist pensioners who are eligible for income support. [29080]

Mr. Denham: We are determined to help the 1 million pensioners who are not claiming their income support entitlement. We have commissioned research to find out why they do not make a claim, and, from April, we shall run a number of pilot projects to find the best way in which to encourage them to do so.

Mr. Pond: I thank my hon. Friend for that reply. I am sure that in the pensions review, the needs of the poorest pensioners will be a priority, but, given that Opposition Members continue to peddle the notion that the basic state pension might be subject to a means test, will my hon. Friend confirm once again that cuts to, and means-testing of, the basic state pension were part of the previous Government's policy and are nothing to do with the present Government's policy, and that the basic state pension will remain a central foundation of pension provision?

Mr. Denham: I am happy to reaffirm, once again, our manifesto commitment on which we were elected, and for which pensioners voted in large numbers. The basic state pension will be retained as the foundation stone for retirement and will be uprated at least in line with prices. I am grateful for the opportunity once again to make that statement to the House.

Mr. Collins: I am most grateful to the Minister for what he just said. Perhaps he will now give a straight answer to my question. Will the Government rule out means-testing the basic pension—yes or no?

Mr. Denham: This Government will keep their promises. We have promised to uprate the basic state pension at least in line with prices. We have already honoured that commitment. From this April, the basic state pension for a couple will exceed £100 for the first time. We deliver on what we promise.

Mr. Hope: Is my hon. Friend aware that many people who are in work cannot save with an occupational pension because their employer does not have such a thing? Those people might not be able to afford a private pension scheme. Indeed, those with caring responsibilities are not at work and therefore cannot contribute. Is he aware that if that situation continues, there will be growing inequality in the years ahead when those people reach pensionable age? Can the Government assure the House that, in the pension review, they will look at how we can provide second pensions that are affordable and accessible to people on low incomes or with caring responsibilities?

Mr. Denham: Yes. The pension review has two key elements: first, our proposals for stakeholder pension schemes, which will be value for money, low cost, flexible and particularly suit those who cannot join an employer's occupational scheme or those for whom personal pensions are far too expensive; secondly, we are also considering—again in line with our manifesto—a citizenship pension for those such as carers who cannot contribute to a funded second pension because of their important role in looking after a member of the family or another person.

Welfare Reform

8. **Mr. Boswell:** When she last met representatives of disability interests to discuss welfare reform. [29081]

11. **Mr. Clappison:** What recent representations she has received about benefits for the disabled. [29084]

Mr. Denham: We have received a number of representations on welfare reform. My right hon. Friend and I have twice met members of the all-party disablement group to discuss their views on this important issue. The most recent meeting took place last Monday.

Mr. Boswell: I thank the Minister for that answer, but will he confirm that neither he nor his Secretary of State—nor, indeed, briefings from No. 10—has yet answered the basic question: whether the entitlements of the 6.5 million

people with moderate disabilities will be cut as a result of the Government's welfare reform proposals? They need to know—is the answer yes or no?

Mr. Denham: I can reassure the House that the Government want to ensure that those in genuine need receive the support, in cash and in other ways, that they need. No changes will be made without full consultation, particularly with organisations of and for disabled people.

Mr. Clappison: Will the Minister bear in mind the representation that his Department received from the Secretary of State for Education and Employment, who said that transferring the disability living allowance to local authority social services departments in any way would make the disabled the victims of the lottery of local authority discretion? Will the Minister rule that out, as it is worrying many disabled people?

Mr. Denham: We are, as I have said, determined to ensure that the appropriate support, in cash and in other ways, is available for disabled people. We are considering ways in which that can be done as part of the welfare reform process. We will publish our proposals, and they will be subject to the fullest possible consultation.

Mrs. Mahon: Did members of the disability groups raise with my hon. Friend the matter of the complicated disability living allowance self-assessment forms? Will he consider making the forms simpler because many people are losing benefit who need not do so?

Mr. Denham: Many important issues have been raised by organisations of and for disabled people, including the complexity of the assessment process. They will be looked at during the review.

Mr. Barnes: Is the Minister aware of the Government's credibility gap on the future of disability benefits? It has been caused by the cut in single parent benefit and the work of the benefit integrity project, which has led to many people losing their disability living allowance, although they are perfectly entitled to it, and trying to have it re-established on appeal. What are the Government going to do about overcoming their problems with presentation to show that they will not cut out the rights of disabled people in the future?

Mr. Denham: Evidence from the benefit integrity project broadly confirms the initial estimate of the level of incorrectness in that benefit. We have learnt from the project as it has developed, which is why my right hon. Friend recently announced extra safeguards to ensure that no one would have their benefit stopped or reduced unless additional evidence—not just that provided by the claimant—was available. That is a step forward in safeguarding the work of the project and it shows that we are listening to organisations of and for disabled people as the work progresses.

Mr. Burstow: Forty thousand people have been through the benefit integrity project, many of whom have wrongly had their benefit stopped or reduced, but have not appealed. Will the Minister reconsider their cases? They feel intimidated and unable to go back through the appeal process because of the way in which the project has worked. To ensure that people receive the benefit to which they are entitled and to restore the project's integrity, will he ensure that interviews are reconsidered and claim forms re-examined to see whether they have been completed incorrectly?

Mr. Denham: If people feel that they have not been properly treated, the review and appeal process is available to them. I am sure that decisions have been made in accordance with the law laid down by Parliament, but we have introduced the extra safeguard to which I referred. If people are in the position described by the hon. Gentleman, they should exercise their right to a review or an appeal.

UK Presidency (Women)

10. **Ms Rosie Winterton:** What action the Ministers for Women are taking during the UK's presidency of the European Union in conjunction with their European counterparts. [29083]

The Parliamentary Under-Secretary of State for Social Security (Ms Joan Ruddock): The priority of the Ministers for Women has been to ensure that the women's perspective is introduced into the presidency's key theme of employability. Various activities are taking place on that theme. An initiative on action on violence against women is under way as part of our presidency.

Ms Winterton: Will my hon. Friend take the opportunity during the UK presidency to discuss the real problems faced by low-paid women, particularly in finding affordable child care? Will she encourage initiatives on a European level, such as the working family tax credit, which would greatly help some of the poorest women in our society to meet child-care costs?

Ms Ruddock: I thank my hon. Friend for her question. I am pleased to tell her that her view that affordable child care underpins the employability of women concurs with our thinking and our priorities as Ministers for Women in the United Kingdom. We intend to discuss these matters in an informal presidency meeting of Ministers for Women of European Union member states in Belfast on 5 and 6 May. That will enable us to compare best practice, and to show for the first time that the UK Government take child care and the employability of women very seriously indeed. We want to share our thinking with our European partners.

Dr. Julian Lewis: Do the Minister's plans to improve the employability of women extend to the employability of the remnants of the Greenham Common women, of whom she used to be such a prominent supporter?

Ms Ruddock: I am very sorry that the hon. Gentleman takes up valuable time at Question Time to make such frivolous points. The employability of all women in this country is of deep concern to the Government. We believe in equal opportunities. Women want to work, and we shall make it possible for more and more women to take their place in the workplace and to balance their family responsibilities, which they also take very seriously.

Ms Moran: I thank my hon. Friend for that response. I welcome the initiative that the UK is taking under its

presidency. Is my hon. Friend aware that Britain is the poor parent of Europe in respect of child care? My sister, who lives and works in Paris, has been entitled to child care for her three children since they were one year old. My constituents in Luton would dearly love to have such a system. Can my hon. Friend assure us that, during the UK presidency, we shall see an expansion of quality child care?

Ms Ruddock: I thank my hon. Friend for that question. I assure her that we shall have particular regard to good practice elsewhere as we develop a national child care strategy. We shall learn from other countries, and shall for the very first time put into practice a system of quality, affordable and accessible child care for parents and children, whose development will benefit greatly from that opportunity.

Mrs. Gillan: Does the Minister agree that in the United Kingdom, despite a great improvement under Conservative Governments, women's pay for full-time work is still on average only 80 per cent. of men's hourly pay, and that that issue is of great concern to all women? Does the Minister believe that she or the Prime Minister sets a good example to employers, or that the United Kingdom sends a positive message on equality to her European counterparts and gives the right lead, when the Prime Minister appoints her to a ministerial job at a rate of pay £23,623 less than that of her male colleagues? What does that say about the Government's attitude to women employees?

Ms Ruddock: The hon. Lady is perfectly well aware of the technical reasons for the impossibility of paying a salary for the new position.

Mrs. Gillan: Not for men.

Ms Ruddock: The hon. Lady protests, but there are men in the Government who are not drawing ministerial salaries.

The hon. Lady, who has represented her party and the Conservative Government as a spokesperson on women, has something to apologise for to the women of this country. The Government of which she was a member never championed women's needs; they took no trouble whatever to redress the imbalance between women's and men's pay. With the working family tax credit proposals—and, indeed, the minimum wage—this Government will do more to lift the wages of women than the Conservative Government did to lift the wages of any woman in nearly two decades.

Fraud Detection

12. **Mr. Mitchell:** What proposals she has for increasing the resources devoted to fraud detection efforts in respect of social security benefits. [29085]

Ms Harman: We are currently spending £400 million a year on tackling benefit fraud. We will take whatever measures are necessary to tackle fraud in social security.

Mr. Mitchell: Does my right hon. Friend agree that it is more sensible to begin the necessary work of reforming social security with a more vigorous onslaught on fraud and fiddles, whether they are perpetrated by employers or by beneficiaries, than to create an atmosphere of fear and terror by talking of cuts—cuts in benefit, cuts in rates, cuts in eligibility—and continuing the shakedown that the Conservative Government started among the disabled, which is going on at this moment?

Ms Harman: Let me take this opportunity to reassure people with disabilities and people who are claiming benefits that no one who is genuinely entitled has anything to fear from our welfare reforms. However, we want to rebuild support for the welfare state and we cannot do that if people believe that, although the House lays down the rules for entitlement, they can decide for themselves whether they will draw benefits. We will take tough action to ensure that there is no fraud—tough action in relation not only to claimants, but to employers who evade their national insurance contribution responsibilities.

I can report that, after one month of our new hotline to tackle national insurance fraud by employers, the Contributions Agency is now investigating 1,000 new cases of reported employer fraud. Such cases, if they are proved, not only defraud the national insurance fund, but strip employees of their entitlement to pensions and to sickness and other benefits.

Mrs. May: Does the Secretary of State accept that the number of cases of disability benefit fraud has proved to be extremely small? Will she state categorically that that is the case? Will she also reconsider the request from the all-party disablement group for the Government to suspend the benefit integrity project pending an independent review, in the light of real cases of hardship in which disability benefit has been cut or taken away?

Ms Harman: The benefit integrity project is not an anti-fraud project; it is a project to ensure that those who receive disability living allowance are entitled to it. Some people, although they may have been entitled to it when they first claimed, cease to be entitled because their circumstances change. I am sure that the hon. Lady agrees that it is right for us to ensure not only that those who are entitled receive their benefit, but that those who are not entitled do not receive it. As the Under-Secretary, my hon. Friend the Member for Southampton, Itchen (Mr. Denham) said earlier, we are taking steps to improve the quality of decision making in the benefit integrity project.

Mr. Swinney: As the Secretary of State will know, fraud accounts for only 12 per cent. of the 20 per cent. of cases in which disability living allowance has been reduced; the remaining 8 per cent. are the result of other factors.

Following the right hon. Lady's statement and her written answer to me of 9 February on securing additional evidence about decisions made in the benefit integrity project, does she accept that the Government have a responsibility to consider that 8 per cent. of cases and to take the initiative in deciding whether individuals have been properly treated by the Benefits Agency and the project and to restore benefits if that is appropriate?

Ms Harman: My hon. Friend the Under–Secretary made it clear earlier that it is important for anyone who

feels that he has been unfairly treated by the benefit integrity project to understand that he has a right to review if he wishes to take up that option. We introduced extra safeguards to the benefit integrity project so that if it is proposed that someone should have his disability living allowance cut or taken away, action will not be taken until further evidence has been sought to ensure that the decision is right. It is unsatisfactory for benefit to be reduced or taken away and for people to have to wait eight weeks for the matter to be sorted out by a review. That is why we have introduced the extra safeguards. We are reviewing the fraud targets on disability living allowance that were laid down by the previous Government because our evidence so far from the benefit integrity project suggests that they were not right, although it seems that the overpayment estimate probably was.

Lone Parents

13. **Mr. David Davis:** What the targets are for the number of lone parents who will obtain work through the new deal for lone parents. [29086]

Ms Harman: The new deal for lone parents is already up and running in eight areas. It will be extended nationally to new claimants in April and to existing claimants in October. About 500,000 lone parents with children over five are bringing up their children on income support.

Mr. Davis: What is the full cost of the scheme per lone parent? Perhaps more important, what is the full cost of the scheme for each lone parent placed in a job?

Ms Harman: My right hon. Friend the Chancellor has made available some £200 million to finance the new deal for lone parents over the next five years. The cost of more than 1 million lone parents bringing up 2 million children on income support at the end of the previous Government's term of office was about £10 billion. People think it inconceivable that the only Government message to lone parents on income support was, "Stay on it until your youngest child is 16." We are confident that our measures will help lone mothers to get into work and will begin to reduce the number of lone parents on income support.

Mr. Michael Jabez Foster: Is my right hon. Friend aware that the £50 a week better off figure that has been mentioned does not include the cost of child care? In my constituency, wages are so low that even with the benefit of the minimum wage, for single parents to be better off it would be necessary to make substantial changes to in-work benefits. Are such changes proposed?

Ms Harman: We are concerned to take all the steps we can to ensure that lone mothers do not have to bring up their children on income support but can get work and make it pay. The minimum wage and the working family tax credit will help low-paid families, the overwhelming majority of whom are lone parents. The cost of child care is an important factor for lone parents. For the first time in this country, we shall have a national child care strategy and in his Budget my right hon. Friend the Chancellor will make further announcements about further help with the cost of child care through the tax system.

Mr. Duncan Smith: Does the Secretary of State agree that after she launched the programme last year she said that it was a major success and claimed a 20 per cent. success rate? It was discovered that the actual rate of those going into work was 5 per cent. She told everybody to wait because some people still had not had a chance to act on the letters and that the scheme would be much more successful as the months went by. The success rate is now 6 per cent. Is not the reality that the programme is floundering and is not getting people into work? Most of those who are going into work are likely to have obtained jobs without that help. What is the right hon. Lady prepared to do to put the programme back on an even keel and make certain that it is a success rather than the failure that it is now?

Ms Harman: I think that the hon. Gentleman is saying, "Why do we need a new deal for lone parents because they would all get jobs anyway?" As that is not true, do I take it that he is backing the new deal for lone parents? If he is, that is very welcome. In the eight pilot areas, more than half the lone parents have been contacted. That is in stark contrast with what happened under the previous Government, who told them to stay on income support until their youngest child was 16. So far, one in five lone parents who have been asked to attend for interview have attended. That is in contrast with what happened under the previous Government, who never invited them. Of those who have attended, one in three are in jobs.

This is a pioneering approach. The hon. Gentleman left lone mothers on income support. We will help them to become better off, for themselves and for their families, by getting into work.

Caroline Flint: I welcome my right hon. Friend's comments on the new deal for lone parents, who agree with her statements. They are being treated as visible rather than invisible women, which is how they were treated for 18 years under the previous Government. However, many lone parents cannot go to work because they lack education and training. I would welcome my right hon. Friend's comments on how we can get the new deal to work for them, so that they are encouraged to go into education and training. Could we consider opening up to lone parents the new deal education and training option presently available for 18 to 24-year-olds?

Ms Harman: My hon. Friend makes an important point. We want not only to help lone parents get into work, so that they can be better off than they are on benefits, but to ensure that they get opportunities for further education and training. Several hon. Members have raised that matter with me. We are examining whether the new deal can offer lone mothers additional opportunities by providing them with education and training, so that they can not only get a job, but get on in their job.

New Deal

14. **Mr. Day:** What the benefits status of those under–25s who take part in the new deal will be *(a)* during the gateway period and *(b)* during their participation in any of the four options. [29087]

The Parliamentary Under-Secretary of State for Social Security (Mr. Keith Bradley): The new deal for 18 to 24-year-olds gives young unemployed people real choices to improve their employability and their chances of fully participating in the labour market. During the gateway, young people will continue to receive jobseeker's allowance, provided they satisfy the normal eligibility conditions. Once they enter an option, they will receive either wages or a training allowance.

Mr. Day: Will young people who choose an option other than the employment option be better off than on benefit? If so, will the extra funding come from the social security budget?

Mr. Bradley: As I have explained, if young people take one of the options, they will receive either wages or a training allowance. If they receive a training allowance, they will be able to have passported benefits such as housing benefit and council tax benefit, which clearly come out of the social security budget.

International Women's Day

15. **Ms Julie Morgan:** What plans she has to promote international women's day. [29088]

Ms Ruddock: The Government's most important contribution to promoting international women's day will be the debate that we have arranged for this Friday. We are ensuring that Parliament has the opportunity to discuss women's priorities and how the Government are delivering on their promises to women.

Ms Morgan: Does my hon. Friend agree that child care facilities are needed in the House, both for members of staff and for elected Members and that, in the new institutions that we are setting up—the National Assembly for Wales and the Scottish Parliament—child care facilities should be built in from the beginning? Does she agree that Cardiff city hall, one of the options that is being considered to house the National Assembly for Wales, has a ready-made, established, creche? Does she agree that that is a great advantage?

Madam Speaker: That was very international—well done.

Ms Ruddock: My hon. Friend would not expect me to be drawn into where the Welsh assembly should be sited. However, in respect both to this Parliament and to any of the new institutions, the Ministers for Women are extremely keen that Members and people who work in these premises have the opportunity to express their child care needs. It is our view that all institutions should have regard to family-friendly conditions of employment and to assistance with child care. When my right hon. Friend the Secretary of State and I recently visited the European Parliament, we saw the excellent facilities it makes available not just to Members, but to the many staff who work in the buildings.

I urge my hon. Friend to join us in the debate on Friday, when she will be able to discuss—as, I hope, will many other hon. Members—whether child care is required, where it should be provided and the sort of child care that we want. Our priorities will be discussed on Friday and I urge hon. Members to be here to debate them.

Mr. Gray: Is the hon. Lady aware that an analysis of the list of Labour candidates at the election shows that it contained more public school boys than women? What steps will she take to stamp out that disgraceful inequality before the next general election?

Ms Ruddock: I very much hope that the hon. Gentleman will join us on Friday, when he will be able to express all his concerns about the representation of women, which is a key priority for the Ministers for Women. I can say with pride that our party has put women to the fore and ensured that there is now a record number of women in the House. I hope that the hon. Gentleman's party, and all others, will look carefully at equal representation for women, which I trust they will endeavour to bring about in all new institutions when they have the opportunity to do so.

Child Support Agency

16. **Mr. Bob Russell:** How many new cases she expects the Child Support Agency to deal with over the next year; and what changes in staffing *(a)* structures and *(b)* numbers she will implement to manage demand. [29090]

Mr. Keith Bradley: In 1998-99, we expect the agency to clear about 560,000 maintenance applications, an increase of more than 56 per cent. compared with the number cleared in 1996-97.

The agency is reorganising itself over the next year to move more staff on to front-line work and to improve telephone contact with customers. In addition, it will centralise work that does not require face-to-face contact with the public.

Those changes will allow the agency to increase staffing levels by 300 by March 1999 while saving £5 million in administrative expenditure.

Mr. Russell: The Minister of State said earlier that Parliament has sleepwalked into the nightmare of the CSA. Is it not time to stop the Rip van Winkle approach to the CSA, bearing in mind the fact that in one year Members of Parliament deal with 18,000 cases? Will the Government provide additional staff to ease the work load of hon. Members dealing with CSA cases?

Mr. Bradley: Rip van Winkle woke up on 1 May. The Government are undertaking a thorough review of the CSA, as my right hon. Friend the Minister for Welfare Reform explained. We will present proposals in the summer and the points raised by the hon. Gentleman will form part of the review.

Pensioners (Fuel Bills)

17. **Mr. Savidge:** If she will make a statement on her plans to help pensioners with their fuel bills. [29091]

Mr. Denham: This is the first time any Government have been prepared to help all pensioner households with their winter fuel bills. A total of £400 million has been made available to provide extra help, for this winter and next, to all pensioner households. One and a half million pensioners on income support have already received a payment of £50; other pensioner households will receive £20. Almost 10 million payments will be made to more than 7 million pensioner households. The majority of payments should be made by the end of March.

Mr. Savidge: Northern Scotland will welcome all measures that reduce the misery of pensioners' going to bed unnaturally early for fear of fuel costs and the tragedy of cold-related illness and death. Will my hon. Friend consider what further steps can be taken to reduce the tragedy of that sort of suffering?

Mr. Denham: In addition to winter fuel payments, we have cut VAT on fuel and on materials used in Government-funded insulation programmes, we have abolished the gas levy, there is a review of utility regulation and an interdepartmental group is investigating fuel poverty. The winter fuel payments have been promised for this winter and next. The best approach is to take stock of that policy in the light of the other initiatives and reviews across the Government, including the pensions review, to find out the best long-term way to ensure that pensioners can always heat their homes in the winter.

Mr. Rendel: Will the Minister confirm that 80 per cent. of the extra winter fuel payments will be made in March or later, meaning that almost all pensioners will have to pay their winter fuel bills before they get the money?

Mr. Burns: It is a summer supplement.

Mr. Denham: This is the first time a Government have taken such action. Only in November was it clear that funds would be available for winter fuel payments. We have moved as swiftly as possible to make the payments. The majority will be made by the end of March. No other Government, including the Conservative Government of which the hon. Member for West Chelmsford (Mr. Burns), who is muttering on the Front Bench, was a member, have taken such action to ensure that pensioners can heat their homes in the winter.

UK Presidency (Women)

18. **Dr. Gibson:** What steps the Ministers for Women are taking on European Union–wide initiatives during the United Kingdom's presidency of the European Union. [29092]

Ms Ruddock: In addition to what I told my hon. Friend the Member for Doncaster, Central (Ms Winterton), the Ministers for Women are urging all member states to address women's needs for family-friendly employment policies and child care in their national employment action plans. We also want to tackle all forms of violence against women. During our presidency, we are urging member states to work at a national level to raise awareness of that issue.

Dr. Gibson: What steps is my hon. Friend taking to persuade employers to set up workplace facilities for child care? She will know that many European countries have moved ahead faster than us on this. Will she tell us about the training of people employed in workplace child care facilities? Does she agree that at least a minimum wage would be proper remuneration for such people?

Ms Ruddock: We are concerned about the provision of child care and to ensure choice. Provision by employers is very welcome. We are aware of provision in other nations. We shall study those issues at our conference in Belfast. Quality and training are key to our national child care strategy. A considerable consultation exercise is under way to ensure that the child care provided is good for child development and gives a safe environment. Child caring should be properly remunerated. The minimum wage will give recognition to those who undertake that worthwhile and sometimes taxing work.

Mr. Wilkinson: Will the hon. Lady take the useful initiative with her European counterparts of trying to find out why the majority of European Union countries have a lower rate of divorce than the United Kingdom? Those lower divorce rates result in less damaging and traumatic experiences for children and a lower cost to the social security budget. If she can discover the reasons, will the Government try to do something about them through their social policies?

Ms Ruddock: The hon. Gentleman will recognise that there are different cultural patterns—and that there have been different developments—across Europe. Many of us regret that divorce rates are rising throughout Europe. This country is not unique in that. We have learnt many things in our meetings, but such personal issues will not be brought into the European conferences that I have referred to.

Child Support Agency

20. **Mr. Bill O'Brien:** What plans she has to improve the efficiency of public telephone contacts with the Child Support Agency; and if she will make a statement. [29095]

Mr. Keith Bradley: Many of the Child Support Agency's customers have said that the telephone is their preferred way of dealing with the agency. The agency recognises the need to improve its telephone service and is taking forward a number of new initiatives with this in mind.

As many parents have work or domestic commitments during the day, the agency has begun to employ staff to work a wider, more flexible range of working patterns over a six-day week. As well as extending the opening hours when telephone contact can be made with it, the agency will increasingly use the telephone to get in touch with customers at an early stage in their application. The aim is that much more of the business will be conducted

over the telephone than by correspondence. This will allow the agency to gather the information needed more quickly and help speed up the assessment process.

For customers with general inquiries, more resources are to be allocated to the agency's national inquiry line from April 1998.

Mr. O'Brien: Any improvement in the service provided by the CSA is welcome. Will my hon. Friend take on board the need for better training for CSA staff? People are referred from one department to another and computers sometimes go down, which means that answers to queries are not received. The latest problem arises from the fact that people are being advised that although the Government guaranteed that 70 per cent. of the net wage would be retained by the absent parent, that figure could be reduced to 60 per cent. or less. That problem must be dealt with because it is causing great concern, not only in my constituency but across the country.

Mr. Bradley: My hon. Friend takes a great interest in this subject. As we move towards a more case work-focused, front-line service with greater use of the telephone, training will be an essential feature of that service, and we are determined to put extra resources into that part of the agency's work.

Planning for Communities

3.30 pm

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): Madam Speaker, I wish to make a statement on planning for the communities of the future. A document setting out our approach is published today and has been placed in the Libraries of both Houses. The document includes a response to the public consultation on the previous Administration's Green Paper, "Household Growth: Where Shall We Live?".

I hope that we can refocus the debate and, in doing so, change some of the language that we use in it. To my mind, much of the debate so far has been clouded by unhelpful language, crude figures and confused statistics. For example, the term "brown-field" is not helpful. I propose to talk about recycled land, which, of course, can be in cities—*[Interruption.]* There is no difference at all in the interpretation; "recycled land" is simply a better term. It can, of course, be in cities, towns or villages.

Green-field is too often confused with green belt, as if the two were always the same. Most important, while the technical term "household growth" is sometimes necessary, it does not adequately describe our main concern, which is to develop sustainable communities, now and in the future. I hope that, following today's statement, the Opposition will join us in a sensible debate—which does not seem likely—about how to achieve that aim, while recognising the real difficulties involved in meeting household growth in a sustainable way.

My Department published the latest projections of growth in the number of households in March 1995, under the previous Administration. The projections suggest that around an extra 175,000 households a year will be formed in the 25 years from 1991 to 2016. That is because of population growth and because people are living longer and couples are separating more often. However, household growth has been outstripping population growth increasingly since the turn of the century. It is not new.

The dilemma is clear cut and affects us all—how to accommodate more households and, at the same time, protect our precious countryside, without causing rents, house prices or homelessness to spiral upwards. It is a matter not just of how many households but of where they will live.

There are four key elements in our new approach. The first is increased flexibility. We shall emphasise that the projections are guidance, not building requirements. The second is more decentralisation. Regional planning conferences will have more responsibility and accountability in deciding the most sustainable way of meeting the needs of their communities. The third is making the best possible use of previously developed land and existing buildings. We must put the heart back into our cities and put cities at the heart of our strategy. The fourth is that what I set out today is part and parcel of our determination to achieve better integration of a range of policies that affect communities.

In order to achieve greater flexibility, we are determined to get away from a simplistic "predict and provide" approach in housing, as we have done for road building. We shall treat the household projections as guidance, not house building requirements. Moreover, we shall allow for greater flexibility in adjusting regional and local plans to ensure that, over time, local provision meets local need.

Decentralisation is an essential aim of the Government—whether in devolution, in establishing the regional development agencies, or in our proposals for London—which I am pleased to see the Opposition now support.

We therefore propose to strengthen the role of the regions in translating projections into regional planning guidance. The regional planning conferences will work together with the Government offices to determine how much extra housing is needed in their regions.

The aim will be to increase the local ownership figures so that local authorities translate the new regional guidance into plans and actions on the ground. I want to see better public information on the consequences of decisions on releasing land for housing, so that those responsible can be held accountable and the public debate can be better informed. I want it to be a truly bottom-up approach.

The conferences may be able to justify lower or higher housing figures than those implied by the projections, but we shall expect local authorities to monitor and report on the effects of their decisions. If the effects are damaging, authorities will need to act—or, in the last resort, we may need to intervene—but the whole philosophy of our new approach is to strengthen local responsibility and to have a bottom-up approach. We shall move to that new approach as quickly as possible in the reviews of regional planning guidance that are already under way. As soon as the new regional planning guidance is ready—possibly as early as next year—it will be open to local authorities to review their development plans.

In considering development plans in advance of new regional planning guidance, I shall continue to treat each case on its merits, taking account of today's statement.

It is our firm policy to protect our countryside and revitalise our towns and cities, by maximising the use of recycled land and existing buildings. One of the most effective ways of relieving the pressure on the countryside is to revitalise our cities and improve the quality of urban life. That is why I have called for an urban renaissance in Britain, requiring a whole range of measures. It is not just a matter of urban housing, let alone planning; it is about tackling the range of problems affecting the quality of urban life—in relation to crime, education, jobs, transport or the environment. Many of the same problems also affect rural communities, to which we must also direct our attention.

Last Wednesday, I unveiled the winner of the millennium village competition. The millennium village is a flagship scheme, providing 1,400 homes on recycled land at Greenwich. The development will be built to the highest quality of architectural and environmental design. Energy use will be 80 per cent. better than average. Every home will be linked to the internet, opening new horizons of communication. It will be a development for the whole community. There will be homes for rent as well as homes to buy, with provision for jobs, shops, public transport, health and schooling. The millennium village will point the way for urban regeneration in future, and I have asked

[Mr. John Prescott]

English Partnerships to seek out other similar sites for urban villages, to share the benefits throughout the country.

That initiative will run alongside our other main programmes: nearly £1 billion under the capital receipts initiative, £250 million announced last week under the estates renewal challenge fund and our other urban regeneration programmes. Such initiatives will help to meet a higher proportion of future housing need on recycled land in our towns and cities, rather than in the countryside.

The target set by the previous Administration was

"that, by 2005, half of all new housing should be built on re-used sites".

In practice, they achieved an average of 42 per cent. between 1985 and 1995—rising from 38 per cent. in 1985 to 50 per cent. in 1995. The figures are national averages—ranging from 33 per cent. in the east midlands to 83 per cent. in London—but the target was not based on any assessment of the availability of recycled land.

In future, we shall expect each regional planning conference to make a proper assessment of land availability and set regional targets for the use of recycled land. That has never been done before. It is an important change and it will sharpen the focus of policy and action on the ground. Last week, I asked my Department to work with English Partnerships and local government to create a national database of land use, which will give local authorities reliable information on the amount of recycled land available for housing.

Today, I go further. Local authorities, developers, builders and the professions have all been looking for a lead. To spearhead that unprecedented collective effort, I have established a task force to help make better use of recycled land. I have asked my noble Friend Lord Rogers of Riverside to lead it. It will co-ordinate and develop a wide range of activity and innovation.

I consider that a national target for the use of recycled land can help to guide regions and local authorities, and help them to improve their performance. With our new policies in place, we expect local planning authorities to be able to raise the national proportion of new homes to be built on previously developed land to 60 per cent. over the next 10 years. We shall come back to refine the national target in the light of regional targets when they are known and when our database is established.

We also want for the first time to measure separately the reuse of previously developed land in urban areas and in rural areas, so that we can get a better focus on urban redevelopment. Many of the respondents to the Green Paper accepted that 60 per cent. would not be easy. No one should underestimate the problems and costs of redeveloping some sites, such as those that are contaminated. Indeed, it cost more than £100 million to decontaminate the Greenwich millennium peninsula site alone—a decision taken by the previous Administration.

If we are to make our towns and cities attractive places in which to live and work, we must ensure a good quality of life. That is why we reject so-called "urban cramming" and pressures to build on green spaces in towns. Our parks and green spaces are part of what makes town living attractive. That is why we have strengthened the protection against building on school playing fields—a practice allowed by the previous Administration.

I now come to an important new element in our proposals. We propose to follow a sequential approach to the location of new housing and a phased approach to the release of land. Whenever possible, recycled land in urban areas should be built on first, provided that it can be well linked to public transport, jobs, shops and other facilities. The same tests will apply to the sequence of development of green-field sites. We shall also need to allow for release of empty property and so-called windfall sites. Some of the responses to the previous Government's Green Paper called for economic instruments, such as a green-field tax, to be introduced. As a first step, we want to open up debate on the use of that type of measure. Final decisions on taxation are, of course, a matter for my right hon. Friend the Chancellor of the Exchequer.

Much of the debate has concentrated on urban housing, but we must also allow for the housing needs of people in rural areas. Many country people are deeply concerned at the lack of affordable housing, often because houses are bought by wealthier commuters or as holiday cottages. A young couple in a village have every much a right to a decent home as their counterparts in the town.

Hon. Members will be aware of the recent report by the Rural Development Commission, the "1997 survey of rural services", which highlighted specific problems in the rural economy, particularly after 18 years of the previous Administration. Communities fall into decline and are no longer able to sustain jobs and essential local services. Those problems are particularly acute in our former coalfield communities, which are often in rural areas and which pit closures have left devastated. We must find new ways to address those problems. We want to see thriving communities in our rural areas—a living countryside.

It was the post-war Labour Government who laid the foundations of the modern town and country planning system, including green belts and national parks. The Government remain committed to protecting the green belts and the wider countryside—protection of the green belt is as strong as ever. Any new development, whether in town or country, must be sustainable development. There will be exceptional cases—such as that of Hertfordshire—where pursuing the most sustainable solution may lead to adjustments in the green belts, which is precisely what the previous Administration used to do. Nevertheless, since we came to office less than 10 months ago, some 30,000 hectares have been added to the green belt in boundary changes. I expect that trend to continue in this Parliament under this Government.

Successful community development depends on a wide range of policies. We shall tilt the balance in favour of urban development, not only through the planning process but through fairer regional development, improving our public transport, raising standards in our schools and tackling crime. We shall consult on how best to implement the proposals and take them forward in partnership with those involved, especially the regional planning conferences.

This statement represents a break with the past on one of the most important issues facing us today: how and where we should live. We want to replace the top-down, "predict and provide" mentality of the past with a more responsive and accountable system that is better able to revitalise our towns and cities and protect a living countryside that we all enjoy. I believe that the proposals

will help us to achieve our twin aims of urban renaissance and ensuring that we hand on a green and pleasant land to future generations.

Hon. Members: Hear, hear.

Sir Norman Fowler (Sutton Coldfield): Labour Members cheer now, but it would be more impressive had they not cheered exactly the opposite policy three weeks ago. Everyone knows that, however it is dressed up, this is a major Government U-turn. It makes nonsense of everything that Environment Ministers have been saying over the past nine months. How does the Secretary of State square what he said today with, for example, what the Minister for London and Construction was saying a few months ago about the impossibility of the policy that has just been announced?

Against that background, let me ask the Secretary of State a few short questions to find out how deep his conversion goes. How will his announcement affect plans for development in the green-belt land and countryside that he has already personally waved through in Hertfordshire, West Sussex and Newcastle? Will he order a halt on those plans? How does it affect the structure plans of counties such as Hampshire? Will they proceed on the new or the old basis in making their plans?

On the target for brown-field developments, or recycled land as the Secretary of State prefers to call it, why have his Ministers consistently said up to now that a 60 per cent. target is unrealistic? He acknowledged in his statement that his Department's statistics show that the previous Government raised the brown-field use figure not to 42 per cent. but to 50 per cent. Is he aware that our target remains 66 per cent? I have no doubt that in a few weeks' time the Government will have accepted that also.

On Lord Rogers's committee, is the Secretary of State aware that the public will need to be convinced that this is not just yet another Government review? Will the committee be entirely independent? Will it be asked not only to identify brown-field sites but to suggest measures to encourage their use? In that respect, does he recognise that measures such as the new development land tax that he mentioned may be good for the Treasury, but do little to stop development, given the vast difference in price between agricultural and development land?

Is the Secretary of State aware that it is not enough for him to say that although he has approved the destruction of the green belt in one area, he has approved its extension elsewhere? The one certainty of that policy is that green-belt land is permanently lost and that the green-belt principle is undermined.

Opposition Members have campaigned against development in the countryside and in the green belt, and for maximum use of brown-field sites and recycled land. This afternoon, the Government have accepted our arguments. Both we and the public will need to be convinced that the Government's words will be followed by action. The best way for the Government to show a new resolve is by reversing a number of the damaging decisions that they have already taken to destroy the green belt.

Mr. Prescott: I find it difficult to accept that the Opposition spokesman realises that he was in government for 18 years. As he pointed out, and as I fairly said, the Opposition's record on using brown-field sites ranged from 38 per cent., to 50 per cent. in their last year in government. It was therefore fair for us to say that the average was 42 per cent. I was a little surprised that he raised the matter of targets because, in government, they achieved their target of 50 per cent. in one year—

Sir Norman Fowler: It was more than 60 per cent.

Mr. Prescott: That was before they moved. It was 50 per cent., then, as I understand, a consultation document recommended that 60 per cent. be considered. Then, the hon. Member for South Suffolk (Mr. Yeo) wrote to me saying that I should adopt a target of 75 per cent. I wrote back to ask him whether that was his party's policy. The shadow Cabinet was then immediately convened, and the figure changed to 66 per cent.—all in a matter of weeks. I do not think that we can treat the Opposition spokesman's claims with any seriousness.

I want to have a serious debate. I did not slag off the Opposition in my statement; I did not think that there was a necessity to do so. *[Interruption.]* Just try and stick with it. We are trying to have an intelligent debate about a serious matter: where people live. I have tried to be helpful in suggesting changing some of the terms. In 12 months, I hope to have more information about where brown-field sites are. I find it amazing that the previous Government had not found out. In order to make a judgment, it is important to find out the amount of recycled land or brown-field sites we have. We are going to do that, and I hope that the House will be better informed as a result, so that we may have a more intelligent debate. *[Interruption.]* I am dealing with the opening comments of the right hon. Member for Sutton Coldfield (Sir N. Fowler.)

I have said that any decisions that come before me will take the statement into account until the necessary changes that the statement requires are made. I particularly chose to mention Hertfordshire in my statement, to show that I was prepared to break into the green belt in order to connect the area to a transport corridor. The basic principle is about meeting transport requirements, by moving more people on to public transport. The House will have to have more and more debates about that. It is true that, after 10 months in office, there are over 30,000 more hectares of green belt. That is quite important. It shows just how important we think those matters are.

With regard to Lord Rogers's independent review, we hope that he will be able to report in the first 12 months precisely how much land is available. The report will be independent. I am sure that anybody who knows him will agree that he would not accept any proposition that was not of an independent kind.

What we have done today is to indicate a change. It will make for a more intelligent debate. I appeal yet again to the Opposition to join us in that debate. People outside the Chamber are concerned about where their homes and communities will be, whether in rural or urban areas, and look to us to have a proper debate.

Mr. Gerald Kaufman (Manchester, Gorton): Is my right hon. Friend aware that his statement will be music to the ears of my constituents, in terms of both the development of what he calls recycled land and

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the protection of the living countryside, especially green spaces in towns? My constituents will be particularly pleased to hear his confirmation, in response to the bluster from the right hon. Member for Sutton Coldfield (Sir N. Fowler), that the criteria in his statement will be used in judgments to be made. Is my right hon. Friend aware that the intention, so far thwarted, of North West Water to build a housing estate, office blocks and an hotel on the only piece of open, green countryside adjacent to my constituency, is rejected by thousands of my constituents who have fought the proposal for years? We look to him to approach any planning applications in the light of the criteria in his statement.

Mr. Prescott: My right hon. Friend reminds the House that it is not just urban playing fields but small woodland areas and forests in our towns and cities that need protecting. I cannot comment on the particular case that he mentions, as it may come before me in my quasi-judicial capacity.

Mr. Matthew Taylor (Truro and St. Austell): The Deputy Prime Minister's statement is an extremely important step away from the discredited policies of the former Government, under which six out of 10 homes were built on green-field sites—many of them as a result of the overturning of local objections, and some as a result of the overturning of the views of local inspectors.

Would the decisions that the right hon. Gentleman has taken and which were based on the previous Government's policies have been different under these new policies? If so, why does he not announce a moratorium on further major development in the green belt pending the implementation of the new strategies? After all, he has accepted that they may take a year to implement, and just taking them into account is no guarantee that they will be followed.

Why has not the right hon. Gentleman accepted the view of the round table that reported to the previous Government: that 75 per cent. of properties could be built on brown-field—or what he calls recycled—sites?

Mr. Prescott: The hon. Gentleman is right about the different policies pursued by the previous Administration. I may have omitted to answer the point about whether there has been a U-turn. Indeed, I challenge the right hon. Member for Sutton Coldfield to show that anything I have said today differs from what I have said before. *[Laughter.]* It is no good saying, "Ho, ho, ho!" I will need more evidence than Opposition laughter before I will accept that there has been a U-turn. *[Interruption.]* Clearly, the right hon. Member for Sutton Coldfield cannot contest what I have said.

As for the 75 per cent. target, I believe that 60 per cent. is difficult enough to achieve. We need to assess how many brown-field sites are available before we can judge how the policy is working. I have set that work in hand.

Changes to plans or moratoriums would require legislation, and I am not in a position to introduce legislation at this stage. I shall, however, take into account the principles that I have identified in my statement. Local authorities, too, will no doubt take them into account when they make their assessments under the new system. Most of the targets are for 15 or 20 years ahead. I am sure that the new procedures, which will give local authorities a better chance of flexibility and of including the regional dimension, will lead to further changes. Those will be matters for regional planning guidance and conference discussions.

Mr. Andrew F. Bennett (Denton and Reddish): Does my right hon. Friend accept that if the strategy is to work, we must be prepared to look after existing housing areas far better than we have done in recent years? We must be prepared to spend more money on them, especially high-density housing schemes. We shall also need to regenerate the urban parks—where is the money to come from?

Mr. Prescott: I am surprised by my hon. Friend, who fought on the same manifesto as I did at the general election. It spelled out the fact that there would be £5 billion from capital receipts—a huge amount of money—to do precisely what he is calling for. What is more, the Chancellor has provided £800 million for the purpose.

Mr. John Gummer (Suffolk, Coastal): Will the Deputy Prime Minister accept my congratulations on getting rid of his target of 50 per cent., which is what we achieved, and on accepting the target that we had, of 60 per cent? What part will the round table on sustainable development play in the whole issue? It has suggested that 75 per cent. would be possible.

Secondly, there is a way in which the right hon. Gentleman can go back on decisions that he has already made. West Sussex council is taking him to court. It would be quite possible for him to decline to offer any evidence. That would enable him to do in West Sussex what I understand he has already done in Dorset.

Thirdly, would it be possible for the right hon. Gentleman to devote a little more time to discussing mixed development? I noticed no reference to mixed development in what he said. The key to what we are dealing with is mixed development in our towns—not only social mix, but a mix of housing, shops and offices.

Finally, will the right hon. Gentleman do something for the people of Stevenage, who are to have foisted upon them a development that would not be allowed under his policy, and which I would not have allowed when I was doing his job?

Several hon. Members *rose*—

Madam Speaker: Order. Before the Deputy Prime Minister answers, may I appeal to hon. Members? Most hon. Members in the House are standing—only about six are not standing. I obviously cannot call them all. Therefore, there will be only one question each now; otherwise, I shall ask the Deputy Prime Minister to answer only the first question.

Mr. Prescott: The recommendation of the round table on sustainable development—75 per cent.—is a difficult target to achieve. I could not in all honesty recommend that to the House, although I am prepared to reassess those matters once we have far more information. I have set that in hand.

With regard to West Sussex, the matter is before the courts. The principle on which we disagreed was that the local authority wanted to cut its housing programme by 25 per cent. I was not prepared to accept such an extreme cut. Dorset's cut was 1 per cent. of the total. The record of the previous Administration, in which the right hon. Gentleman played some part, shows that he also forced higher targets on some local authorities, which they did not want to accept.

Mixed ownership and living together are closely identified with the millennium urban village concept. I could not go into all the details in my statement, so I shall send the right hon. Gentleman all the aims and objectives—which he has probably read— of that concept. He is right about that, and we are trying to secure it.

Mrs. Ann Cryer (Keighley): I thank my right hon. Friend for his welcome statement. What immediate guidance can he give to Bradford metropolitan district council regarding its urban development programme, which allocates 1,500 spaces for houses at Silsden, in the green belt, in a beautiful part of the Aire valley in my constituency?

Mr. Prescott: Such matters are controversial. The plan in Bradford has been strongly contested and is, I think, still being contested. My hope is to provide a better system, so that we do not get into such situations, and so that local authorities will have a greater opportunity to determine the figures in a more decentralised way. I have set out the programme for that, and I hope that it will be more acceptable to the people in the regions.

Mr. Kenneth Clarke (Rushcliffe): I welcome the fact that the Deputy Prime Minister is re-examining policy, and I congratulate him on overruling the unhelpful remarks of his junior Ministers on previous occasions. That makes a practical difference. Will he consider the situation of counties where structure plans have already been settled, such as the county of Nottinghamshire, where the bulk of the development is being allocated to the countryside in the south, and far less of it to the old coalfield sites in the north, which need the regeneration? Will he allow the public inquiries on those structure plans to be reopened? It cannot be right for one policy to apply in some counties, and a new policy, if he has one, to be applied in others.

Mr. Prescott: If the Opposition spokesman was at the Dispatch Box answering for the Government, I am sure that he would give the same reply as I shall give: those matters cannot be reopened at this stage. I have provided an opportunity for a review of projections that are set 25 years ahead. That process will allow us to reconsider those matters. All projections over that period will be taken into account in the structure plans and the long-term development. I am providing a far better process for people to influence growth and development in their areas.

Mr. Andrew Mackinlay (Thurrock): I welcome my right hon. Friend's statement on recycled land. Will he bear it in mind that many existing planning permissions have not been triggered by developers? In my borough, there are 5,500 planning permissions year after year that have not been activated. That should be the backdrop to any decisions that he and his colleagues make when they receive inspectors' reports on planning applications. Will he be mindful of the need to ensure that where there is new residential development, particularly in the south-east of England, there is a penal tax on landfill and other measures? We must not resolve one problem of providing residential homes by creating an additional environmental problem that often results in land tipping, to the disadvantage of my constituents in Essex and those in other counties in the south-east of England, which is unacceptable.

Mr. Prescott: Those matters are very much under review at present. A conclusion will be arrived at shortly.

Mr. Peter Lilley (Hitchin and Harpenden): Is the right hon. Gentleman aware that my constituents were deeply disappointed when he approved—or said that he had no objection to—plans to build 10,000 houses in the green belt between Stevenage and Hitchin in my constituency? That is the biggest incursion into the green belt since any hon. Member has been in this place. Does the right hon. Gentleman realise that the whole country will view this as a litmus test of whether he has changed his rhetoric or his policies? Is he aware that Hertfordshire county council told me today that he could, without legal risk or the chance of incurring damages, reverse that decision and abort the plan? If he does so, my constituents and I will hail him as a hero. Does the right hon. Gentleman realise that no one will believe that he has changed his policies if he is not prepared to change that decision?

Mr. Prescott: I have some difficulty accepting the Opposition's arguments in this area. As I understand it, they would like local authorities to have more say on such matters and, in this case, the local authorities fully endorsed the proposal. For whatever reason, the local authorities have agreed to that proposal. Therefore, to that extent—

Mr. Lilley: Wrong.

Mr. Prescott: The local authorities agreed to the proposal. I accepted what the panel said about changes to the green-belt area because I felt that the transport corridor encouraged the movement of transport in an urban sense, rather than the pepperpot development that we have seen in rural areas. That is an important part of the environmental sustainability arguments. The previous Administration—in which the right hon. Gentleman was a major player—gave 500 hectares of green belt to a vehicle storage and distribution centre, corporate headquarters, automotive production and an airport runway.

Mr. Keith Vaz (Leicester, East): May I congratulate my right hon. Friend on his clear and concise statement and on the excellent choice of Lord Rogers to head the task force? Does he agree that, in order to achieve his aims, we must take a grip on the archaic, inflexible, expensive and bureaucratic planning system that he inherited from the previous Government?

Mr. Prescott: There has been considerable criticism of the planning framework—although I think that every hon. Member would agree that such a framework can play a useful role. We are reviewing the matter at present and

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taking account of the many criticisms that have been made. However, I believe that a planning framework is absolutely essential in this area.

Sir Peter Emery (East Devon): Does the right hon. Gentleman realise that many people in the country, including Members of Parliament, believe that they have an absolute duty to protect the jewel of the British countryside? Once it is bulldozed, it can never be returned to us. Does the right hon. Gentleman realise that, under his present plans, more than 2.5 million new people will go to live in the countryside in the next 10 to 12 years? Does he really believe that that is acceptable?

Mr. Prescott: Whether or not it is acceptable, it happened for 10 years under the previous Administration.

Kate Hoey (Vauxhall): I welcome the principles contained in my right hon. Friend's statement. Many of my constituents will now feel hopeful that they may not have to move out of London in order to provide homes for their families. Is my right hon. Friend absolutely certain that we shall find ways of providing affordable housing in London and in our inner cities?

Mr. Prescott: That is a very important matter. Recent information has shown that many people are leaving London, and I believe that they would stay if certain parts of the city were more attractive places in which to live. Improved housing, reduced crime and a better education system are influential factors in determining whether people leave an area. Social housing is a crucial part of the equation, and my hon. Friend knows that we have discussed such development in London. I want to see mixed ownership and different forms of financing house purchase, which would allow for good mixed development in all areas.

Mr. Nicholas Soames (Mid–Sussex): Although the right hon. Gentleman's decision to recycle more brown-field sites is, of course, good news, does he accept that a deep sense of injustice remains in West Sussex about the fact that, even after his statement, he still intends to press ahead with his futile case in the High Court? In the context of his statement, how can he justify overturning his own inspector's decision that West Sussex county council had an impeccable case and that West Sussex could not physically take any more new housing?

Mr. Prescott: I am not taking West Sussex county council to court; the county council is taking the Government to court—that is its decision. Secretaries of State of all Governments have constantly faced such decisions. As the hon. Gentleman says, the matter is before the courts, but I did not believe—I have given some of the reasons why—that a 25 per cent. cut in the total amount of housing for the area was acceptable. I believe that local parties should determine the figures more flexibly in a regional context. West Sussex is a good example of why we need a new system.

Dr. Brian Iddon (Bolton, South–East): I am sure that my right hon. Friend realises that, while the previous Administration lined the pockets of their friends in the new house building industry, houses in areas such as I represent fell into dilapidation faster than we could improve them. Indeed, in Bolton in 1998, there are 5,000 to 6,000 irredeemably unfit homes. I welcome his statement, but please will he help us to carry out some clearance, so that these areas can be regenerated and people do not have to continue to live in these intolerable conditions?

Mr. Prescott: My hon. Friend makes an important point. The fact that there are some 700,000 empty properties today is a major problem for us. *[Interruption.]* It is private and public sector housing. I am bound to say that it does not help if hon. Members shout out ideological comments about whether the authorities are Labour or Tory. The House, if it is concerned about homelessness, should be united in dealing with empty properties, regardless of whether they are private or public. We should address the fact that many of those properties are on brown-field sites. The Government are also considering the refurbishment of estates and have started some of the programmes. We are committed to bringing more resources into play—when they become available—to improve and refurbish our estates.

Mr. Tom King (Bridgwater): Whatever percentage is chosen for recycled land, there will be a substantial amount of development on green-field sites. Is not the key question how the right hon. Gentleman can ensure that priority is given to the development of recycled land? Did I understand him to say that he would consider further how that might be done? Will the outcome of such consideration be taken into account in the existing system of public examinations and structural plan reviews?

Mr. Prescott: Those are important questions; some of the answers may flow from the reviews that we are conducting. People have not properly addressed the question of the 75 per cent. figure. As the right hon. Gentleman suggests, 25 per cent.—or 1 million of the 4 million houses projected, which is an awful lot—will still have to be built on green-field sites. How we fit those houses into the green-field sites is debatable—both the Government and the previous Administration allowed the green belt to be cut for further housing—but we must address that difficult problem. The sequential test that I am introducing—which, as everyone should agree, is good common sense—already applies to out-of-town shopping centres. We should, therefore, be able to get a better idea of how much we can put on the brown-field sites before we deal with the green-field sites.

Ms Julia Drown (South Swindon): My right hon. Friend's statement will be welcomed by my constituents, whether they live in rural or urban areas. Will he assure the House that he will consider giving local councils greater control over the density of housing to be built in an area, so that developers cannot ride roughshod over local people's wishes and build fewer homes in an area than were intended, thus putting more pressure on our green fields?

Mr. Prescott: That is indeed an important point. The guidance notes will have regard to density of housing.

Mr. David Heath (Somerton and Frome): I welcome what the Secretary of State has had to say, which is in marked contrast to the imperviousness of the previous Government when facing exactly the same arguments.

May I bring the right hon. Gentleman back to the county structure plans, which are key to the planning process in rural areas? Somerset, for example, is in the middle of the process. It has indicated that it does not believe in the figures that have been put forward and would like to see them revised downwards. The examination has been completed in public. Will Somerset be allowed to revisit the examination in public or to consider the Secretary of State's new policy in determining what to submit to Ministers in due course?

Mr. Prescott: I have made my statement. I have no doubt that the matters under discussion will be taken into account in all parts of the country. I am not able to comment on reviewing structure plans, because such issues may come before me. That being so, I cannot comment at this stage.

Mr. Chris Mullin (Sunderland, South): I welcome my right hon. Friend's statement. May I say, however, that 60 per cent. is not a very ambitious target for the north-east, where many acres are capable of being recycled? There is a good case for stopping all or most green-field developments, to force developers and planners to come up with ways of civilising our inner cities.

I invite my right hon. Friend to Sunderland, where there are acres of listed Victorian properties that are sliding towards ruin. Attempts to refurbish them are undermined, because local authorities are granting planning permissions on green-field sites.

Mr. Prescott: I recall my hon. Friend asking me a similar question about Newcastle a short while ago. I checked things out, and it appears that 77 per cent. of new houses are being built on brown-field sites. That is even better than the targets that we have talked about this afternoon. That achievement cannot be held as a criticism against Newcastle.

It is—*[Interruption.]* There is an argument. I have said that at this stage 75 per cent. is too ambitious. It would be wrong to say that I believe that that percentage can be achieved. That would not be an honest approach. I think that 60 per cent. is possible, and that is the target that I have set the Government in 10 years' time. Within about 12 months, I shall make a statement on the review of brown-field sites, or recycled land, so that we can all make a judgment on the real possibilities. That is the proper approach.

We are talking about the provision of housing, and there is talk of council housing. The green-belt area in the north-east improved under the Durham county plan, involving about 15,000 hectares. That is a major extension of the green-belt area, and one of the reasons why we are doing so well.

Mr. David Curry (Skipton and Ripon): The right hon. Gentleman never mentioned the word "money" in his statement. What is his estimate of the additional costs of developing on used sites as opposed to unused sites? Is it his intention to direct additional resources to local government, the new regional development agencies or the apparently reprieved English Partnerships, to finance the bringing of land into a condition that is fit for development? Is this the death knell for the proposed new town between Ripon and Thirsk, in open countryside?

Mr. Prescott: The right hon. Gentleman is wrong to say that I did not mention money in my statement. I mentioned more than £1 billion in regard to capital receipts, regeneration and estates renewal. If extra moneys are required—I well understand the argument that recycled land is much more expensive to build on than other land, and I have considerable sympathy for it—a judgment will have to be made at a later stage.

The sequential test will tell us how much money will be needed. I worry to some extent that extra pressure that is put on recycled land will have the effect of pushing up land prices. If owners are thinking about the target of 60 or 75 per cent., they may well feel, "Let's hang on to the land." If that is the position, local authorities and other bodies will find it difficult to afford recycled land on which to build.

That is one of the arguments of supply and demand. We must take account of those real problems, which have implications for public expenditure. I do not have sufficient information at present to make a judgment.

Mr. David Drew (Stroud): I thank my right hon. Friend for his statement. I am sure that he is aware that Labour Members have been engaged with this issue for a long time. I ask my right hon. Friend to accept that villages are prepared to accept development. However, when the local plan is for 25 houses, that is what they want to end up with. Is my right hon. Friend prepared to consider means to ensure that the planning process is able to deliver that sort of development and not a great deal more housing?

Mr. Prescott: The judgment on how many houses will be in villages or in urban areas is best left to the new framework that I am proposing. The more flexible approach allows all the different bodies to reach agreement and decide on the areas. Whether it is 25 houses for a village or 1,000 for an urban area, the judgment will be made in the local area. The flexibility that I am introducing will make the system more effective than the existing arrangements.

Sir Paul Beresford (Mole Valley): The house projection figures reflect social change over the years. Some of those changes are definitely desirable, but many would consider some to be undesirable. Will the Labour Government attempt to influence any of the undesirable ones?

Mr. Prescott: The hon. Gentleman should be more specific about what he feels to be undesirable.

Mr. Bill O'Brien (Normanton): I thank my right hon. Friend for his statement, and in particular his reference to strengthening local responsibilities. Last year was the 50th anniversary of the Town and Country Planning Act 1947, and bringing responsibilities back to local areas is welcome. If he wants to develop a millennium village in West Yorkshire, I can offer him two sites. Horbury and the former mining village of Sharlston would make admirable sites for a millennium village.

Mr. Prescott: My hon. Friend has a long history of wishing to see the decentralisation of Government decisions, so I well understand why he welcomes the proposals that I announced today.

[Mr. Prescott]

As regards making a bid for a millennium village, my hon. Friend's is the second application that I have received. The first was Hull.

Mr. John Bercow (Buckingham): The Deputy Prime Minister mentioned the possibility of a tax on green-field sites, which was originally trailed some time ago. Will he confirm that if such a tax goes ahead, he will ensure that the proceeds from it are reinvested exclusively for the betterment of rural areas and will not be confiscated by the Chancellor for his own nefarious purposes?

Mr. Prescott: I did not hear the last part. It did not sound as if it was worth while anyway.

On taxation arrangements, the decision will be made at the appropriate time by the Chancellor.

Mr. Neil Gerrard (Walthamstow): My right hon. Friend was far too generous to the previous Government when he described their policies as "predict and provide". They may have predicted, but they certainly did not provide affordable social housing. I hope that he will ask regional planning conferences to set specific targets on social housing.

With regard to town centres, I ask my right hon. Friend to look at some of the schemes that were successful but grossly underfunded, such as living above the shop, and whether we can put more effort and money into such schemes.

Mr. Prescott: We are looking at those matters. The judgments on social housing will be made by the local authorities with the regional planning conferences. We have a major part to play, with our housing programmes. My hon. Friend mentioned the "predict and provide" policies of the previous Administration. During their time in government, the Conservatives produced 1 million fewer houses than the average building programme of a decade earlier.

Mr. Cynog Dafis (Ceredigion): I am glad that the Deputy Prime Minister spoke about a living countryside and thriving communities in rural areas, but how does he reconcile that with the Government's apparent intention to use the current crisis in farming as a way to bring about a radical downsizing of employment in agriculture? Does he agree that if that downsizing occurs and if the crisis continues, we shall see a catastrophic decline in rural areas, and their economic viability will be pulled out from under them?

Mr. Prescott: I have a great deal of sympathy with what the hon. Gentleman says. There has been a massive change in the economic circumstances of rural areas, which is largely because of considerable changes in agriculture. The report that I mentioned shows the decline in essential services in rural areas. The solutions that we have put forward—to work with rural areas and to bring in regional development agencies—will play a major part in improving the situation in rural areas. It could not be worse than what happened under 18 years of Tory government.

Mr. Hilton Dawson (Lancaster and Wyre): I commend my right hon. Friend's statement, which will be regarded as enlightened by urban and rural communities, and thank him for his rational approach in the face of mischief making and misinformation. Will he assure me that under the new planning system, which will remove so much that was bad from the previous Government's system, parish and town councils will be able to estimate the housing needs and environmental capacity of the communities that they know so well?

Mr. Prescott: Under the new planning system, parish and town councils, while not making the decisions, will have greater influence through the regional conferences. Decisions will not be passed from top to bottom. Councils will be able to determine their own areas and decide, exercising greater flexibility, how they will be spread within the region.

Mr. James Paice (South–East Cambridgeshire): Does the Deputy Prime Minister accept that bragging about the size of the green belt is irrelevant and that what matters is where it is? Constantly removing green belt from the inside and expanding by greater percentages outside does not protect communities in the cities from sprawl or the countryside from development. Unless the green belt is inviolate, it fails in its principal purpose.

Mr. Prescott: It was not inviolate under the previous Administration. I can give the hon. Gentleman the figures, if he tables a parliamentary question. Previous Secretaries of State had to make balanced judgments. I do not criticise that. The green belt became an issue only because we were told that we were cutting it, and the record—*[Interruption.]* Every Government, including the previous one, built on green-belt areas. We have increased the green-belt area by more than 30,000 hectares in less than 10 months. That is a pretty good record.

The hon. Gentleman has a fair point, which Secretaries of State have to bear in mind when judging planning matters. I may allow house building on the edge of Stevenage's green belt, for example, and people may say that providing green belt elsewhere does not necessarily satisfy demand. I understand the point, but could be more sympathetic: people in urban areas, too, like green-field sites, but the Conservative Administration constantly sold such sites—school playing fields, for example—and were indifferent to green-belt considerations.

Mr. Mike Hall (Weaver Vale): I welcome my right hon. Friend's statement, because it signals a significant policy change. The previous Administration's planning approach was guided by a presumption in favour of development. Local authorities would refuse planning applications, only for decisions to be overturned on appeal and costs awarded against them. A more democratic approach to local decision making will allow the protection of green-field sites.

Mr. Prescott: How could I possibly disagree?

Mr. Bernard Jenkin (North Essex): May I welcome the right hon. Gentleman's policy change on targeting recycled sites? I should be grateful if he enlightened me as to where that leaves Essex, which has already agreed in principle to an extra 85,000 homes. Will he shed light on these shadowy new organisations, regional planning conferences? Is he aware that he has changed his policy?

Will the conferences be accountable to the House or will they be in planning experts' limbo, and immune to accountability, which will allow the planners' cabal to proceed relatively unsupervised?

Mr. Prescott: As I said in my statement, the responsibilities of the Secretary of State have not changed.

Several hon. Members *rose—*

Madam Speaker: Order. I am bringing this debate to a close. We shall no doubt return to these matters very soon.

Points of Order

4.29 pm

Dr. Nick Palmer (Broxtowe): On a point of order, Madam Speaker. I should like to correct a statistic that I gave the House two weeks ago. When I introduced the Acquisition and Possession of Air Weapons (Restriction) Bill, I said that 7,000 police officers had been injured and one had been killed by airguns in recent years. It turns out that that was the number of injuries sustained by the general public, whereas I interpreted it as injuries sustained by the police. I want to correct that. I am appreciative of the hon. Member for Blaby (Mr. Robathan), who drew the error to my attention. I apologise for unintentionally misinforming the House.

Madam Speaker: The House is grateful to the hon. Member.

Mr. John Swinney (North Tayside): On a point of order, Madam Speaker. I want to raise an issue relating to the Committee stage of the Scotland Bill, which we are about to commence.

Madam Speaker: Can the point of order wait for the Second Deputy Chairman of Ways and Means, who is in charge of the Committee stage and has the authority to deal with the hon. Member's point?

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. You have been very generous with statements, private notice questions and points of order on Iraq. Have you had any request from the Attorney-General to make a statement on whether Her Majesty's Government are trying to build into a new Security Council resolution the authority, based on international law, for military action to be taken against Iraq in the event of a further breach of agreement? If so, that is, by implication, a recognition of the fact that any military action by the United States is illegal under international law. Have you received any such request from the Attorney-General, to whom I have spoken personally?

Madam Speaker: I have received no such request from the Attorney-General or from any other source on that matter.

SCOTLAND BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Order [13 January],

That the Order [13th January] relating to the Scotland Bill (Programme) be amended by inserting, after paragraph 1, the following paragraph—

'1A. On the fifth allotted day paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to the proceedings on the Bill for one hour after Ten o'clock'.—[*Mr. McFall.*]

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 82 (Business Committee),

That the further Report [19th February] from the Business Committee be now considered.—*[Mr. McFall.]*

Question agreed to.

Report considered accordingly.

Resolved,

That this House doth agree with the Committee in its Resolution.—*[Mr. McFall.]*

Following is the report of the Business Committee [19 February]:

That it had come to a Further Resolution [19th February] in respect of the Scotland Bill, which it had directed him to report to the House:

That the Resolution of the Committee reported to the House on 22nd January be varied so that—

(a) the fifth to eighth days allotted under the Order [13th January] to proceedings in Committee of the whole House shall be allotted in the manner shown in the Table set out below, and

(b) each part of the proceedings shall, if not previously brought to a conclusion, be brought to a conclusion (in accordance with the Order) at the time specified in the third column of the Table.

TABLE

Allotted day	*Proceedings in Committee*	*Time for conclusion of proceedings*
Fifth day	Clause 69	7.00 p.m.
	Clause 70	7.45 p.m.
	Clause 71	8.45 p.m.
	Clauses 72 to 80	10.00 p.m.
Sixth day	Clause 81 and 82	5.30 p.m.
	Clause 83	8.00 p.m.
	Clauses 84 to 91	
	Schedule 6	
	Clauses 92 and 93	9.45 p.m.
	Clauses 94 to 109	10.00 p.m.
Seventh and eighth days	Remaining proceedings (according to time limits to be determined by a further report or further reports of the Business Committee)	10.00 p.m. on the eighth day

ROYAL ASSENT

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Act:

Greater London Authority (Referendum) Act 1998

Orders of the Day

Scotland Bill

[5TH ALLOTTED DAY]

Considered in Committee [Progress, 12 February].

[MR. MICHAEL LORD *in the Chair*]

4.31 pm

Mr. John Swinney (North Tayside): On a point of order, Mr. Lord. I should like to draw your attention to a press announcement by the Scottish Office this afternoon. It announced a consultation paper on the details of the Scottish Parliament's tax-varying powers, which are the subject of our discussions. I called at the Vote Office at 4.15 pm to try to obtain a copy of that document, but it was not available. That is unusual, as it contains an interpretation of the contents of the clauses before us today, to which hon. Members have tabled amendments.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): I understand that the Minister would like to respond to that point.

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): Copies of that documents can be obtained in the House of Commons Library, and I apologise for any inconvenience.

Mr. James Wallace (Orkney and Shetland): Further to that point of order, Mr. Lord. I was unaware of this difficulty until the hon. Member for North Tayside (Mr Swinney) made his point of order. If the press have been informed, would it not have been a simple courtesy to send a fax message to hon. Members who are known to have an interest in these matters?

The Second Deputy Chairman: I think that the Minister has made the matter clear.

Clause 69

POWER TO FIX BASIC RATE FOR SCOTTISH TAXPAYERS

Mr. Michael Ancram (Devizes): I beg to move amendment No. 352, in page 29, line 7, after 'Scottish', insert 'income'.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 353, in page 29, line 16, after 'Scottish', insert 'income'.

No. 354, in page 29, line 19, after 'Scottish', insert 'income'.

No. 355, in page 29, line 20, after 'Scottish', insert 'income'.

No. 358, in clause 70, page 29, line 36, leave out 'a' and insert 'an income'.

No. 359, in page 29, line 39, after 'Scottish', insert 'income'.

No. 360, in page 29, line 43, leave out 'a' and insert 'an income'.

No. 361, in page 30, line 5, leave out 'a' and insert 'an income'.

No. 362, in page 30, line 13, after first 'the', insert 'income'.

No. 363, in page 30, line 16, leave out second 'a' and insert 'an income'.

No. 364, in page 30, line 26, leave out second 'a' and insert 'an income'.

No. 365, in page 30, line 27, leave out 'a' and insert 'an income'.

No. 369, in clause 71, page 30, line 31, after 'Scottish', insert 'income'.

No. 383, in clause 72, page 31, line 36, after 'Parliament's', insert 'income'.

No. 386, in page 31, line 42, after 'Parliament's', insert 'income'.

No. 391, in page 32, line 14, after 'Parliament's', insert 'income'.

No. 394, in page 32, line 19, after 'Parliament's', insert 'income'.

No. 395, in page 32, line 21, after 'Scottish', insert 'income'.

No. 398, in clause 73, page 32, line 33, after 'Scottish', insert 'income'.

Mr. Ancram: Let me say first, with reference to the points of order, that I find it extraordinary that we should be told at the beginning of the debate that there are papers in the Library about which we have had no notification, the understanding being that we should sit at the Library door waiting to see what papers go in, lest any should be relevant to the debate. It is a disappointing start, and I hope that if there are any relevant issues in the paper—which I hope one of my hon. Friends has now gone to the Library to secure for me—the Minister will take the opportunity to highlight them, so that we can discuss them today.

The amendments comprise the first of a number of groups that we shall debate today relating to part IV of the Bill. They deal with the tax-varying powers of the Scottish Parliament. Having read this part of the Bill a number of times since its publication, I consider it the most confused piece of legislation that I recall reading in a long time. It is muddled, it is obscure and it is a cause of uncertainty—and, therefore, a cause of concern—about a matter that is very important to many people in Scotland.

I was surprised at what appears to be a general lack of interest among the other parties in a matter that was, after all, a central part of the referendum debate. I see from the amendment paper that the Liberal Democrats have tabled only one amendment to part IV, although they were never backward in coming forward to table amendments on the other parts. The Scottish National party has tabled eight amendments. That suggests that, having secured endorsement through the ballot box for the power to vary, those parties are now anxious to push on to the back burner the fact that the Scottish Parliament will almost certainly mean higher taxes for people living north of the border.

I appreciate that the vote on 11 September settled the issue of whether there would be a tax-varying power, and we accept that the Scottish people wish the Parliament to have the limited tax-raising power to which the Government referred in the White Paper. However, that cannot mean that the whole issue can now be swept under the carpet, in the hope that, in the run-up to the first elections to the Parliament, the electors of Scotland will not be aware of the potential effect on them. The issue will be of major importance when we come to the elections, and I hope that we can debate in detail today some of the uncertainties and concerns that have been voiced by people all over Scotland about this part of the Bill.

It is essential to ensure that the legislation delivers a power that is no more and no less than what was endorsed in the referendum. As we all understood it, that was the marginal power to vary the standard rate of income tax up or down by a maximum of 3p—and nothing else. That is the question which I understood to have been put to the Scottish people, and they endorsed it. In the amendments, we seek to achieve such a position, and to do so in a way that is beyond peradventure.

The amendments stem from a genuine suspicion that somewhere in the tangled legislative undergrowth are hidden taxation powers about which the people of Scotland were not told and do not know. The Minister shakes his head; as the debate progresses, we shall see whether he can give us the assurances that he and his colleagues have so far distinctly failed to give us. I must tell him that our suspicion is not without cause. During our debates on the Bill that became the Referendums (Scotland and Wales) Act 1997, in the summer of last year, we sought—unsuccessfully here, but successfully in the other place—to insert the word "income" before the word "tax" to make it clear beyond doubt that the power to vary would be limited to income tax alone.

We were given bland answers by the Minister—bland answers which I fear may yet return to haunt him. When we tried to insert the word "income", he said:

> "If we are to add the word 'income', why not also include the 3p in the pound limit or a definition of who should pay the tax?"—[*Official Report*, 30 July 1997; Vol. 299, c. 409.]

That was his reason for not inserting the word "income". However, the 3p in the pound limit is in the Bill, along with a rather unsuccessful attempt to define who should pay the tax. We have a right to be suspicious.

Mr. McLeish: Will the right hon. Gentleman give way?

Mr. Ancram: I shall finish the point and then give way to the Minister.

We were met with a blanket refusal to accept the amendment, and an amendment from the other place was overturned here. So firm was the Government's opposition that it could be justified in logic only by the belief that there was a need to keep open the option to vary other taxes or introduce new ones. When the matter went back to the other place, Lord Sewel, the Minister responsible for the issue there, gave the reason for the word "income" not being in the Bill. He said:

> "To add the word 'income' would create a false sense of precision, because it is limited."—[*Official Report, House of Lords*, 31 July 1997; Vol. 582, c. 319.]

Presumably that means that the definition that "income" would have given to the power was limited in a way that the Government found unacceptable because it would

[Mr. Ancram]

have conferred a false sense of precision. That gives rise to the suspicion, not only in my mind but in the minds of many people in Scotland, that there is something behind this.

Mr. McLeish: The only suspicion lurks in the right hon. Gentleman's mind. There are two issues. First, the referendum on 11 September contained two parts. The first related to the wording of the ballot paper, and the second was the reference to the White Paper. The two taken together meant that it was unequivocal in the sense that it was income tax. Secondly, clause 69(1) refers to "income tax" and the clause heading is

"Power to fix basic rate for Scottish taxpayers".

The word "income" is before the word "tax". Some 19 amendments have been tabled to make a point that is included in the second line of clause 69.

Mr. Ancram: I have carefully read the Bill. Clause 69(1) refers merely to the section applying for any year of assessment for which income tax is charged. If the Minister is right and that means that every other reference to tax means income tax, he will have no difficulty accepting my amendment.

Mr. Wallace: Will the right hon. Gentleman give way?

Mr. Ancram: I shall give way in a moment. I want to return to this issue. I shall certainly give way to the Minister if he can explain what his noble Friend meant when he said that to add the word "income" would create a "false sense of precision". Those words were either meaningless or they meant that there was some limitation that the Government could not accept.

Mr. Wallace: The right hon. Gentleman has said that he has looked carefully at the relevant part of the Bill. The Minister spoke about clause 69(1). There is a reference to the "Income Tax Acts" in clause 69(2). To what other taxes could the measure apply if the word "income" were not included? The Minister also spoke about 19 amendments being tabled, but that is easy to do when only one word is starred. What other taxes has the right hon. Gentleman identified?

Mr. Ancram: It is not a question of taxes that I have identified.

Mr. McLeish: Answer the question.

Mr. Ancram: Perhaps the Minister would allow me to make my speech in my own way. He is not a great example of how to answer questions. I think that we have had only one answer from him in about six months.

We have tabled the amendments so that we may be reassured that no taxes other than income tax are involved. I do not want to pre-empt a later debate on the guarantee in the White Paper about the £450 million that 3p could raise and how that would be achieved regardless of what happens to the tax base. Apparently that is outwith the 3p that is mentioned in the Bill.

What form of tax will be used to raise that money? I hope that we shall get an answer to that, because I have been asking about it for a long time. I seek answers because the Scottish people and Scottish business in particular require reassurance on this matter and I have not yet received it.

Mr. Nick Hawkins (Surrey Heath): In pressing the Minister on the issue, my right hon. Friend quoted from the speech by Lord Sewel. Does he share my concern that, later in his speech, Lord Sewel spoke about what is and what is not covered in terms of savings and dividends? Does that not increase the suspicion not only of Opposition Members but of the business community and people in Scotland?

4.45 pm

Mr. Ancram: I am grateful to my hon. Friend for raising that point. The whole of Lord Sewel's response suggested that more than income tax was at issue. He went on to raise other hares which are still running, and the simplest way to put those hares to rest is to accept our amendments. We seek to ensure that, under the legislation, no tax other than income tax can be at issue, and that, without further primary legislation, and, indeed, probably further endorsement by referendum, no other taxes can be brought into play and no new taxes can be introduced. That was the understanding from the White Paper, and we seek reassurance on that.

We are concerned that the Bill contains no provision to exclude other taxes. Clause 72(3) confines changes to the tax powers to income tax when the Treasury has altered the United Kingdom's tax system. It does not prevent extra taxes from being levied if 3p does not raise the sum to which I referred; nor does it prevent the Scottish Parliament from raising additional revenue indirectly through new local taxes.

Some other taxes have been openly canvassed by various interests, and all of them are possible. A tourist tax has been suggested, and there has been talk of a local sales tax. Scottish business has been alarmed by rumours that the unified business rate might be reconstituted, thus placing an even higher burden on that sensitive and vital sector.

This matter is not an academic concern which can be brushed aside with talk of agreements and understandings. Future prosperity under a Scottish Parliament will depend largely on the performance of the Scottish economy and the confidence of Scotland's business sector. The greatest enemy of business confidence is uncertainty, and the greatest cause of uncertainty is the possibility of sudden tax changes or tax rises. That is bad for inward investment, for enterprise and for jobs.

There could be no more damaging background to the Scottish economy than for it to be thought of as a prospectively high-tax economy. That would not only be damaging in the borders, where great anomalies would immediately be created, but would affect the cost structure of Scottish business, which would damage competitiveness and undermine our ability to export. It would threaten to penalise people for working and living in Scotland, and would drive expertise and jobs southwards.

The amendments are important because they replace uncertainty with certainty, and create confidence where, at the moment, there is a distinct lack of it. Their acceptance can make it clear that what was said during the referendum is still true and that Scotland is not about to become the high-tax centre of Europe.

All our amendments to part IV of the Bill are essentially designed to clarify the legislation and remove uncertainty, and we shall argue them in detail. They were tabled because of what clause 69 does, but also because of what it fails to do. It does not, in terms, exclude forms of direct taxation other than income tax. In the light of the White Paper, the £450 million that is guaranteed to the Scottish Parliament from the 3p—which is index linked against possible changes to the income tax structure or variations of the tax base as a result of changing economic conditions which could reduce the tax take—raises the almost certain possibility of some form of taxation other than the standard rate of income tax. We need an answer on that today. Indeed, the Government effectively admitted as much when, during the referendum campaign, the Chief Secretary to the Treasury, a Scottish Member, let slip on television that they would have to find a substitute—that was his word, I think—if those circumstances arose.

The people of Scotland and, indeed, Scottish Members have a right to know what that substitute will be. We will deal with the question in detail under later amendments, but the principle behind it is germane to this clause and to these amendments. Restricting the clause's power to levy tax to income tax, as the White Paper did, but the Bill fails to do, will go a long way to achieving that.

The Minister said that I was creating suspicions. He knows that the uncertainty about which I am talking is not exclusive to members of my party. That uncertainty is real. It exists throughout Scotland. The Government themselves had to reassure the Scottish Confederation of British Industry directly in a meeting some time ago—I think at the end of last month—and again last week during Scottish Question Time, that this provision will have no knock-on effect on capital gains tax.

If the provision is so clear, why did the CBI, with all its expertise, say to the Minister, "Please ensure that this does not have a knock-on effect on capital gains tax"? Why was the Minister required to give that assurance? Why cannot the matter be cleared up by having the simple expedient of our amendments? Business men cannot find reassurance in the Bill. We want to give it to them, and I cannot understand why the Government wish to resist that.

There are vicarious ways by which the Scottish Parliament could raise tax, but which, again, are not spelt out in the White Paper. We know that the Parliament will redistribute revenue support grant and will have the power to alter the business rate. We know, too, that, by withholding central resources, it could effectively force local government to raise tax for the Parliament, allowing itself the spending benefit of the resources retained in pushing local government to raise local taxes.

The Scottish business community's greatest fear about the Scottish Parliament is still the abolition of the uniform business rate and the return to the previous situation, whereby councils set business rates and Jenner's in Princes street paid more in business rates than Harrods in Knightsbridge. Those are genuine uncertainties and worries, which the Government have a duty to resolve.

Mr. Dominic Grieve (Beaconsfield): I had the opportunity today of reading the Government's press release dealing with capital gains tax. It makes it clear that the tax on capital gains is computed by reference to income tax rates, but that the Government have chosen not to treat capital gains tax as taxable under the Scottish variable rate scheme. Is it not true that if this is simply a Government administrative decision in relation to that form of taxation, it can be equally easily administratively changed, unless they clarify the position?

Mr. Ancram: I am grateful to my hon. Friend for pointing that out. That is another reason why Scotland's businesses are uncertain, doubtful, worried and not taking investment decisions until they have clarification. The ambiguity of language appears time and again from the Minister, Lord Sewel and Government press releases. I hope that the Minister will take this opportunity to clarify the issue and to create confidence where, at the moment, there is doubt.

The Government fought the referendum proclaiming that business in Scotland had nothing to fear from devolution. Indeed, the White Paper was clear in its desire to exclude business from a punitive tax regime, but there is nothing in the Bill to rule that out. That is where the fear of the business community lies.

It is not a good enough answer to say that the Government in a Scottish Parliament would not be so unwise as to introduce such taxes. Last July, this Government taxed pensions and, as we saw in last week's Scottish revenue support grant debate, the Secretary of State for Scotland is, Uriah-Heep like, wringing his hands at the consequences of that tax.

Mr. Wallace: The right hon. Gentleman has referred to non-domestic rates, as he did during the referendum. What I have never understood is how they would be any more secure under the current system, whereby Westminster continues to run them—particularly when Labour has a majority of 179 and said in its manifesto that it would return those rates to local government—than they would be if we put in the sort of safeguards that he seeks. In any case, no party in the Scottish Parliament is likely to have an overall majority, so any change to business rates would require considerable consensus throughout the political spectrum.

Mr. Ancram: The hon. and learned Gentleman loves to talk about consensus, but if I were to base my business decisions on the hope that there would be political consensus—or a lack of it, as the case may be—my shareholders might ask whether I was taking those decisions on a correct basis. If we have a doubt, surely it is right that that doubt is answered in this legislation. What is the point of having legislation, which does create limitations and safeguards, if we do not use it to create those necessary areas of confidence?

It is the failure to do that and to rule out vicarious tax raising which has given rise to fears of other taxes. I think it was the president of the Convention of Scottish Local Authorities who proposed a tourist tax. It is hardly surprising, therefore, when people in Scotland, not least those in the tourist industry, sit up. A local sales tax strikes dread into the hearts of retailers and consumers alike, not least in the borders, where people would be most importuned by it.

Whether the Government like it or not, the picture of paying for devolution over and beyond the 3p exists and serves Scotland ill. Our amendments would cure that

[Mr. Ancram]

simply by ruling those fears out once and for all, and by establishing in statute that, rather than just in the mouth of the Secretary of State and his colleagues, the restriction on the standard income tax rate that was presaged in the White Paper and on which the Scottish people voted is genuine and is in the legislation. The amendments seek to shine light on the darker recesses of this part of the Bill. They are constructive and I commend them to the Committee.

Mr. Tam Dalyell (Linlithgow): This is a complex and difficult matter. Like my hon. Friend the Minister, I have served in opposition and, indeed, in government on Finance Bills. I do not make a party point, but if we see in action these very able and clever tax accountants—including my noble Friend Lord Barnett and the Opposition spokesman's colleague Peter Rees, now Lord Rees, a former Member for Dover—one has to ensure that legislation is crystal clear; otherwise, they will run amok and that would be to no one's benefit, including Holyrood.

Therefore, I should like to ask certain questions. What additional taxes can be raised by the Parliament over and above the specified income tax power—I should like the Minister to answer that question in his winding-up speech—particularly where the Treasury restricts the amount of additional revenue that is available to the Scottish Parliament as a result of possible future changes in the United Kingdom tax structure?

I hope that Ministers will take into account what the right hon. Member for Devizes (Mr. Ancram), the Opposition Front-Bench spokesman, said about uncertainty and the lack of clarity, because, bluntly, unless these matters are cleared up before the Bill becomes law, business and individual taxpayers will be condemned to perpetual uncertainty. Nowhere is that more important than in relation to the uniform business rate.

My second question concerns the life companies, where many of my constituents work, as do those of Edinburgh Members. As I understand it, the life companies that pay pensions are in the dark about some of their responsibilities. Are they to make payments and to charge on the basis of a whole year or just time spent in Scotland, and what effect will that have on the Scottish rate? If an English taxpayer moves to Scotland, will the adjustments have to be made by the pension companies and the life offices, or will it be the responsibility of the Inland Revenue?

Under clause 69(3), if a widow received the life rent of her husband's estate, she would not have to pay Scottish tax on the savings income of the trust. However, if that same widow received an annuity from the trust, she would have to pay Scottish tax, would she not? If I am wrong, doubtless I shall be told so; if I am right, is it fair?

5 pm

Again in respect of clause 69, will payments to charity be under a Scottish or a United Kingdom rate? The Bill defines a Scottish taxpayer as someone who, in any tax year, is resident in the United Kingdom, and

"Scotland is the part of the United Kingdom with which he has the closest connection".

That description appears in a number of clauses. However, generally speaking, "the closest connection"—*[Interruption.]* It is no good my hon. Friends getting impatient. We are dealing with matters of great importance to the lawyers' firms that will have to operate the system. This is the Committee stage of the Bill—*[Interruption.]* I must tell my hon. Friend the Member for Paisley, North (Mrs. Adams) that if these matters are not clarified there will be endless trouble and difficulties later. It is for the benefit of all of us that they are clarified as soon as possible.

Generally speaking, will "the closest connection" be interpreted as someone who has his principal home in Scotland and spends more of the year in Scotland than elsewhere in the United Kingdom? Will there be separate provision for Members of the Scottish, Westminster and European Parliaments? What will be the status of the time spent at those institutions by Scottish Members? That point should be clarified.

My understanding is that the price of property in Berwick would rise dramatically because people would live on the English side of the border to avoid tax, but work in Scotland. It is said that the Inland Revenue often forces people claiming to be resident outside the UK for tax purposes to produce proof of travel. That would be more difficult if a land border had to be policed. There would be no way properly to monitor the border—we would have to rely on people's integrity. I do not know whether that point is more properly raised under the amendment or on clause stand part, but it certainly arises under clause 69.

Following the introduction of income tax self-assessment, the possibility of tax avoidance by claiming not to be a Scottish resident could affect many tens of thousands of people. A limit on the level of tax would mean that, in practice, there was too little incentive to make avoidance worth while. If the maximum bill was £660, someone would have to be a little penny pinching to object. However, lawyers know that these matters can be cumulative.

The Bill limits the amount of Scottish tax that anyone will pay by confining it to a premium of up to 3p in the pound on only basic rate tax. That means that higher-rate taxpayers will pay only an additional 3 per cent. on income up to the point at which the top rate of tax, 40 per cent., starts to operate. Thus, on current rates, the maximum liability would be £660 a year. Scottish Office calculations show that the average Bill for about two thirds of those expected to be liable would be £230. Does the Scottish Office believe that those figures are roughly accurate?

There are many other things to be said, but, as we are time limited, I shall leave the matter there.

Mr. Wallace: I am sure that you will keep me in order, Mr. Lord. I want to raise points about the details of charges and the definition of "taxpayers", but it may be more appropriate to do so when we reach the amendments dealing with those matters—

Mr. Dalyell: If we ever reach them.

Mr. Wallace: I have just received my timetable; I am sure that the amendments will be reached.

I intend to confine my remarks at this stage to the more political points made by the right hon. Member for Devizes (Mr. Ancram). My Liberal Democrat colleagues and I argued in the Scottish Constitutional Convention for

tax-varying powers—and they were agreed to as part of the convention's package. We thought it to be a very important issue. It is one of the more significant changes from the 1979 referendum and the 1978 legislation.

It is interesting to recall that one of the criticisms made by the Conservative party in 1978-79 was that a Scottish Parliament would not have tax-varying powers and therefore would be a toothless tiger and unaccountable. When we tried to address that problem, the Conservative party changed its tune and raised all sorts of fears and scares. The right hon. Member for Devizes said that it is the Government's duty to dispel all the myths and scares, but it was his colleagues—more than any others—who went around Scotland stirring them up in the first place.

The hon. Member for Linlithgow (Mr. Dalyell) accurately pointed out that the 3p variation would apply only to the basic rate tax band. Some people put it about that it would apply to all income—so that if someone were earning £200,000 a year, the variation would apply to all of that £200,000. Some amazing figures were produced on that basis.

It is fundamental that the Scottish Parliament should have a tax-varying power. After all, taxation makes an elected body accountable to its electorate. The fear—which was actually well expressed by some Conservatives at the last referendum—is that, if there is not some scope for tax variation, every time a project is frustrated—be it a hospital, school or pedestrian crossing—people will blame Westminster for not allowing us more money. That would then fuel friction.

In fact, the Scottish Parliament will have a tax-varying power. If it chooses not to exercise it, it will be as answerable to its electorate as it will be if it chooses to exercise it at the rate of 1p, 2p or 3p. That is why it is as much an issue of democracy as it is of taxation.

The right hon. Member for Devizes has tabled many amendments to add the word, "income", but when I challenged him he was unable to name one other tax that could fall within the definition of this part of the Bill—

Mr. Ancram *rose—*

Mr. Wallace: If the right hon. Gentleman has found one in the meantime, I shall happily give way.

Mr. Ancram: I want to ask the hon. and learned Gentleman a question, as he asked one of me. If the tax-varying power is restricted to 3p, and if the tax base does not achieve the necessary £450 million, where will the Government find the extra tax?

Mr. Wallace: We shall deal with that question when we come to the appropriate part of the Bill. I have never understood the position to be anything other than using the income tax mechanism. When we have all had an opportunity to read the consultation document that has been placed in the Library, more light may be shed on the matter. It has never been claimed that anything other than the income tax mechanism would be used.

We heard again today that the great danger of having a separate rate for Scotland, which would lead to great differences between Scotland and England, would be that people flocked across the border to set up home in England. If the relative rate of taxation were so vital in choosing where to live or work, why do not people flock to Shetland, which has the lowest council tax in Scotland? *[Interruption.]* I accept that there are many reasons why people choose a particular place to live or to locate a business.

The Conservative Government introduced banding in council tax. In 1996—the latest year for which I have figures—the occupant of a £85,000 house in Scotland would have paid, on average, £8 a week more than the occupant of a similarly valued house in England. I have looked at the relative differences between Dumfries and Galloway, and Cumbria. The occupant of a £50,000 house in Dumfries pays substantially more council tax than the occupant of a similarly valued house only 30 miles away in Carlisle, yet we have not seen removal vans trundling across the border because people want to relocate. There is more behind people's decisions on where to live than the myths and scares that we have heard from the Conservatives during the referendum campaign and since.

Mr. John Home Robertson (East Lothian) *rose—*

Mr. Wallace: I shall give way to the hon. Gentleman, who has a constituency near the border.

Mr. Home Robertson: My constituency is not near the border, but my home is. I confirm that there is no sign of people flocking across the border. The good citizens of the Scottish Borders region voted both for the establishment of a Scottish Parliament and—along with almost every other region of Scotland—for the tax-varying powers. I do not understand what the fuss is about.

Mr. Wallace: I agree with the hon. Gentleman. The islands area of my home and the region of my birth were the two places that did not vote for the tax-varying powers, but, considering the negative approach to the Scottish Parliament in 1979, which was our starting point, we were not far away. All Members of the Scottish Parliament will have to exercise those powers sensitively, if they exercise them at all. The no vote to tax-varying powers in some areas and the fact that the yes vote was only marginally over 50 per cent. in some others should remind Scottish parliamentarians that the powers should be used sensitively.

The powers in the Bill do not justify the scares that we have heard today. If businesses are confused, the fault cannot lie with those of us who have been arguing the case for those powers since the Scottish Constitutional Convention reached its agreement in November 1995. The Conservatives are seeking to create further confusion today. If these unnecessary amendments are defeated or withdrawn, no doubt they will conjure up other mythical creatures that are about to do down the Scottish business community. That is not the intention of those of us who agreed the powers in the convention. The most important point is that we want the Scottish Parliament to work. We want Scotland to prosper and flourish. No one wants to put unnecessary blocks in the way of prosperity in Scotland.

Mr. Ancram: Why is the hon. and learned Gentleman not prepared to accept our amendments, which would merely put the word "income" in front of the word "tax"? That is apparently what he wants.

Mr. Wallace: Because they are superfluous and are designed to make a political point, continuing the case that the right hon. Gentleman and his hon. Friends lost so decisively on 11 September.

Mr. Swinney: The Government have got themselves into difficulties over the technicalities of the tax-varying powers. I have already referred to the difficulties over the availability of the consultation paper on aspects of the tax-varying powers. I was intrigued by the Government's press statement on that. It said that the Government were publishing the technical paper

"to inform taxpayers of the Government's intention, to assist Parliament as it continues its scrutiny of the Scotland Bill and to seek views from those with an interest in the operation of the new tax system on how detailed aspects of the new arrangement might best be handled."

It is strange that the Government publish a document

"to assist Parliament as it continues its scrutiny of the Scotland Bill"

on the day that we are considering the relevant amendments. None of us has had a chance to read the document. My hon. Friend the Member for Banff and Buchan (Mr. Salmond) went to the Library earlier this afternoon to obtain a copy, at the Minister's suggestion. A bewildered librarian tried to find the paper. Two copies were found, both of which had been sent to the Library for information and reference only. It is unsatisfactory that the Government's announcement has put such a question mark over the tax-varying powers.

I have tabled amendments to clause 71 on the definition of Scottish taxpayers. When I came to London this morning, I was excited by one newspaper comment, which I thought showed a great reflection by the Government on some of the aspects of the proposals before us. The *Daily Mail* said:

"The Government appeared to bow to ferocious criticism of its tartan tax plans last night by saying that it would be willing to rethink certain key areas."

None of us expected such a rethink to be tabled in the House of Commons Library this afternoon.

Talk of movement on such issues is welcome. I hope that the Minister will have something positive to say about the substantial issues that we have raised on clause 71. However, I do not want to talk about those amendments yet. I want to concentrate on the proposals of the right hon. Member for Devizes (Mr. Ancram). I shall not be surprised if the Minister is not positive about those amendments. I suspect from his body language that he will not be. The Secretary of State may have had the right hon. Member for Devizes in his sights when he made his speech about destabilisation on Saturday evening. The further litany of scaremongering that the right hon. Member for Devizes has put forward, to compound what he said during the referendum campaign, will probably destabilise the Scottish Parliament and the parliamentary passage of the Bill more than anything else.

The evidence of the debate so far is that the Tories have failed to learn the lessons of the general election or the referendum. The people of Scotland gave clear assent to the tax-varying powers. It is incumbent on us to reflect the views expressed in that referendum. That does not prevent us from bringing forward constructive amendments designed to help the passage of the Bill and enhance the clarity of its details. That is what we want to do in clause 71.

5.15 pm

Dr. Liam Fox (Woodspring): Does the hon. Gentleman agree that, if the practical effect of the Bill, particularly the contradictions inherent between clause 69 and subsequent clauses, resulted in an increase of more than 3p in the basic rate, the Scottish voters would feel that they had been conned in the referendum?

Mr. Swinney: My reading of clause 69 is that the Parliament will have the power to vary tax by 3p. If that does not add up to £450 million—I suspect that that is what the hon. Gentleman is getting at—it will be tough on the Scottish Parliament. The Government tried to produce an illustrative figure in the White Paper of what the tax might raise. That is for the Government to answer, not me. I have enough numbers to defend without defending the Government's.

The official Opposition cannot grasp two main points. First, the power to raise at least part of its finances is a basic requirement of any Parliament. Secondly, the people of Scotland still have discretion on how the powers should be used. The referendum was a vote not to put up taxes but to give the Parliament the power to put up taxes or reduce them. If the careful-budgeting, money-conscious Conservative party is about to re-emerge in Scotland, able to exercise financial prudence, as it did when doubling the national debt in the past few years, we shall be intrigued to discover what it will offer the Scottish people in a general election. The people of Scotland have a choice on whether the powers are exercised.

Dr. Fox: The hon. Gentleman says that if the 3p does not raise £450 million, it is tough for the Scottish Parliament. The White Paper explicitly says:

"the Parliament's ability to raise or forgo up to £450 million through the tax system will be preserved. This sum will be index linked to maintain its real value."

Mr. Swinney: The Government can reconcile their calculations between 3p in the pound and £450 million. My reading of the clause is that the Parliament will have the right to vary the basic rate of income tax by 3p in the pound. That is for the Government to defend.

The Committee will not be surprised to hear that, unlike the Conservatives, I believe that the Scottish Parliament should have wider tax-varying powers. Quebec and the Spanish autonomous regions have far more extensive tax powers which can be used not only to raise a few million pounds here and there but fundamentally to alter the economies of those areas. The Quebec and Catalonia Parliaments can raise around 40 per cent. of their finance. By contrast, Scottish local government can raise a mere 15 per cent. of its own finance. The Scottish Parliament is being given the opportunity separately to raise about 3 per cent. of its taxation and, in the context of the examples that I have just cited, the powers being suggested by the Government are very restrictive.

The Tories are keen to restrict the tax role of the Parliament. I certainly have problems with the extent of its tax powers, because they do not give the Parliament the opportunity to take some of the more imaginative decisions that would be required to improve the Scottish economy and deliver a fair tax system that is more in the interests of the people of Scotland. Nor will the powers generate much flexibility. Some of the interesting examples of varying

taxation, whether in the form of lower business rates, tax incentives for entrepreneurs, tax breaks for those on low incomes or adjustments in allowances to protect people who are persistently hammered by the tax system in this country, are all opportunities that are lost by the limited nature of the powers. Therefore, the Conservatives are making a mountain out of a molehill in relation as to the substance and significance of the powers.

The tone of the Conservatives' amendments is that the Parliament's powers should be fixed in stone. They are very limiting and Westminster-focused amendments, which will simply entrench some of the rhetoric that we have heard all too often from the Conservatives. They put Scotland second and demonstrate beyond doubt that the Tories do not trust the people of Scotland to be imaginative and responsible in the use of those powers. There is a democratic issue at stake—if the people of Scotland wish to use the powers, they will vote for those who are prepared to use them. A separate election contest will determine that point.

Clearly, the Government are going to defend staunchly the 3p in the pound power. I have mentioned some of the limitations, but another that I find quite frustrating is that the power will have a disproportionate effect on middle-income earners. For someone earning about £19,000, the application of the full 3p in the pound increase will account for about 10 per cent. of his tax bill. For someone earning £100,000, it will account for only 2 per cent. of his tax bill. Again, middle-income earners will be disproportionately hit by potential tax increases while people earning a phenomenal sum of money will benefit from a tax system that has lost its progression and equity.

If the Government were to surprise us all later tonight by saying that part of the current consultation exercise is a proposal to give the Parliament the power to abolish the ceiling on employees' national insurance contributions, I should not be able to get into the Lobby fast enough. It would bring some equity back into the tax system, but I suspect that I am allowing my optimism to run away with me.

The Scottish National party has argued for fiscal autonomy, for the Parliament to have more responsibility for its financing, but the Committee rejected our arguments at an earlier stage. Given that the Government now have some doubts about the application of the tax-varying powers, and that what looks like a hurried consultation paper has been typed up in the past few days to be issued in advance of this debate, I think that we shall have to return to those arguments on Report because some of the substance of the powers and the details of the financing of the Parliament are clearly not as securely founded as we should have liked. My colleagues and I shall examine the details of the tax powers extremely carefully to ensure that some of our arguments on fiscal autonomy are redeployed on Report.

Mr. Hawkins: I shall be brief, but I wish first to take up one point made by the hon. Member for North Tayside (Mr. Swinney)—the extraordinary situation in which we have found ourselves this afternoon.

A paper has been rushed out, but hon. Members have not had access to it. The Minister for Home Affairs and Devolution has been good enough to apologise to hon. Members, so I shall not blame him personally, but this is yet another example of a certain combination that we have witnessed all too often from Government Departments—the combination of arrogance and incompetence. Arrogance leads to paperwork appearing only on the day of the debate to which it is relevant, so that we do not have the opportunity to study it, and incompetence leads to it not being available in the Library when the Minister thinks that it is. Hon. Members are having to rush out of a debate on taxation matters, which are of great interest to the Scottish people. I hope that the Minister will give us an undertaking that we shall never again have to put up with official Government papers coming out on the very afternoon of the debate. It is simply not good enough.

The debate began with the Minister, and, indeed, the hon. and learned Member for Orkney and Shetland (Mr. Wallace), suggesting that there is nothing to worry about, and that the Conservatives' amendments are not necessary. However, we have just heard about the Scottish National party's plans from the hon. Member for North Tayside. He said that it has always been the SNP's position that, the minute that it had the chance to change things, it would rather have much wider powers to vary taxes. That is precisely what the Conservative party and many Scottish people are worried about.

In May last year, Sir Donald Pattullo, Governor of the Bank of Scotland, was expressing concern—

Mr. Swinney: On a point of information, the gentleman is in fact Sir Bruce Pattullo.

Mr. Hawkins: Of course, I meant Sir Bruce Pattullo. The concern that he was raising about the possible need for a sales tax, and the plans of the Convention of Scottish Local Authorities for a tourist tax, which is of great concern to the people in the tourism industry with whom I have worked over the years, are signs of why we are rightly suspicious about the fact that this part of the Bill is entitled not "The Income Tax-Varying Power" but simply "The Tax-Varying Power".

The hon. and learned Member for Orkney and Shetland suggested that there was something inconsistent in the tabling of our amendments today by my right hon. Friend the Member for Devizes (Mr. Ancram) and our original opposition to tax-varying powers, but that is not the case. There is no inconsistency. We were against the Scottish Parliament having tax-varying powers; now that it is to be given those powers, we want them to be as limited as possible, and we want them clarified.

Sir Robert Smith (West Aberdeenshire and Kincardine): My hon. and learned Friend the Member for Orkney and Shetland (Mr. Wallace) also said that the inconsistency went back to the Conservatives' previous incarnation, when they were extremely critical of another Bill relating to Scotland for providing no tax-varying powers.

Mr. Hawkins: The hon. Gentleman is right—the hon. and learned Member for Orkney and Shetland made that point as well, but he also said specifically that there was some inconsistency in our opposition to tax-varying powers in the referendum campaign and our amendments today. My point is that our position has been entirely consistent.

We want to ensure that the powers are as limited as possible. I am sure that that is what the Scottish people want, too. They do not want a Pandora's box open for future

[Mr. Hawkins]

development by people such as the hon. Member for North Tayside and his colleagues. We want to ensure that the powers clearly relate only to income tax.

Mr. John McAllion (Dundee, East): Will the hon. Gentleman concede that, if the hon. Member for North Tayside (Mr. Swinney) and his colleagues were in a position to influence matters on their own, Scotland would at that stage be independent, so his argument would be redundant?

Mr. Hawkins: The hon. Gentleman is right to draw attention to the fact that our concern about the Bill and the whole process is that the Government are leading us down the slippery slope towards complete independence and the break-up of the United Kingdom. That is my party's fundamental objection to what the Government are doing. Our amendments draw attention to the vagueness of the Bill. There are great dangers unless the amendments, which limit and clarify the powers, are accepted.

I want to draw the Committee's attention to some of the concerns about the tax proposals that were outlined in an article in *The Independent* on 8 January last year. The particularly appropriate headline, in the context of this debate, was "Tax Shocks for Jocks". The article highlighted the comparisons that the Labour party was then seeking to make, and the fact that it was saying that there was nothing to worry about, that there could be differential rates of tax between Scotland and England and that it would be just like the United States. The article also pointed out:

"The new Labour Scottish tax would be working against the framework of there being a tax haven next door."

Accountants, business men and the Governor of the Bank of Scotland have expressed concern about the plans of the Scottish National party and the Labour-dominated Convention of Scottish Local Authorities. Unless the Government accept the Conservative amendments, there will be no clarity at all.

5.30 pm

Mrs. Eleanor Laing (Epping Forest): Why are the Government afraid to accept our perfectly reasonable amendments that would insert the word "income" in front of the word "tax" at various points in the Bill? If, as the Government have consistently said, they have no intention of varying any other tax, what is wrong with accepting the amendments? They would add only clarity to the Bill. They would not take anything away from the Bill. If it is truly the Government's intention that only income tax would be affected—as they said in the White Paper and told the Scottish people before the referendum—why do they oppose the amendments?

Is it not time that the Scottish people knew with clarity what they voted for in the referendum? I shall continue to argue that it is a pity that they did not know before the referendum, but at least they should know before the legislation comes into force—if indeed it does. As the amendments are purely for the sake of clarity, who could possibly object to them on any reasonable grounds?

As the Government and hon. Members on my left representing the Liberal Democrats and the Scottish National party—*[Interruption.]* They are certainly on my left.

Mr. Swinney: We are pleased about that.

Mrs. Laing: I am pleased, too, because I am on their right. Some of us are Scottish Tories, and always will be.

Liberal Democrat and SNP Members frequently insist that it is important that the new Scottish Parliament should have autonomy and that it is vital that the Westminster Parliament trusts the Scottish Parliament and does not treat it like a child and restrict it too much. Hon. Members are always saying that trust is of the essence in setting up the new Scottish Parliament. If that is indeed the case and the Government believe in the autonomy of the Scottish Parliament, it is inconsistent to argue that any tax-varying powers should be limited to 3 per cent. Why should it be 3 per cent.—why not 2.5, 3.5, or 4.25 per cent.? We have never had a proper explanation of why the Scottish Parliament, as an autonomous body, should have its tax-raising powers limited to exactly 3 per cent.

Mr. Andrew Welsh (Angus): Local authorities have 15 per cent. revenue-raising powers, yet the Scottish Parliament is to be given only 3 per cent. revenue-raising powers. What kind of Parliament has fewer revenue-raising powers than a Scottish local council? The Tories have just apologised for what they did to Scottish local government. Should not the hon. Lady be apologising in advance for what she is doing to the Scottish Parliament?

Mrs. Laing: It is not what I am doing; it is what the Scottish people voted for in the referendum. The hon. Gentleman is right to point out that local authorities have more autonomy in respect of raising and varying tax than the Parliament will have. So where is the trust? I put it to the Committee that the reason for inserting the figure of 3 per cent. is that it is a wolf in sheep's clothing. It was done simply to make sure that the Scottish people were not frightened.

Mr. McAllion: Thank God for that. I was beginning to worry about the powers of the Scottish Parliament.

Mrs. Laing: I know that the hon. Gentleman is worried about the powers of the Scottish Parliament and that he and many of the hon. Members on my left would like the Scottish Parliament to have far more powers.

The Temporary Chairman (Mr. John Maxton): Order. The hon. Lady is going rather wide of the subject. I wish that she would return to the amendment.

Mrs. Laing: I apologise, Mr. Maxton. It is too much of a temptation to reply to the hon. Member for Dundee, East (Mr. McAllion).

If the Westminster Parliament truly trusts the body that is being set up in Edinburgh, why is it not willing to give it more autonomy in its tax-raising powers and to accept the amendment, which would simply provide clarity? Whatever other havoc is caused when the Parliament is set up in Edinburgh and whatever uncertainty is created, especially for small businesses in Scotland, at least the

Scottish people will know that only income tax can be varied. If it is truly the Government's intention to allow only income tax to be varied, why can they not accept our very reasonable amendments? The hon. Member for North Tayside (Mr. Swinney) said earlier, in respect of the level of taxes that can be raised, that, if certain things did not happen, it would be tough on the Scottish Parliament. It would not be tough on the Scottish Parliament; it would be tough on the Scottish people.

Mr. David Prior (North Norfolk): I have read clause 69 very carefully in conjunction with clause 72 and I agree with my right hon. Friend the Member for Devizes (Mr. Ancram): it is extremely confused. However many times I read it, it became no clearer. My right hon. Friend described it as obscure and incomprehensible. The fact that it is incomprehensible and the Government do not seem to want to clarify it creates doubt, uncertainty and a suspicion that there may be some hidden taxes lurking beneath the surface—not least because the basic rate of 3p in the pound, to which the tax is supposed to be limited, does not seem to fit with the £450 million that they talk about raising from it.

Clause 69 is obscure, but it is nothing compared with clause 72, and the two together cause doubt and confusion among Opposition Members. It is important that clause 69 should be clear and certain for three particular reasons. First, despite what was said earlier, taxation is extremely important when it comes to locating and running businesses. Parts of the world that have low taxation are doing well. If hon. Members are in any doubt about that, they should ask Sir Bruce Pattullo, Governor of the Bank of Scotland.

Secondly, the tax-raising power in Scotland drives a significant wedge between the various parts of the United Kingdom. Why should Scotland be able to raise or lower income tax when other parts of the United Kingdom cannot? It is therefore doubly important that we know the exact extent of the tax-raising powers.

Mr. Swinney: The hon. Gentleman is in effect arguing that all taxes should be the same throughout the United Kingdom. Can he tell me why council tax for the average household is about £200 in the City of Westminster, but may be five times as much in Scotland?

Mr. Prior: I am arguing not that taxes should be the same throughout the United Kingdom, but that taxation should not be structured in such a way as to break up the United Kingdom. Local government is correctly financed through locally raised taxes—indeed, I wish that it was financed to a greater extent through locally raised taxes.

The third reason we need clarity and certainty in clause 69 is illustrated by the argument advanced by the hon. Member for North Tayside (Mr. Swinney), in that his party wishes to extend the right of the Scottish Parliament to tax and will use every chance available and every piece of ambiguity and uncertainty in the clause to argue for higher and greater tax-raising powers. Our amendments would clarify the Bill; they would not make any fundamental changes, but they would add certainty. That is why I support them.

Mr. Tim Collins (Westmorland and Lonsdale): The amendments invite the Committee to consider the important provision that gives the Scottish Parliament the power to vary income tax up or down. I shall follow up my right hon. and hon. Friends' remarks about the lack of clarity in the Bill later. First, I should like to pick up on some of the remarks made by the hon. and learned Member for Orkney and Shetland (Mr. Wallace).

The hon. and learned Gentleman said that our amendments should not be accepted because, in his view, they are superfluous. If the worst that can be said of the amendments is that they merely clarify or lengthen the Bill, that is not a sufficient argument for striking them out, given the importance of clarity in this matter.

Secondly, the hon. and learned Gentleman said that the Conservative party has no right to table the amendments because they express a position different from that taken by the Conservative party in 1978-79. That seems a rather strange view from the spokesman for a party which, since 1978-79, has changed its view on the right to buy, nuclear weapons and privatisation or nationalisation and which has allied itself, merged itself, split itself and changed its name countless times. An argument based on consistency with 1978-79 comes ill from a Liberal Democrat.

Thirdly, the hon. and learned Gentleman pooh-poohed the proposition that anyone would ever move from Scotland to Cumbria. Although I understand and respect his natural love for his country—Scotland is a beautiful country—as one who represents a Cumbrian constituency I have to tell him that there are people in my constituency who have moved there from Scotland. They have moved both themselves and their businesses and one of the many factors they took into account was the difference in taxation, which the hon. and learned Gentleman said was irrelevant and not a matter of concern.

Ms Roseanna Cunningham (Perth): Name them.

Mr. Collins: I name Mr. Melvin Mackie, who is the entirely splendid landlord of The Pheasant Inn in my constituency and who moved from Scotland to Cumbria. I thank the hon. Lady for that invitation to name and praise that splendid gentleman and his splendid pub.

Mr. Russell Brown (Dumfries): I live on the border and I can assure the hon. Gentleman that everything he is arguing was argued before 1 May. Scotland's businesses are not flocking to relocate across the border. Relocation is far too expensive: the hon. Gentleman should know that.

Mr. Collins: I hear what the hon. Gentleman says, but we do not yet have a Scottish Parliament—or differing levels of income tax, which is what the Bill is all about. We shall see what happens. I was invited to give an example of someone who has moved from Scotland to Cumbria and I have done so, so I have proved my point.

Scottish National party Members have said that they think the problem with the tax provision is that 3 per cent. is not enough and that the figure should be far higher. The 15 per cent. for local authority financing was quoted—and that was clearly the opening bid in an upward process. That proposition is difficult to reconcile with the argument of the hon. and learned Member for Orkney and Shetland, who said that because Members of the Scottish Parliament will be elected by proportional representation a cross-party consensus will be needed before there can be any tax increases, so no one needs to worry.

[Mr. Collins]

Which parties will apply the brake to ambitions to shove up taxes harboured by a Labour party short of a majority in the Scottish Parliament? First, there will be the Liberal Democrats, whose constant refrain at Prime Minister's questions is to ask why he will not shove up taxes more, so as to be able to spend more public money. Secondly, there will be the Scottish National party, which says its only problem with the tax-raising powers of the Scottish Parliament is that they do not go far enough and do not enable taxes in Scotland to rise yet further. It seems unlikely that the Scottish Parliament will apply a brake to any of Labour's ambitions to raise taxes. It is clear that, unless there is a clear and overwhelming Conservative majority—as we hope there will be, although it will be difficult to achieve under a system of proportional representation—all the other parties will be instinctive tax-raising parties which, sooner or later, will try to use the powers to increase taxes to the detriment of the Scottish people.

The point of the amendments is simply to establish what was put before the Scottish people in the referendum.

5.45 pm

Mr. Swinney: Does the hon. Gentleman accept that if, in a Scottish general election, the people of Scotland were given a clear choice between the different tax proposals offered by the parties and they opted for certain proposals that might, lead to an increase in taxation, that would be the expressed will of the Scottish people and that they are entitled to express that opinion democratically?

Mr. Collins: The interesting question is whether those propositions would be honestly put to the Scottish people. It is significant that the Government have established a pattern whereby they ask people to look at the rabbit of income tax while they do all sorts of other things in the background. Some of us remember that, before the general election, the present Prime Minister went around signing posters in his own fair hand saying that he would not put up income tax. As I found on doorsteps in my constituency and elsewhere, many people interpreted that as a pledge not to put up taxes at all, but, as we have already seen, taxes were increased in the first Budget of the Labour Administration and it is threatened that they will rise extensively.

It is likely that the same will happen in Scotland: there will be an attempt to focus all attention on income tax, as though that is the only tax that can be levied. We should ensure that what the Scottish people were asked to vote on in the referendum—that a Scottish Parliament should have the power to vary only income tax rates, and that by a limited amount—should be written on the face of the Bill. Without that and the amendments, the technique constantly used by the Government—inviting people to focus solely on income tax, thus enabling the Government to make all sorts of other tax increases that they believe have a lower profile but which are every bit as painful—will be used again.

The amendments are important because they provide clarity and would establish on the face of the Bill the proposition that the Scottish people were invited to endorse. They would prevent a sneaky, but particularly poignant and oft-repeated, trick of the current Administration that has already been played on the people of the United Kingdom as a whole being perpetrated on the Scottish people.

Mr. Robert Syms (Poole): I support the amendments, which would insert the word "income". It was explicit throughout the White Paper, the referendum and the debate on devolution that what the amendments would write into the Bill was what was intended and I cannot understand why the Government do not accept them—after all, they are in the spirit of the debate. The amendments would clarify and make more specific the powers of the Parliament. There will always be those who worry that, if income tax is not specified, other taxes may appear. In the press, we have read of concerns about a tourist tax or a sales tax, and various members of the Scottish business establishment are concerned about how other forms of taxation may impact on them.

Having read the press release and the various prospective clauses that were put in the Library earlier, I am pleased to see that the Government have clarified many points. The complexity of the income tax system becomes clear when one starts to read through those complicated documents. It is easy to see why tax lawyers make such a good living at the Bar when they deal with issues relating to income tax.

I doubt whether a 3p rise would raise £450 million. That may be an issue for another day. I oppose the principle of varying tax within the United Kingdom because I believe that it will be detrimental to Scotland. Scotland may wish to make that choice, but the debate about crossing borders shows that it will be a difficult issue. As the hon. Member for Dumfries (Mr. Brown) told my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins), companies will not move from Scotland, but the decisions of many international businesses and businesses based throughout the United Kingdom about where to expand could be determined by tax structures.

The Library document brings out the issue of the setting-up costs of the Scottish Parliament that will fall on the Inland Revenue and social services. For the Inland Revenue, a setting-up cost of £10 million, with perhaps £8 million a year running costs, was mentioned. For social security, the figures are £6 million setting-up costs and perhaps £1 million running costs. It is inevitable that a Parliament with the power to levy ½p or 1p will not choose the lower figure because of the substantial setting-up and initial running costs.

With a £16 million setting-up cost and a £9 million running cost, the Parliament will not go for a ½p rate, which may raise only £75 million. That would not be efficient. In practice, the Parliament will not have much choice between ½p, 1p or 3p because, with the cost of collecting the tax, it will go for the top level from day one. That will affect business and employment north of the border.

Mr. Welsh: While raising the spectre of international companies rushing to leave Scotland or not coming at all, can the hon. Gentleman give an example of companies

being deterred? To prove his point, the hon. Member for Westmorland and Lonsdale (Mr. Collins) could offer only a publican rushing from Scotland to Cumbria.

Mr. Syms: It would take a while; the Parliament has not yet been set up and the tax has not yet been levied.

Mr. Swinney: Assuming that it will be.

Mr. Syms: It is a realistic point. High-tax countries do not attract jobs. Scotland will be competing against England and Wales, which will have lower taxes.

Sir Robert Smith: I cannot understand why Conservative Members do not understand the logic. The matter would be dealt with as an issue in the election to the Scottish Parliament. The hon. Gentleman said that the Parliament would have to raise the tax by 3p, but it could get away with that only if the electorate was willing to forgive it.

Mr. Syms: The hon. Gentleman makes a good point. I am sure that that will be a key issue. The principal point of the amendments is to insert the word "income" to make the provision specific. I do not believe that that would change the Government's intent, but it would reassure many people who are worried that other forms of taxation might be raised. I support the amendment.

Mr. Gerald Howarth (Aldershot): This is an important debate. It is a great shame that there are so few members of the media in the Gallery to listen to a debate that has profound implications for all the people of the United Kingdom and not only for the people of Scotland.

I support the amendments tabled by my right hon. Friend the Member for Devizes (Mr. Ancram) to insert the word "income" so that there is no doubt, not only in the House but in the country at large, that we are talking about powers to vary income tax, not powers that relate to any other form of taxation.

If the hon. and learned Member for Orkney and Shetland (Mr. Wallace) believes that the word "income" is superfluous, let him put it in the Bill. It is not as if we are asking for a series of new clauses that make lengthy insertions. We propose a one-word insertion at a number of points that would mean that no one, least of all the courts—to whom the Government are handing more powers under the Human Rights Bill, which we debated last week—should be able to interpret the will of Parliament as extending beyond income tax to other forms of taxation.

I remind the Minister for Home Affairs and Devolution that, on Second Reading, the Secretary of State referred to safeguards that had been built into the system and said:

> "First, income from savings and dividends will not be affected by the tax-varying powers. We were influenced heavily in reaching that decision by the need to have a level playing field for the financial services industry in Scotland, which is particularly important in insurance and pensions."—[*Official Report*, 31 July 1997; Vol. 299, c. 465.]

I wonder how much those industries gave to the Labour party. Bernie Ecclestone gave £1 million to secure changes in the tobacco regime. The Government have clearly had representations from the insurance and financial sector, which is concerned about the impact on its businesses.

Mr. McLeish: On a point of order, Mr. Maxton. The comments that my right hon. Friend the Secretary of State made on Second Reading have been linked to the suggestion that the Labour party may have received income from financial services companies. I hope that that was not the inference that was being drawn.

The Temporary Chairman: That is not a point of order but a matter for debate.

Mr. Howarth: I note your ruling that that was not a point of order, Mr. Maxton. The Minister is a decent chap, but he was remarkably sensitive to my point. Perhaps he might like to check with Walworth road to make sure.

The point that I was making for the benefit of the Minister and in answer to the Scottish nationalist lot was about a specific case of an industry that has made representations to the Government about the potential impact of the Bill on its business. The industry wanted to ensure that it would not be prejudiced by an extension of tax-raising powers beyond income tax. If the Minister wishes to score a few brownie points with the insurance and financial services industry, which plays a big part in the Scottish economy, he should accede to our small but important amendment.

Mr. Oliver Heald (North-East Hertfordshire): Has my hon. Friend noticed that the largesse directed to savings is not being directed towards charitable gifts, in respect of which the amount of Scottish tax supplement will not be grossed up in the usual way? It will be restricted to only the United Kingdom basic rate. Is that not a particularly mean decision?

Mr. Howarth: I was not aware of that and I am grateful to my hon. Friend for drawing it to our attention. It seems that it is a one-way ratchet—and not a good example of the good faith to which the people of Scotland might like to look forward in their dealings with a Scottish Parliament.

The Temporary Chairman: Order. The hon. Gentleman is straying a little far from the amendment. I would be grateful if he returned to it.

Mr. Howarth: I was seeking only to respond to my hon. Friend's intervention.

As a matter of principle, I believe that national taxation should be decided by this place for the whole United Kingdom. This part of the Bill is one of the axes falling on the unity of the United Kingdom. I agree with my hon. Friend the Member for Poole (Mr. Syms) that it is a matter of principle that taxation should be determined nationally in this Parliament at Westminster.

There has been some discussion of people moving. I noted the nervousness of the insurance and financial services industry about the Bill's impact on their business. Much mirth was had by the Scottish nationalist lot about the suggestion that my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) could not name people who had moved to Westmorland. They ought to

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take note of the fact that, even in advance of the Bill reaching the statute book, a Scottish business man has realised that he can read the runes only too clearly and has decided to up sticks in order to ensure that there is no way that he can be affected. I am quite sure that the habitues of his hostelry will be grateful for his move.

Mr. Wallace: Will the hon. Gentleman inform the House how many international companies have announced over the six months since the referendum that they are about to make inward investment in Scotland?

Mr. Howarth: I am not aware of the answer off the top of my head. The hon. and learned Gentleman makes a fair point. Many businesses have gone to Scotland. That is one of the features of 18 years of a Conservative Government. Thanks to our policies—

The Temporary Chairman: Order. The amendment says: "after 'the', insert 'Income'." I wish that the hon. Member would refer to it.

6 pm

Mr. Howarth: I was, Mr. Maxton. I was referring to income—income in Scotland from all the new businesses that were encouraged by the Conservative Government.

I say to those who have questioned whether the Bill will have an impact on where business locates that, generally, business does not make a decision until it has seen how individual bits of legislation take effect. In that respect, it is very instructive to look at what is going on in Kent, where people have been able to see the impact of different rates of taxation. There, they have voted with their feet—

Mr. Frank Roy (Motherwell and Wishaw): They voted Labour.

Mr. Howarth: If the hon. Gentleman thinks that this matter is anything to do with there being a Labour Government, I remind him that it probably has more to do with the Labour Government sticking to the spending limits set by the previous Conservative Government, giving people some reassurance. Once the Bill comes into effect, we are likely to see businesses trying to escape the extra burdens of a Scottish income tax. Scottish nationalists say that it will not make a difference.

In the White Paper, the Government made clear that they

"propose that the tax varying power should operate on income tax, because it is broadly based and easy to administer."

I shall return to that point. They specifically ruled out VAT, stating:

"different rates of VAT on different sides of the border would cause practical problems".

I remind the Minister that the 1977 White Paper came to a very different conclusion. It noted that, of all the options, supplementary income tax

"seems an attractive candidate at first sight because of its high yield and broad coverage"

but it was ruled out primarily on the ground that it

"would impose a heavy new burden on the PAYE system and would reduce its efficiency as the Government's main revenue collector. Furthermore, because a marginal tax would be at a low rate, the cost of collection could represent as much as 20 per cent. of the yield."

There we have it. It has been considered in the past that such a tax would impose a substantial burden. The Government are now asserting to the contrary.

There will be a cost to business from the tax-varying powers conferred by the clause. There will be a cost to the Government. We do not know how much; the Bill is not explicit on that. I wonder how much the Government will make available to businesses to help them offset the additional cost of the income tax-varying powers that they are being asked to shoulder.

Mr. Syms: Is my hon. Friend aware that, from some estimates, it could cost business upwards of £50 million to set up the running of the additional tax?

Mr. Howarth: That is a very substantial amount of money—but cost is not the only issue. For a large business, £1 million may not be a large amount, but £10,000 in costs could be a substantial burden on a very small business. My hon. Friend mentions a substantial figure, which could fall disproportionately and particularly harm small businesses.

I give the Minister a word of advice. All Conservative Members are clear that much of the Bill comes from a dispute between the Scottish nationalists and the Labour party, as they vie to outdo each other on winning the nationalist vote. The Minister had better beware, because it is perfectly apparent—we shall come to this issue in a later debate—that the 3p income tax-varying power may not raise enough for the Scottish nationalists' designs, and they will be back.

I say to you, Mr. Maxton, as a Scottish Member, that the Scottish nationalists will be back, seeking to persuade the Scottish people that such a sum is paltry and that the only way in which they can implement their plans will be with a very much larger take. I support the amendment.

Mr. McLeish: Some things change, but many do not. The speech of the hon. Member for Aldershot (Mr. Howarth) was breathtaking in its irrelevance to the fact that Scotland has moved on, the business community has moved on and the Scottish Conservative party has moved on. Conservatives in this House have simply not moved on.

Before I briefly address the Opposition amendments, I shall refer to the consultation paper issued by the Inland Revenue. The paper sets out the Revenue's initial thinking on a range of second-order technical issues, which will have to be dealt with before April 2000. It has been sent to a range of representative organisations and invites their comments. It is very much a working document, but, for hon. Members' information, the Chief Secretary to the Treasury and I have arranged for copies to be placed in the Library. I shall come to points made about that in a second. The paper is intended only as a step along the road to sorting out all the various detailed technical aspects of the tax. I anticipate, however, that it will meet some of the concerns that have been expressed to us and will encourage constructive comment in other areas.

May I repeat that I apologise for the inconvenience that has been caused to hon. Members? The paper is part of the on-going debate, but it would have been courteous to

have informed at least the party leaders about its availability. It could then have been accessed a little earlier. On that basis, I hope that I can leave that point.

Mr. Ancram: I am grateful to the Minister for his apology, which I certainly accept. Will he pay the fees of the tax adviser whom I shall need to explain the paper to me?

Mr. McLeish: As they say in the legal profession, I shall reflect on that matter.

Mr. Wallace: I, too, am grateful to the Minister for his apology. On a cursory glance at the paper, one of the things that cause me some concern is a reference to clause 75 and how many of the responses to the consultation may be made by subordinate legislation. Will the Minister give an undertaking that, if substantive points come up, he will be prepared to reconsider amendments either on Report or in another place?

Mr. McLeish: That is for the procedures of the Committee. If hon. Members want to raise further items at a later stage, they can obviously be discussed. The Inland Revenue will have prepared the paper for the purposes of consultation with employers and others. As a courtesy, the paper was placed in the Library. I have already referred to the administrative convenience.

Mr. Swinney: I accept the Minister's remarks about the arrangements for the paper. Will there be more papers of that nature? From a cursory glance, the paper does not seem to cover all the issues that concern me in relation to clause 71 and the definition of Scottish taxpayers. Although the Minister may have more to say in a later debate, I seek his reassurance on that point.

Mr. McLeish: I shall indeed have something further to say about that. I hope for continuing consultations, in addition to the paper that is being published. Moreover, the Revenue intends to call in employers to discuss implementation of the tax. I anticipate further papers clarifying some of the issues that will be involved.

There is something synthetic about the concern expressed by Conservative Members this evening. Since 11 September, many people have taken the result very seriously—the result being a Scottish Parliament. The result also meant, however, a tax-varying power. Despite the ringing endorsement by the Scottish people, by a ratio of 2:1, I detect at best a grudging acceptance of their decision by the Conservative Opposition.

It does little good to distort and exaggerate. The Conservatives' grudging acceptance is cloaked in further attacks on the democratic wishes of the Scottish people. It is always very dangerous for democracy when people seemingly insult a decision arrived at in this way. It is the business of this Committee to scrutinise the technicalities, not to revisit old arguments—yet that is what the Tories have done under the guise of apparently supporting the measure. They actually harbour deep misgivings about what is happening—

Several hon. Members *rose—*

Mr. McLeish: I see that they are getting edgy.

Dr. Fox: What are the Prime Minister's economic reasons for saying that his party will not support the use of the tax-raising power?

Mr. McLeish: The subject was well aired before publication of the White Paper on 24 July, and before the referendum of 11 September. It is no secret that we are committed to that for the lifetime of this Parliament.

Mr. Desmond Swayne (New Forest, West): Does the Minister accept that we tabled our amendments solely to ensure that the Scottish people get exactly what they voted for and nothing else?

Mr. McLeish: Not at all. That is not the import of the amendments. There was a tax-varying question, linked to what the White Paper said, on the ballot paper. We made it clear that we were talking about income tax. The business community has moved on from these points already. Business people wanted fairness: that is what they have got. They wanted uncertainty cleared up; the business community is always rightly apprehensive of change. All that has formed the basis of the discussions between the Government and the business community. While that community has begun to look at the technicalities and the impact of the tax-varying power, Conservative Members have not moved an inch since the result was declared on 12 September.

Mr. Heald: If the measure applies only to income tax, why not say so? Could it be because the Government, with their secret agenda, intend later to include capital gains tax?

Mr. McLeish: Conservative Members should apply themselves to clause 69(1):

"Subject to section 70, this section applies for any year of assessment for which income tax is charged".

That is clear to every party in the House except the Conservative party. No matter how many times Conservatives are told that this concerns income tax, they will not acknowledge the fact—on political, not technical grounds.

Mr. Dalyell: Is the business community completely satisfied with the Government's position on a uniform business rate?

Mr. McLeish: I think the business community is satisfied with our openness and with the dialogue that we have had with business people. They have acknowledged that the power over the uniform business rate, linked as it is to the structure of local government, is being passed to the Parliament, not to local government itself. The Parliament will determine the matter. I am well pleased with our discussions so far. Recently the CBI met my right hon. Friend the Secretary of State and agreed to submit its

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thoughts on some of the technical issues surrounding the tax. It has now done that; I believe that the Inland Revenue is to hold further discussions with the CBI to respond to its points. I am content with the process—

Mr. Ancram: But are business people?

Mr. McLeish: Conservative Members should do some reading about what industry and business are saying. The life companies, for instance, are allowing their staff to stand for the Scottish Parliament, protecting their jobs and interests in the meantime.

Mr. Dalyell: I have said before that there is some concern about the responsibilities of the life offices. Will it be they or the Revenue which will be responsible for making information available?

Mr. McLeish: It will be a matter for the Inland Revenue, which will notify the life companies of what needs to be done.

6.15 pm

At some point, Conservative Members will have to come clean on where they stand—not for the benefit of the Government, the Liberal Democrats or the nationalists, but for the benefit of the Conservative party in Scotland, which may be interested in participating in elections there. Conservative Members ask who will decide whether the tax-varying power is to be used. The answer is: possibly the Conservatives. They have no locus in this House when it comes to Scotland, following 1 May, but they should be careful when deciding whether to accept the verdict of 11 September. They should not undermine the efforts of Scottish Conservatives to be elected to the Scottish Parliament—an outcome most democrats would want, yet it could be jeopardised by what the Opposition say in this Committee.

Amendments Nos. 352 to 355, 358 to 365, 369, 383, 386, 391, 394, 395 and 398 would replace each reference to tax-varying powers or taxpayers in the Bill with a reference to income tax-varying powers or income tax payers. The amendments are simply not necessary. Clause 69 makes it quite clear that the tax-varying power applies solely to income tax and thus to income tax payers. Clause 72(3) would confine any future replacement of the proposed tax-varying powers to income tax.

There is nothing more I can say on the subject. The amendments are superfluous and should not be agreed to.

Mr. Ancram: That was a most inadequate response. These days it seems that if we are told by the Minister that black is white, we need not see it on the face of the Bill. His whole argument is predicated on the idea that because he has said before that the provision relates to income tax, that need not be stated in the Bill. Certainly, from the point of view of Scottish business, that is inadequate.

The Minister keeps saying that clause 69 makes it clear that this is about income tax. I have read it again. It refers to

"any year of assessment for which income tax is charged".

If that is indeed about income tax, why does the Minister resist the simple addition of the word "income" to make the measure clear beyond peradventure?

We are only trying to bring about some confidence and stability. I would expect the nationalists to attack us, but when even the Liberal Democrats suggest that we have a hidden agenda, it becomes disappointingly clear to me that they have not understood the depth of concern in Scotland. My hon. Friends have admirably highlighted the uncertainties generated by these provisions; the Minister has not begun to answer any of them.

Once again, we have heard the protests that this is a wrecking group of amendments tabled by the Opposition. The Minister has given no serious consideration to them. He says that the Government do not need to clarify, yet when he introduced the paper from the Inland Revenue today, he said that it was the first of a number of papers whose purpose will be to clarify these issues. Those were his words—to clarify these issues. In saying that, he is accepting that there are doubts, that there are questions that need to be answered, and that clarification is required, yet when we seek to make a simple clarification in the Bill, he throws his hands in the air and says that he cannot accept it. Then he wonders why we are suspicious.

The Minister says that the business community in Scotland has moved on, that it is satisfied with the provisions, and that our need for clarification is not the need of the business community. Why, then, did representatives of the CBI go to see him on 30 January to ask for clarification and to get an assurance that capital gains tax would not be affected by the provision?

If the Bill and the arguments are so clear and so patent, and the Scottish people have seen and heard them for the past eight months, why does a senior organisation representing Scottish business take a different view and feel the need to ask for that reassurance? Why was the Minister so keen to give us that reassurance from the Dispatch Box again last week at Scottish questions? Because he, too, knows that there are doubts in Scotland, and that those doubts are dangerous and destabilising. He wants to offer reassurance not in the Bill, but from the Dispatch Box.

The Minister's attitude is breathtaking in its complacency. He was asked by the hon. Member for Linlithgow (Mr. Dalyell) whether he was satisfied that the Scottish business community was reassured about the uniform business rate. If I understood his answer, which was not easy to understand, he seemed to say that the business community was pathetically grateful that he had been prepared to talk to its representatives.

There are real business decisions—investment decisions—to be taken, all of which will be taken on the basis of the confidence that Scottish business has in the Government's proposals in relation to tax, but we have again heard nothing that creates any more confidence in that regard.

Mr. Wallace: Does the right hon. Gentleman accept that even if all his amendments were accepted, it would make no difference to the powers of the Scottish Parliament in relation to the uniform business rate?

Mr. Ancram: Not these particular amendments—

Mr. Wallace: Those are the ones that we are discussing.

Mr. Ancram: I said earlier that the entire clause relates to confidence in tax varying. We have tabled new clauses

that we shall discuss later, which deal with that specific problem, so the hon. and learned Gentleman will see that we are consistent in our approach.

I am sorry about the view that the Minister has taken. These were useful amendments, which could have created confidence. Throughout our consideration of the Bill, his reaction to any amendments tabled by the Opposition—even by the Government's friends, the Liberal Democrats, who are now protesting about not having any amendments accepted—has been arrogant resistance to any constructive suggestion. That is disappointing, but I shall not press the matter. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Heald: I beg to move amendment No. 356, in page 29, line 23, at end insert—

'(3A) The income mentioned in subsection (3) to which section 1A of the Income and Corporation Taxes Act 1988 applied for that year shall also be treated as income of that kind even where the taxpayer's total income from all sources exceeds £25,500 in that year.

(3B) The income referred to in subsection (2) does not include income from any annuity purchased from a pension fund.'.

The Temporary Chairman: With this, it will be convenient to take amendment No. 357, in page 29, line 35, at end add—

'(6) Split year concessions shall apply to resolutions passed by the Scottish Parliament as they apply under the Income and Corporation Taxes Acts.'.

Mr. Heald: Amendment No. 356 proposes adding two new subsections, (3A) and (3B), to clause 69. New subsection (3A) seeks to ensure that any tax supplement resolved on by the Scottish Parliament should not have effect as against income from savings and distributions, even if the Scottish taxpayer's income exceeds £25,500 in that year.

To put that in context, clause 69(2) applies the income tax Acts to Scottish taxpayers so that the UK rate—the basic rate—is increased or reduced by the amount resolved by the Scottish Parliament. Clause 69(3) provides that income from savings and distributions is not to be considered for that purpose, but that is done by reference to section 1A of the Income and Corporation Taxes Act 1988.

Section 1A provides that income from savings and distributions is to be taxed at the lower rate in the United Kingdom, but if a taxpayer's total income exceeds £25,500, tax is paid on the top slice at the higher rate, and income from savings and distributions is considered under subsection (5) as the highest part of his income and taxed at 40 per cent. less the 20 per cent. already deducted.

The amendment seeks answers to two questions. For the purposes of the Scottish tax supplement, will income from savings and distributions be completely disregarded, or will such income be considered for tax as the highest part of the taxpayer's income and be brought into the Scottish tax supplement if the total income exceeds £25,500? In other words, will the tax supplement apply to basic rate taxpayers and those in receipt of savings and distributions income in so far as the total income exceeds £25,500, or does section 1A apply only to define the categories of income to be disregarded, and may subsection (1)(b) and subsection (5) of section 1A therefore be ignored for these purposes?

That was a fairly technical argument, but I can see that one or two Labour Members followed it closely. New subsection (3B) would remove pension income from the Scottish tax supplement. As at present drafted, clause 69, subject to my previous comments, would exempt savings and distributions income, but not pension income. It is an anomaly that senior citizens in receipt of a pension should pay the tax, while those who rely on other savings income should not.

The Government may argue that savings are made out of taxed income and should therefore be exempt from further taxation, and that it would be wrong to tax twice. However, as we have seen, the income under section 1A of the 1988 Act is already taxed, albeit at a lower level. It is true that pension contributions attract tax relief and that pensions in payment are taxable, but the agreement between the Government and the taxpayer has been that tax relief will be at the current UK tax rate, and that pensions in payment will be taxed at the current UK tax rate.

Pension scheme members have made their contributions, as have their employers, on the basis of the present situation, and have made their projections of the necessary required income for retirement on that basis. Is it fair to change the rules retrospectively and impose a new tax on those with fixed incomes—pensioners who have no opportunity to increase their income, because their working lives are over?

For the past 18 years, the Conservative Government were anxious to increase the number of people who had pension provision. The number went up by more than 6 million. That was against a background of falling income tax rates. In recent years, Labour has given people taking out pension provision the idea that Labour would agree to the system where tax rates fall rather than rise. It is doubly cruel now to increase the rate of tax for pensioners while leaving other savers untouched, as pensioners cannot change their position, claw back the money, put it back into their pension schemes and save the situation for the future.

Furthermore, is it right as a matter of policy to disadvantage pension scheme savers in comparison with other savers? Other savers have made their savings from taxed income, but at the current UK rate. They have not paid the Scottish tax supplement. If they are to be exempt from the tax supplement on the fruits of their investments, why should pensioners pay it?

There is an imbalance between the way in which two kinds of savers, both possibly saving for their retirement, are treated. Is it right for a Government to discriminate against pensioners? Pensions are thought by many to be the best form of investment for retirement. The money is set aside permanently, and employers are prepared to make contributions to pension funds as part of their employment policy. Everyone recognises that good-quality pensions help the individual to meet his expectations of retirement.

Until recently, all Governments have gone to great lengths to extol the benefits of pension provision, not least because it eases the burden on the public purse at a time when we face an increasing aging population. At present, there are three pensioners for every worker. By 2030, there will be five pensioners for every worker. Against that background, rather than abandoning that pension policy, should not the Government support those who

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make provision in that way? We have already seen the £5 billion pensions raid and now we have this discrimination against Scottish pensioners. I ask the Government to think again and to accept amendment No. 356.

There is a certain mean-spiritedness about this tax-varying power—grossing up charitable gifts not by the amount of the Scottish tax supplement but only by the United Kingdom basic rate; and not giving full relief for home income plans, which are restricted to the basic rate instead. There are 15,000 plans in the United Kingdom and no doubt there are many in Scotland. Do the Government wish to send the message, "Don't be a Scottish pensioner or a Scottish home income plan owner"? I do not think so. That is why the Government should consider the amendments seriously.

6.30 pm

Amendment No. 357 seeks to maintain the extra-statutory concession on split years for the Scottish tax supplement. Under United Kingdom tax law, anyone who is resident in the United Kingdom for part of a tax year is liable for tax for the whole year in respect of his whole income. In theory, if he is resident in the United Kingdom for a day and then moves to the United States, he is liable to pay tax for the whole year on his whole income. The Revenue has recognised the unfairness of that and has made an extra-statutory concession that involves splitting the tax year, so that income arising after departure is not subject to United Kingdom tax.

It is not clear whether that concession applies to the Scottish tax supplement if a person moves to England or abroad to the United States, for example. It is important that the Government clarify their position. It would be wrong to discriminate against those who seek to exercise mobility of labour. I ask the Government to consider both amendments seriously, and I hope that the Minister will accept them.

Mr. Dalyell: In the previous discussion, I asked whether donations to charities would be treated according to Scottish or United Kingdom taxation rules. I put that question then in the expectation that we might not reach these amendments, and I wonder whether it would be convenient for the Minister to answer now. I asked also about the treatment of annuities. The Minister did not touch on that issue in his winding-up speech, but that matter may be dealt with more properly now.

I have one more question about pay-as-you-earn treatment—forgive me if it does not relate to the amendments, but I do not know when it will be appropriate to raise it. Would it not create less of a burden and be administratively easier if tax years could be split? For example, if someone arrives in Scotland from England on 1 September, the Scottish rate will affect PAYE for the whole year of assessment. That creates an additional burden for employers and employees, which may result in an employer paying an additional salary or in an employee seeking to postpone his arrival in Scotland. Now is probably as good a moment as any to ask about the treatment of PAYE.

Mr. Wallace: I should declare an interest in the discussion, as I am the parliamentary adviser to the Institute of Chartered Accountants in Scotland. I have had discussions with the institute regarding some technical matters in the Bill—although obviously any political gloss I may put on them is entirely my own. I welcome the fact that the hon. Member for North–East Hertfordshire (Mr. Heald) has moved the amendments. This is the stuff of the Committee stage; we should examine the details of the legislation. The hon. Member for Linlithgow (Mr. Dalyell) also raised important detailed points.

The amendments raise concerns about the way in which clause 69(1) and (2) will interact with the general operation of income tax as it affects Scottish taxpayers. I understand that clause 69(2) makes the provision part of income tax legislation, so it should apply the next time we have a consolidation.

Given that the Scottish variable rate applies to income tax, does it apply also to tax relief? I note that the charitable deeds of covenant are covered by the consultation paper and that tax relief will continue to apply at the United Kingdom basic rate, regardless of the tax position of the donor. I am not 100 per cent. certain that the provisions in clause 69 will achieve that aim. We could have a political debate about whether they should achieve it—the hon. Member for North-East Hertfordshire said that the deeds of covenant should attract tax relief if someone pays a higher rate.

Many charities have found that successive reductions in the rate of income tax have led to reductions in their income. Putting aside that political point, I seek an assurance from the Minister about precisely how the position that he sets out in the paper with regard to the deeds of covenant can be achieved by the structure of the changes to the Scottish rate of income tax as set out in clause 69.

In terms of simplicity, there is much to commend the extra-statutory concession. We want simplicity, but I would hesitate to allow a Bill that deals with fundamental constitutional matters to make a major taxation change. There is much to be said for putting such extra-statutory concessions into taxation legislation. It is not satisfactory to achieve fundamental taxation change by way of extra-statutory concessions.

My final point relates to annuities. I understand that we have different tax rates to which annuities from pension funds do not apply, principally because the Conservative party made that distinction. I think that the former Chancellor, the right hon. and learned Member for Rushcliffe (Mr. Clarke), introduced that provision. If there is a tax break going in, it is not unreasonable that there should be tax coming out. We seek confirmation from the Minister on that point. If, for the sake of argument, the tax rate in the Scottish Parliament is 24 per cent., would a contribution attract a tax break at 24 per cent? If that is so, it is not unreasonable that it should be taxed at the Scottish rate when the payment is taken out.

Mr. Swinney: I wish to make a brief contribution to the consideration of amendments Nos. 356 and 357. I believe that amendment No. 357 is the better of the two. In the past few weeks, I have received several representations from specialist organisations in the financial services sector and from the business community about some of the details surrounding these provisions.

I take the point made by the hon. and learned Member for Orkney and Shetland (Mr. Wallace): there is concern about the publication of the consultation paper. It is felt that too many details about the application of the tax-varying powers will be settled by secondary provisions and do not form part of the Bill. A key concern that has been drawn to my attention is the definition of "Scottish taxpayer" in clause 71.

Mr. Heald: I am rather surprised by the hon. Gentleman's comments. He spends a good deal of time telling us that details do not have to be on the face of the Bill, and now he says that they should. Can he not decide?

Mr. Swinney: That is such a lot of rubbish that I will not even bother to respond.

The Government have introduced in the Bill the concept of Scottish taxpayers. I understand their motivation for doing that, but I disagree with the method and the mechanism that they have proposed.

This debate is similar to the one that I suspect we shall have on clause 71; the definition of Scottish taxpayers should be much more closely related to residence than the Government propose.

I am particularly concerned about split-year concessions. I have anxieties about the bureaucracy and the administrative hassle and costs of gathering information for the proposed days test, and I believe that the Bill should make clearer the issues relating to the split-year concessions. If the Revenue can deliver a split-year concession for individuals who leave the United Kingdom for other tax jurisdictions, I am sure that a mechanism could be designed adequately to protect the right to a split-year concession for people who leave Scotland for another part of the United Kingdom.

We need guarantees that such mechanisms will be implemented, but the days count is inadequate; it is cumbersome and unnecessary, and it does not provide sufficient clarity. I understand the Government's enthusiasm to maximise revenues, but they must do so through the consistent application of tax practice and definitions, which are sadly lacking in the Bill.

Mr. Grieve: This is an interesting debate; it has become clear that, far from being simple, the 3p income tax variation is a matter of considerable complexity. Nothing illustrates that better than the preferential treatment that will be accorded to those who are in receipt of unearned income from stocks and shares, as opposed to those who have saved for their pensions. Given the Government's proclaimed interest in pensioners, the fact that they are making such a differentiation comes as something of a surprise.

We hope that the Government will accept the amendments, which would ensure parity between those who receive unearned income and those who receive pensions. Pensioners tend to have nothing else to fall back on for their income, yet they will be unfairly penalised in comparison with those who enjoy unearned income from other sources.

Another illustration of the measure's complexity is the split-year concession, about which the hon. Member for North Tayside (Mr. Swinney) and other hon. Members have spoken tellingly. If income tax rates differ in Scotland and England, the concession will be of great importance to those who work in and out of Scotland, and the Government should take that into account when they consider how the income tax mechanism will work.

As I understand the Government's thinking, they have moved from the principle that tax variation will occur only in relation to income tax to the position that it will affect only taxed, earned income. If so, they would be wise to nail their colours to the mast and leave it at that; otherwise, we shall end up with a series of bizarre anomalies—one need only look, for example, at the wording of the Inland Revenue's detailed statement to realise that some items that would normally be treated as income will be exempt. That is a recipe for the system to be considered unfair. If tax variation will apply only to the income earned by those who are earning, so be it; if not, the Government should consider the whole matter again.

Mr. Collins: Again, this is an important debate, as it enables us to flush out the Government's intentions. Amendment No. 357 deals with split-year concessions, and we should be aware that it is somewhat naive to operate a system on the assumption that most people—or even a significant number—will move from Scotland to England or vice versa just as one tax year ends and another begins. The Bill should make clear provision to take account of the fact that most people will move at other times of the year.

It is important to note that, once again, more Conservative Members are present than Labour Members, even though there are, sadly, two and a half times as many Labour Members as Conservative Members. The Scottish Parliament is supposed to be the flagship of the Government's programme, but in this debate on a matter of great significance—taxation—the Labour Benches are not filled. Is that because Labour Members do not believe that these matters are important, or do they think that the Government's case is difficult to support?

With the honourable exception of the hon. Member for Linlithgow (Mr. Dalyell), Labour Back Benchers have been entirely silent all afternoon. That needs to be noted; it betrays not only the contempt in which many Labour Members hold the House, but their indifference to matters of taxation, income and the management of the Scottish economy, which are of great importance to the people of Scotland and to all those who want every part of the United Kingdom to operate a strong and prosperous economy under a clear financial framework.

6.45 pm

Amendment No. 356 is important; we want the Government's attitude to people whose income is greater than £25,500 per year to be put on the record. Those who were around in the run-up to the 1992 general election—I was in a very junior capacity—will remember the Labour party's immense difficulties over whether someone who earned £21,000 or £22,000 per year was affluent. At a famous dinner at an Italian restaurant, which was attended by journalists, the then leader of the Labour party, Mr. Neil Kinnock, changed policy on the treatment of employers' national insurance contributions.

That was as significant then as it is now, as we need to know what the Government's rhetoric means. They talk about people who are prosperous, who can afford to pay

[Mr. Collins]

and who should be encouraged to make sacrifices for the wider community, but at what income will the affluence test start to bite?

As we learned during the debate on the previous group of amendments, the Government are reluctant to specify in the Bill the assurances that they gave during the referendum campaign and on other occasions—that the Scottish Parliament will be given powers to vary only income tax. If they reject the amendments, there will be a suspicion that the Labour party is pursuing an agenda in which people of a certain income—it may be £20,000, £25,000 or £30,000—should pay more.

The amendments were tabled to find out how much the Minister believes people's income should be before it is reasonable to expect them to pay more towards services, whether they are in Scotland or the rest of the United Kingdom. I should be interested to hear his definition of the affluence test—an idea that the Secretary of State for Social Security floated during a famous "Today" programme interview, but which was denounced a few hours later by Mr. Alastair Campbell from No. 10 Downing street, who—unconstitutionally—holds much greater power than any member of the Cabinet, with the possible exception of the Prime Minister.

I hope that the Minister will make clear the Government's position on pensioners. The pensions tax that was imposed in last year's Budget gave us some idea, but we want the Minister to put it on the record whether the Government are interested in the concerns of pensioners, particularly those with private pension provision.

I hope that, in the Minister's response to amendment No. 356, he will also clarify the Government's position on the key question of people with middle incomes, to which many people below them aspire. Does he believe that they should be asked to delve deep into their pockets to pay for socialist spending plans, whether they be from Holyrood or Westminster?

Mr. Syms: I listened to my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) eloquently introducing the amendments. I think that all of us have been impressed by the technicality of the clauses that we are discussing. We have had to listen carefully to explanations of what they mean.

The arguments behind amendment No. 356 are telling. Unearned income will not be taxed, but pensioners will find themselves under a tax burden. We all know that many pensioners are on a fixed income. Many have planned for their retirement for many years, only to find that the burden of the proposed taxation will diminish their living standards in retirement. I support the amendment.

I support also amendment No. 357. As the hon. Member for Linlithgow (Mr. Dalyell) said, split years are an important issue. People are moving from one address to another and changing jobs all the time. Many of those moves and changes take place within the United Kingdom and many are international. If we can have recognition of split years under our income tax and corporation tax arrangements for people who go abroad, it seems not unreasonable that we should have such arrangements for people who move between Scotland and England or from Scotland to any other part of the United Kingdom.

Mr. McLeish: The hon. and learned Member for Orkney and Shetland (Mr. Wallace) asked about the tax treatment of pensions. If the Scottish rate were to be 24 per cent., would contributions attract relief at 24 per cent? The answer is yes.

The hon. and learned Gentleman referred also to the treatment of charities and asked how that would be achieved in the Bill. That will be done by invoking the powers in clause 75(2) by regulation in so far as that is necessary. That is one of the issues on which the Inland Revenue is consulting.

My hon. Friend the Member for Linlithgow (Mr. Dalyell) raised the issue of pay-as-you-earn treatment. I can tell my hon. Friend that PAYE will operate as normal. Indeed, that was made clear in the White Paper. The Inland Revenue will be consulting employers on detailed operational matters, covering such issues as how best to deal with people who move to and from Scotland in any one year.

Mr. Dalyell: Is the Inland Revenue considering a split year?

Mr. McLeish: I shall take up that question in response to the amendments.

The hon. Member for North-East Hertfordshire (Mr. Heald) asked whether it is fair to tax pension payments at the higher rate at which the contributor obtained tax relief in contributing to his or her pension fund. If a Government committed themselves to tax pensions only at the same rate at which they gave relief on pension contributions, it would not be possible to alter tax rates, including lowering them.

I shall take up some of the substantial points that were made by the hon. Member for North-East Hertfordshire. Amendment No. 356 is clearly based on a paper produced by Deloitte and Touche. The argument seems to be that section 1A of the Income and Corporation Taxes Act 1988 is a form of allowance and that, after that slice of income is, in effect, cut out, the next slice can fall into the gap. But that is not quite right. Sections 1 and 1A of the 1988 Act and clause 69 work together.

The rules take account of a person's total income, as arranged in a certain way, which basically puts savings income on top. From this are deducted personal allowances, and what income is left is divided into rate bands. For 1997-98, the first £4,100 is taxed at the lower rate of 20 per cent. Income from £4,101 to £26,099 is taxed at the basic rate of 23 per cent. The balance is taxed at the higher rate of 40 per cent.

Mr. Dalyell: My hon. Friend will be aware of the concern of the Institute of Chartered Accountants in Scotland, which is asking whether income tax is to be withheld at 23 or 26 per cent. Thereafter, will the payer be given tax relief for an annual charge of 23 or 26 per cent? Are there special rules for cross-border annual payments? That refers to the Income and Corporation Taxes Act 1988.

Mr. McLeish: I intend to deal with the cross-border issue. However, at this stage I refer my hon. Friend to the answer I gave to the hon. and learned Member for Orkney and Shetland a few minutes ago.

The Scottish variable rate can apply only to the £4,101 to £26,099 band, which is taxed at 23 per cent. According to section 1A of the 1988 Act, the 23 per cent. charge cannot apply to savings income. Thus, the SVR does not apply to savings income. Contrary to what seems to be implied by the amendment, part of the balance of income in excess of £26,100 does not drop down into the space to be taxed at the SVR. In our view, the first half of the amendment is unnecessary.

There are two types of annuity to which the second half of the amendment might conceivably apply. They are what are termed as PAYE annuities, which are taxed under schedule E—that is income from employment—and payments to holders of retirement annuity contracts, which are annual payments taxed under schedule D. Basically, we are talking about pension income, and that has been alluded to by Opposition Members.

In the proposed terms of new subsection (3A), the amendment is unnecessary. Current legislation already achieves what is intended. As Deloitte and Touche made clear in its paper, even it is not sure whether there is a problem with the definition of savings income in the Bill. All that it wanted was an assurance, and I am happy to give that.

The amendment is not so attractive when we come to new subsection (3B). The sort of annuity to which it refers is essentially a form of deferred income. There is no reason why it should not be within the ambit of the tax-gathering power, along with other earned income.

Excluding certain pension income would produce a mismatch with the relief given to Scottish taxpayers on pension contributions. That seems wrong and would arguably be to the disadvantage of other UK-resident taxpayers.

Mr. Heald: Is it not the point that contributions attract tax relief at the current UK rate? The same is not true of the pension in payment, which will be taxed at the current UK rate plus whatever the Scottish tax supplement is. How can that be consistent with the treatment that the Government are giving to savers, which is entirely different? They paid the money in tax at the UK rate, yet they are being exempted from the Scottish tax supplement. The two approaches are unequal. Why are the Government discriminating against pensioners, of all people?

Mr. McLeish: If we take the two annuities that have been implied in the amendments, they would be regarded as pensions. However, the Deloitte and Touche report refers to purchased life annuities. As premiums do not carry tax relief, they are considered as savings and will be excluded.

In Scotland, pensioners will be subject to the powers on deferred income. However, fewer than 15 per cent. of over-65s will be affected and the average impact is £140 for aged taxpayers where the basic rate will be their marginal rate. There is a distinction that we are declaring openly and honestly in relation to savings as against deferred income. We believe that deferred income should be subject to the SVR.

I move on to the question of Inland Revenue extra-statutory concession—that is ESC A11—which is raised by amendment No. 357. It will apply in the normal way, notwithstanding the Bill's provisions. I can give the Committee that assurance. The argument that has been advanced this evening differs from the general issue of the extra-statutory concession.

If the intention is to apply the principles in the ESC to those who move between Scotland and elsewhere in the UK during any tax year, I am not prepared to accept it. It would be an administrative nightmare for employers and the Inland Revenue alike. It would be necessary to revisit Scottish taxpayers' status part way through the tax year. The only fair way to operate the rules in relation to in-year movers is to determine where in the UK they have spent most of the tax year, or where their UK principal home was for most of the tax year. We shall soon be discussing that matter. Clause 71 provides appropriate and fair rules, and nothing more is needed.

Mr. Swinney: How much more of an administrative burden does the Minister believe the information for a split-year concession would be, as measured against the colossal bureaucracy of the days test for every Scottish taxpayer?

Mr. McLeish: I would not accept that proposition. We shall have a chance to respond to it when we come to the specific question. We advise the Committee to vote against the amendments.

Mr. Heald: The Minister's reply was a disappointment. The Opposition have pointed to a gross discrimination against pensioners. People who paid tax at the UK rate will have their position on savings entirely protected, whereas pensioners who have made their contributions on the basis of tax relief for the UK rate are being discriminated against. There is no equality between the two.

As my hon. Friend the Member for Beaconsfield (Mr. Grieve) said, we are dealing with a complex matter, but one of justice. As my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) said, we are faced with an attack on pensioners. It is, indeed, a breach of faith. As my hon. Friend the Member for Poole (Mr. Syms) said, an individual pensioner living on a fixed income will be discriminated against when he has set his arrangements for retirement on the basis of certain knowledge that the current UK tax rate will be the contribution tax relief and the basis on which he is taxed. It is a breach of that agreement. We are dissatisfied with the Minister's answer. The answer on split years is equally wrong, giving no consideration to those who wish to exercise mobility of labour. On that basis, we shall press the amendment to a Division.

Question put, That the amendment be made:—

The Committee divided: Ayes 130, Noes 339.

Division No. 175] **[6.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher

Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Speiman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Stephen Day and
Mr. James Cran.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Ballard, Mrs Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kidney, David
Killoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Laxton, Bob

Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
Mahon, Mrs Alice
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Wallace, James
Ward, Ms Claire
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Jane Kennedy and
Mr. Jon Owen Jones.

Question accordingly negatived.

It being after Seven o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution [this day], put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 69 ordered to stand part of the Bill.

Clause 70

SUPPLEMENTAL PROVISION WITH RESPECT TO RESOLUTIONS

Mr. Donald Gorrie (Edinburgh, West): I beg to move amendment No. 408, in page 30, line 26, leave out 'tax–varying' and insert 'tax–increasing'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss amendment No. 366, in page 30, line 28, leave out '2000–01' and insert '2002–03'.

Mr. Gorrie: Our amendment would replace "tax-varying" with "tax-increasing". Opposition Members in the Scottish Parliament could propose a reduction in taxes, but only members of the Government could propose increased taxes. According to my hon. Friends, who are more experienced than I, that is the practice in this House. In giving Opposition Members as much freedom as possible, it would be reasonable to allow them to propose tax-reducing measures.

The amendment might appeal to Conservatives in particular. They are concerned about tax raising. If they succeed in having Members elected to the Scottish Parliament, they could propose tax-reducing measures. I am confused about where the Conservatives are coming from. Leaks to the press suggest that their leader is taking them in a new direction and that devolution and all associated with it is a good thing, although it should apply to the English as well as to the Scots. But today we are hearing the same old story: anything that the Scottish Parliament will be able to do must be bad.

Dr. Fox: The hon. Gentleman was not even here.

Mr. Gorrie: I beg your pardon.

The Chairman: Order. The hon. Gentleman is addressing the Chair in all remarks.

Mr. Gorrie: I beg your pardon, Sir Alan. I was being interrupted.

The amendment is straightforward. It is not of huge moment, but the conduct of the Scottish Parliament would be improved marginally if Opposition Members were allowed to propose a reduction in taxation.

7.15 pm

We do not support the Conservatives' proposal which would deny the Scottish Parliament the right to introduce tax-varying powers as soon as it wished. If it is to be a serious Parliament and is to have those powers, it should be allowed to use them.

Mr. Dalyell: I should like to ask about retrospection. What will be the combined effect of subsections (3) and (4) of clause 70? Subsection (3)(a) suggests that a determination of the UK Parliament may be made after the beginning of the year without it expressly being stated that such determination is necessarily to be effected in the year in question. Will not that have the consequence that, in theory, the tax-varying power could be applied retrospectively? In the hands of lawyers, that would be more than an arcane point.

I should also like to ask about double tax treaty relief. The vast majority of UK double tax treaties specifically refer to UK income tax. The provision that Scottish income tax will also qualify for double tax relief must be clarified. Clauses 69, 70 and 71 appear to replace the non-varied rate with a varied rate for Scottish taxpayers, but would the UK income tax rate still apply? Those two questions are rather significant.

Mr. Grieve: I was surprised at the comments of the hon. Member for Edinburgh, West (Mr. Gorrie). I understood that the amendment would limit the power of the Scottish Executive to move a motion to increase taxes. That perhaps was not a total surprise because of the reality in which the Bill will operate, but it was still a considerable surprise in the light of the representations made by the Government in the referendum campaign.

Many hon. Members will have no difficulty in agreeing that in the Scottish Parliament the Opposition should be able to table motions to reduce taxation, but that is not what would be achieved. I stand to be corrected, but my reading of this simple alteration is that the Scottish Executive would be allowed to move a motion to vary tax only upwards.

Mr. Wallace: It would mean that only a member of the Scottish Executive could propose a tax-increasing measure whereas any Member of the Scottish Parliament could propose a tax-reducing measure, which is precisely the position in this House.

Mr. Grieve: If that is what the Liberal Democrats seek, a further amendment is required.

Mr. Wallace: The hon. Gentleman has not read the amendment properly.

Mr. Grieve: I beg to differ.

Amendment No. 366 would postpone for one year the implementation of the tax-varying powers. It is not an attempt to curb the power of the Scottish Parliament: it reflects the debate that we have had this evening. It is abundantly clear that if the tax-varying powers are to operate successfully, they will require careful attention. The people in Scotland who will have to pay will need to prepare carefully, and may decide to save into pensions or into equities. Given the minutiae that the Inland Revenue has presented us with, it is abundantly clear that accountants and tax lawyers will have a field day interpreting these provisions.

I hope that the Minister recognises that I have accepted that we must smooth the way for these changes. The provisions must be seen in the context of the real changes in the relationship between Edinburgh and Westminster. These tax measures add an extra and complex layer to what is already an extremely complex period of change.

It is clear from the White Paper on devolution that the Scottish Parliament is intended to be up and running over a period from May 1999 onwards. In those circumstances, the tax-varying powers should be postponed for 12 months, so that we can experience how the relationship between the Scottish Parliament and the United Kingdom Parliament and Government operates in practice. We trust that the Scottish Parliament will have a long life, so that seems a small concession to prudence. It would be a worthwhile concession, given the burden that will have to be borne by those in office.

Mr. Alex Salmond (Banff and Buchan): I am puzzled about amendment No. 366, which would delay the change in the Scottish taxation provisions. Does it mean that the Conservative party has abandoned any attempt to lower the level of taxation that the Scottish Parliament can raise? Has it merely abandoned its attempt to do so until 2002-03, or has it abandoned any hope of doing so at any time?

Mr. Grieve: The hon. Member for Banff and Buchan (Mr. Salmond) misunderstands the position. We may argue in the future for a reduction in taxes in Scotland. We are concerned about the transitional period when these complex constitutional measures are being introduced. They will undoubtedly need to be smoothed through. I realise that the hon. Gentleman may not want them to be smoothed through, although he often argues to the contrary.

On a number of occasions, the hon. Gentlemen the has told the House that it is particularly important that the Scottish Parliament works for the benefit of the Scottish people. Assuming that he wants it to be up and running effectively, it may be more sensible for the stages to be introduced gradually. The hon. Gentleman has attended some of the debate, but not all of it, and if he had listened to the details of the tax principles, he would realise that there will be complex problems.

We take the view that there is no point adding to those problems. It may benefit the operation of the Scottish Parliament and smooth its relations with the House if, when it is up and running, there are no tax-varying powers for 12 months and those changes are held over until the following year.

Mr. McAllion: I congratulate the hon. Gentleman on his elevation to the Opposition Front Bench. He certainly improves the quality, although that is not very difficult. If he wants to postpone the tax-varying powers of the Scottish Parliament for 12 months, why does amendment

No. 366 postpone it for 24 months, from 2000–01 to 2002-03? Surely, if that is what he is trying to achieve, the amendment is wrong.

Mr. Grieve: I think not. The amendment would leave out 2000-01 and would insert 2002-03.

Mr. McAllion: That is two years.

Mr. Grieve: If that is the case, all the better. The purpose of the amendment is to allow a transitional period during which there would be no tax-varying powers.

Mr. McAllion: How long is that period?

Mr. Grieve: The amendment would introduce the powers in 2002-03.

Mr. McAllion: How long is that?

Mr. Grieve: If I may say to the hon. Gentleman, we have still not had complete clarity from the Government on how the transitional period from 1999 will operate.

I ask the Minister to consider the desirability of a transitional period before the tax-varying powers are introduced. I suggest that postponing the introduction of those powers until 2002 would be a valuable change.

Mr. Swinney: Before the hon. Member for Dundee, East (Mr. McAllion) intervened, I was going to welcome the hon. Member for Beaconsfield (Mr. Grieve) to the Opposition Front Bench. As a result of his rapid promotion to the Front Bench, I thought that my hon. Friends the Members for Moray (Mrs. Ewing) and for Banff and Buchan (Mr. Salmond) may think that it was time for young men to be put into the limelight of debate, but perhaps they were not paying careful attention. Having heard the hon. Gentleman's contribution, I do not think that he is a threat to some of his right hon. and hon. Friends on the Front Bench.

The hon. Member for Edinburgh, West (Mr. Gorrie) referred to the ability of Back Benchers to propose a motion to reduce taxation. That is a sensible measure and reflects the established procedure of the House. It would enable Back Benchers outwith the Scottish Executive to utilise the powers that are given to the Parliament. In a strange way, it may give Conservatives something to do and on which to focus when they get into the Scottish Parliament. They could try to challenge the other parties, which they think are determined to use the tax-varying powers only to increase taxation.

Amendment No. 366 would delay the implementation of these powers. We must bear in mind some practical realities. The Parliament will be elected in May 1999, and it will assume its responsibilities in 2000. A party making a tax-varying proposal at the election in May 1999 should be confident of delivering that proposal in the time scale offered by the legislation. Such a proposal in an election manifesto would not stand up to scrutiny on the hustings if it could not be delivered in the time scale provided by the Bill.

The legislation enables parties to formulate their proposals and to judge whether they are able to implement them in the proposed time scale. I am not clear whether the Conservatives want to delay the implementation of these powers for 12 months or 24 months, but it seems to be more than 12. The amendment is symptomatic of the arguments that we have heard from Conservatives recently. They want to put obstacles in the way of the Parliament assuming the powers in the Bill, and to delay the Scottish people assuming responsibility for a proportion of their own affairs. The sooner the Scottish people are able to exercise their discretion over these matters of policy the better. I have no time for amendment No. 366.

The hon. Member for Beaconsfield referred to the need for gradual change. Some of us are concerned that gradual change has been slow in coming. The people of Scotland have decisively voted for the Parliament to be set up on this basis, so we should not impede it from assuming the powers that it was promised.

Mr. McAllion: I did not want to speak in this short debate, but I felt that the Conservative Front-Bench contribution required a response from Back Benchers. I regard the hon. Member for Beaconsfield (Mr. Grieve), who has been elevated to the Front Bench, as one of the brightest and best Opposition Members—certainly given what he has said during our debates on the Bill—but, when he cannot even tell the difference between the year 2000 and the year 2002, assuming that it is 12 months, we have to worry about the quality of the Conservative party and the likelihood of its returning to office. It is clear that even the brightest and best cannot count. But perhaps the Conservatives have an aversion to counting following the last general election, when results went badly against them.

Let us consider the substance of the debate. Hon. Members want the elected Scottish Parliament to be able to introduce a Budget in the first year in which it takes over—a distinctive Budget: the Budget of the Scottish Parliament, rather than simply a Scottish Office block that is decided here and handed down. They want a definite budget, which will draw its strength from the mandate received by Members of the Scottish Parliament from the Scottish people.

I cannot see the purpose of the amendment, other than dog-in-the-manger opposition to what the Scottish people have already voted for. A referendum has taken place, and a huge number of Scottish people voted to give the Parliament a tax-varying power. The Parliament will be elected in May 1999; there will be almost a "shadow" year during which it can come to terms with the new responsibilities that it will take. In that time, accountants and tax lawyers will be able to engage in consultations with the Parliament on what its first Budget may entail. But if the parties elected to that Parliament have been elected on the basis of a manifesto that states that it should vary the rate of income tax in Scotland—whether by 1p, 2p or 3p—by increasing it, that is democracy, and the Scottish Administration will have the right to introduce such a measure in their first Budget.

7.30 pm

Mr. Grieve: I take in good part the hon. Gentleman's views about my mathematical abilities, but let us confine ourselves to the principle for a moment. Surely the issue is not the Scottish Parliament's ability to deal with the matter; surely it is the fact that all the other associated

[Mr. Grieve]

bodies in Scotland—and the people, and the accountants, and everyone else—will have to prepare for the change. That is not a political but a practical issue, and that is why we sought the postponement.

Mr. McAllion: I understand that, since 11 September 1997, it has been clear to everyone in Scotland that the change is about to happen. That means that there are two and a half years in which to prepare for the change before the Scottish Administration introduce their first Budget in April 2000. I do not see the need for us to allow the extra two years that the Conservatives are suggesting. The fact is that they do not like the change: they would prefer the Scottish people not to have voted for it, and they would prefer the Scottish people to elect to the Scottish Parliament a party committed to not implementing it. That, however, is up to the Scottish people. It is not up to amendments tabled in the House of Commons to prevent the Scottish people from electing a party that will introduce the changes contained in its manifesto.

In an earlier debate, someone said that the proportional representation election system—which might lead to a coalition Government here—would lead to taxes being increased through the back door against the wishes of the Scottish people. Hon. Members seem to misunderstand the nature of that system. It means that, unless more than 50 per cent. of people back the Administration, that Administration will not be able to increase taxes in the Scottish Parliament.

It is almost like the old ladies in the Carlton club who said, when they heard in 1951 that a Labour Government had been elected with an overwhelming majority, "The country will not stand for this." They did not understand that the country had just voted for a Labour Government. The Tories have not yet understood that Scotland as a country has voted for a Scottish Parliament with tax-varying powers, and may well vote for parties that will use those powers when they are in government. There is no reason on God's earth why any hon. Member should stop or delay the exercise of democracy in Scotland. That is what devolution is all about.

Mr. Ancram: The hon. Gentleman is always very keen to bring my hon. Friends and me to task when we get things wrong. Will he tell us again who were elected to office in 1951?

Mr. McAllion: I believe that the Conservative party was elected, following the policies that a Labour Government had produced in 1945. If I remember rightly, the Conservatives adopted those policies lock, stock and barrel—much as new Labour has done with Tory policies.

The point that I am trying to make is that, under a system of democracy, the people decide how taxes should be levied in their country. That is why I am keen for my hon. Friend the Minister to oppose amendment No. 366, which I consider anti-democratic and very much in the nature of the Conservative party as it has been for the past 25 years. Sooner or later, the Conservatives will have to learn the lesson that they cannot continue to preach to the Scottish people that they do not know what they are doing, and that if they vote for tax-varying powers there is something wrong with them. Of course there is not; there is something wrong with the Conservative party, if it cannot accept the decision of the Scottish people and continues to try to oppose it in the House of Commons with useless amendments such as this.

As for amendment No. 408, I do not agree that a Scottish Parliament should operate in the same way as this Parliament. Here, the Executive has the right to raise taxes, but the Opposition can move motions only for reductions in taxes. I did not know before that that was the position here, but it is, and I hope that it will not apply in the Scottish Parliament. I feel that Committees in the Scottish Parliament should be very different from Committees in the House of Commons, and that the nature of sovereignty in the Scottish Parliament should be very different from the operation of sovereignty here. I do not want an all-powerful Executive in the Scottish Parliament that will do much as it pleases, like the Executive here. I want powerful Committees that have the right to initiate legislation.

I do not see why the Finance Committee, or its Chairman, should not be able to propose an alternative Budget. If the Budget can gain the support of Members of the Scottish Parliament, what is wrong with that? It is a different way of working from the way in which this Parliament works, but surely, for goodness sake, as we enter the next millennium we can move away from the 19th-century ideas that dominate the operation of this Parliament. Surely we can move into the new millennium along with the rest of the world, rather than being locked in the 19th century.

I do not think that my hon. Friend the Minister should accept either amendment. Both are intended to interfere with the rights of the Scottish people to govern themselves.

Sir Robert Smith: Yet again, the hon. Gentleman fails to understand that, without our amendment, the arrangements will be even more restrictive than those governing this place. The Government propose that only the Executive can do anything when it comes to tax powers; we seek, at least in part, to widen that ability to the whole Parliament.

Mr. McAllion: I did not understand that. I am grateful to the hon. Gentleman for drawing it to my attention: if I had known that that was what the Government were about, I might have made a very different speech. *[Interruption.]* My hon. Friend the Minister, however, assures me that that is not the case, and, as he is such a nice man, I am prepared to trust him, if not others.

Mr. Salmond: The hon. Gentleman keeps referring to 19th-century practices in this place. Does he not think that that is a bit unfair? I cannot remember anything quite as modern as the 19th century here.

Mr. McAllion: I think that this place had its heyday in the 19th century. In those days, there was a coherent set of principles to which both Government and Opposition adhered—liberal capitalism. The 20th century produced different views about how society should be organised, and the emergence of the Labour party. I rejoice in such differences, however, because they continue to divide

Government and Opposition. I resent the idea that we should all come together again in one big consensus and accept the new world order, the new capitalism and so on.

The Chairman: Order. The hon. Gentleman is going well wide of the amendment, in a debate that allows a limited amount of time.

Mr. McAllion: I am indeed going dangerously wide of the amendment, so I shall return to it.

If amendment No. 408 increases the powers of the Scottish Parliament over the Executive, I ask my hon. Friend the Minister to accept it. If it does not, I ask him to reject it.

Mrs. Laing: First, let me correct something that was said by the hon. Member for Dundee, East (Mr. McAllion).

The Chairman: I hope that it is something that was in order.

Mrs. Laing: It was not absolutely in order, Sir Alan, but the hon. Gentleman is way ahead of his time if he thinks that there are any ladies in the Carlton club.

The Chairman: Order. I gave the hon. Lady a hint, and I think that she should have taken it.

Mr. Salmond: There are women in the Tory party.

Mrs. Laing: The hon. Gentleman makes the point very well.

Let me turn to clause 70(5). With all due respect to my hon. Friend the Member for Beaconsfield (Mr. Grieve), I must agree with the interpretation of the hon. Member for Edinburgh, West (Mr. Gorrie) of his amendment. It seems to me that to change the words

"only a member of the Scottish Executive may move a motion for a tax-varying resolution"

to

"only a member of the Scottish Executive may move a motion for a tax-increasing resolution"

is a good idea, because it suggests that any other Member of the Scottish Parliament can propose a tax-reducing resolution. The amendment is good because only a Conservative Member of the Scottish Parliament is likely to move a tax-reducing resolution. History shows that only Conservatives aim at reducing taxes. Of course the amendment will be irrelevant when Conservatives control the Scottish Executive, and I am confident that they will.

Mr. Salmond: The Tory amendment delays any attempt to reduce taxes for another two years, and, in opposing the Liberal Democrat amendment, the Conservatives seek to delay a Conservative Opposition's ability to reduce taxes. It seems that Conservative Front-Bench spokesmen do not think that they will reduce taxes in government or in opposition and that implies that they do not think that they will be there at all.

Mrs. Laing: I understand the hon. Gentleman's point, but his interpretation is wrong. There is complete consistency in our attitude to the two amendments. Amendment No. 366 to change 2000–01 to 2002–03 aims to give a degree of certainty and stability to the Scottish people. Despite the way in which they voted in the referendum, the Scottish people do not deserve to have their tax and financial affairs and their political background changed every month or so.

Mr. Ancram: My hon. Friend makes interesting comments. I have some difficulty working my way through the double negative in the Liberal amendment. Does my hon. Friend agree that it is a typical example of a woolly Liberal Democrat amendment? Would not it have been much easier to say that Standing Orders shall ensure that any Member of the Scottish Parliament may move a motion for a tax-decreasing resolution? That would have been totally clear.

Mrs. Laing: I entirely agree with my right hon. Friend; it would have been much clearer. However, I give the Liberal Democrats some credit for doing the best that they can in the circumstances. Perhaps they do not have the faith to imagine that anyone will ever want to propose a tax-decreasing resolution. I certainly cannot imagine any Liberal Democrat introducing such a measure.

Mr. McLeish: I shall respond first to the questions that were posed by my hon. Friend the Member for Linlithgow (Mr. Dalyell). He asked about the combined effect of clause 70(3) and (4) to allow a Scottish rate to be applied retrospectively. The Law Society of Scotland made that point and the degree of retrospection that it suggested is not possible. I want to give my hon. Friend and the Law Society of Scotland a more detailed answer. My hon. Friend also asked about double tax treaty relief. Double tax relief credits will be allowed against income tax that is paid by Scottish taxpayers at any varied rate that has been determined by the Scottish Parliament.

Amendment No. 408 would indirectly, through the mechanism of Standing Orders, allow a resolution to lower income tax in Scotland to be moved by any Member of the Scottish Parliament while any tax-increasing resolution could be moved only by a member of the Scottish Executive. I do not accept that there is any logic in distinguishing between the process of moving tax-increasing or tax-reducing resolutions. The key point of principle is whether tax resolutions that are to be considered by the Scottish Parliament should be moved only by members of the Executive or whether it should be open to any Member of the Scottish Parliament to move such a resolution.

In reaching a decision on these matters, we have been guided by the Westminster model and by the need for the Executive to maintain control over the sources of their income. For example, the Bill does nothing to prevent general tax relief motions being discussed and voted on in the Parliament. I have had to truncate my response, but what I have outlined seems a sensible, pragmatic approach while the proposal in amendment No. 408 would be less so. I ask the Committee to reject that amendment.

Amendment No. 366 would effectively prevent the tax-varying power being exercised before the financial year 2001-02. If Labour were the governing party in the Scottish Parliament it would not use the tax-varying power during the lifetime of the current UK Parliament, which may take us to 2002-03. However, that is not a reason for statutorily preventing the Parliament from

[Mr. McLeish]

exercising the power in its first full year of operation, not least because I am not prepared to pre-judge the Scottish electorate's decision in the forthcoming Scottish parliamentary elections. It will be for each of the Scottish parties to make its proposals on tax and it will be for the voters to decide on which party and, therefore, which tax policy they wish to see. The Westminster Government should not deny the Scottish electorate that choice until 2002. I urge the Committee to reject the amendment. The Government are on target to make sure that the requisite provision is in place by 6 April 2000.

Mr. Gorrie: We do not accept the Minister's argument, but the issue is not of such substance that we wish to push the amendment to a vote. Perhaps the hon. Member for Dundee, East (Mr. McAllion) is right and we should have had a more far-reaching amendment.

It being a quarter to Eight o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution [this day], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 70 ordered to stand part of the Bill.

Clause 71

SCOTTISH TAXPAYERS

Mr. Swinney: I beg to move amendment No. 344, in page 30, line 32, leave out 'year of assessment' and insert

'complete year of assessment following the passing of this Act.'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 370, in page 30, line 33, after 'individual', insert

'other than an unincorporated small business'.

No. 336, in page 30, line 35, leave out from 'Kingdom' to end of line 36 and insert

'in which he has his principal United Kingdom home'.

No. 337, in page 30, line 37, leave out 'who'.

No. 338, in page 30, line 39, leave out

'has his closest connection with Scotland during that year'.

No. 339, in page 30, leave out lines 42 to 44.

No. 371, in page 31, line 6, leave out 'principal'.

No. 372, in page 31, line 6, leave out from 'Scotland' to end of line 7.

No. 340, in page 31, leave out lines 8 to 11.

No. 373, in page 31, line 8, leave out 'principal'.

No. 374, in page 31, line 10, leave out 'principal'.

No. 341, in page 31, leave out lines 12 to 17.

No. 376, in page 31, leave out lines 13 and 14.

No. 343, in page 31, line 17, at end insert—

'(c) an individual whose principal home is not in Scotland, but whose work shift patterns require him to be habitually working through the night in Scotland, shall not be deemed to have spent a day or days in Scotland for the purposes of this section.'.

No. 377, in page 31, line 18, leave out 'principal'.

No. 378, in page 31, leave out lines 21 to 24.

No. 342, in page 31, line 24, at end insert—

'(5A) In subsection 5(b) above, "main place of residence" in relation to an individual is defined as being the place which is his habitual or family abode, his permanent home, or the residence with which he has the closest personal or economic relations.

(5B) In determining any issue arising from the definition of an individual's main place of residence, reference shall be made by the Board or by any court or tribunal to the OECD model double taxation treaty.'.

No. 379, in page 31, leave out lines 25 and 26.

No. 414, in page 31, line 26, at end insert 'but excludes an oil rig'.

Mr. Swinney: I notice that the right hon. Member for Devizes (Mr. Ancram) and his hon. Friends support amendment No. 341. As a member of a minority party in this place, but not a minority party in Scotland, I am always grateful for support, but the right hon. Gentleman can speak to that amendment for himself.

I heard over the weekend that the Secretary of State for Scotland is worried that some people may want to destabilise the Scottish Parliament. I also have concerns that the Parliament may be destabilised, not by forces from within my party, because we want the Parliament to succeed, but by the Government not taking full and genuine account of the real difficulties that the legislation will create. Our amendments in this group are designed to strengthen the Parliament by creating a clear and uncomplicated base on which it can found its actions.

The clause and the amendments seek to define who should pay any different rate of taxation that is applied by the Scottish Parliament. The Government propose that those who are resident in the UK for tax purposes and have their closest connections to Scotland should pay any different taxation that is levied by the Scottish Parliament. To define that closest connection, the Government propose to establish a days test that sets out to determine how many days a person spends in Scotland. If he spends more days in Scotland than in the rest of the UK, he will be eligible to pay any different rate of tax.

In addition, the Government rightly propose that Scottish Members of the Westminster Parliament, Scottish Members of the European Parliament and Members of the Scottish Parliament will also have to pay. It might be worth trying to add to the net Members of this Parliament who speak repeatedly on Scottish matters. By that device, Scotland might at least receive some modest compensation for some of the things that are said by the right hon. Member for Devizes and his hon. Friends.

My concern with the Government's proposals is that they are a sledgehammer to crack a nut. It is difficult to work out exactly why they are taking the steps that are set out in the clause. I assume that they are trying to create a clear mechanism that can withstand attack either politically or by tax avoidance. The Government are prepared to countenance different tax regimes in the United Kingdom and should bear in mind the fact that there is likely to be uncertainty about who pays.

That is nothing new. Each year, band D council tax payers in the village of Meigle in my constituency pay £730 in council tax to Perth and Kinross council. A couple of miles along the road, band D council tax payers in the first farm cottages in the Angus part of my constituency

pay £670 in council tax. I do not detect many of my constituents contemplating moving that short distance to be relieved of a higher band D council tax, and the Government are perfectly happy to have a situation where different council tax rates are part of the fabric of decision making in the UK.

Mr. Wallace: Is the hon. Gentleman absolutely sure that some of his constituents in Perth and Kinross have not moved into Angus to set up a pub, on the same basis as people seem to be teeming into the constituency of the hon. Member for Westmorland and Lonsdale (Mr. Collins)?

Mr. Swinney: In the tradition of hon. Members representing North Tayside, I do not spend much time in pubs, so I cannot substantiate the hon. and learned Gentleman's point, but I shall certainly devote considerable time to finding out whether there is any demand.

The Government may be trying to create a mechanism by which any leakage of taxation due to the Scottish Parliament is obstructed. I suspect that they are trying to put obstacles in the way of individuals who move home from south Scotland to north England to avoid any additional taxation that is levied in Scotland, where they continue to be in employment. If so—I should be interested in the Minister's argument about the Government's motivation—the Government are using a sledgehammer to crack a nut.

The maximum additional tax burden that is envisaged under clause 69 is £660 per person in each tax year of assessment. Conveyancing, transportation and refurbishment costs of moving from Scotland to England to avoid any additional tax burden seem fairly excessive when placed alongside a maximum additional tax burden of £660. The number of cases—this is an absolutely fundamental point—to which the exercise of tabulating the days spent here and there will be relevant, will be utterly insignificant, but I fear that, in setting the legislation off in that direction, the Government will place a substantial burden on many, if not all, businesses and individuals, who will be asked to establish for themselves the means, methods and, inevitably, costs of proving that they are, or are not, affected by the test.

A very small number of people are likely to be affected, but I suspect that, invariably, all potential Scottish taxpayers will have to have sufficient information and documentation to prove whether they are eligible for the test. I therefore hope that the Government will think again about the provision and accept that there is a simpler way in which to define who should be in the Scottish Parliament's tax net.

The amendments that have been tabled by my hon. Friends and me are designed to change the test on whether an individual is liable to pay any additional taxation, based on the individual's principal UK residence. We aim to make the test fairly easy to undertake. We have included in our amendments, specifically in amendment No. 342, the characteristics of the definition that could be formulated. We suggest that terminology such as

"habitual or family abode, his permanent home or the residence with which he has the closest personal or economic relations"

would be of benefit in establishing the rules that lay down the meaning of principal UK residence.

Amendment No. 342 also refers to the Organisation for Economic Co-operation and Development model double taxation treaty. That reference is designed to give the authorities that are responsible for determining the collection of any tax that is separately set by the Scottish Parliament appropriate guidance on definitions and when they have to seek alternative opinions on whether individual cases comply with the legislation's definitions. In that respect, I should fully accept it if the Government wished to take away the amendments, to reflect on their contents and to discuss them more widely with the industry to arrive at an absolutely watertight definition, but our amendments try to reach the best possible definition.

One of the problems with the Government's proposal of "closest economic connection" is that it is a new tax term which has no established standing in the body of tax law. Having worked my way through many of those definitions during a previous life with Scottish Amicable and having ploughed through the double taxation treaties between the UK and various European states, I am thoroughly of the opinion that we do not need any new tax terms to add to the litany of others in policy and guidance.

On amendment No. 343, in the event that the Minister is not persuaded by my arguments about removing the days test, I raise one particular anomaly that must be addressed by the Government. According to the definitions in the Bill, an individual who lives in Carlisle but who works in Dumfries—I am glad to see the hon. Member for Dumfries (Mr. Brown) in the Chamber—will not be eligible to pay any additional taxation in Scotland because he or she will be deemed not to have spent a day in Scotland, according to the rules of the Bill.

According to my understanding of the clause, that analysis is okay so long as the person is a day-shift worker. If the person is a night-shift worker, he or she will start and finish the day in Scotland and, according to the rules, will be eligible to pay additional taxation, if it is levied. I am sure that the Minister will ask me to give the number of cases to which I refer, along with an explanation of the number of publicans in Scotland who are planning to reside in Westmorland, but I do not have an answer. However, I respectfully ask the Minister if he has an answer to my question: how many people will be in the net of the days test?

Amendment No. 343 would expressly deal with the anomaly that I have raised. It may not seem like a big issue, but I doubt whether it is of any less significance than the scope of the days test that has been constructed by the Government as a unique part of this legislation.

I hope that the Minister will thoroughly address the issues that I have raised and which will, I am sure, be raised by others. In doing so, will he specifically set out the position of offshore workers in relation to the days test? I simply cannot work out the answer to that point.

There is a danger that the Government, in their zeal to close loopholes, to answer every dilemma, understandably, to knock back every pedantic Conservative attack on their Bill and to ensure that they have thought of everything, pass into law some points that have the sniff of complexity and bureaucracy around them. This clause is an example of that. I hope that the Government will recognise that the amendments have been tabled to assist in addressing practical difficulties in implementing the Bill. They are designed to try to

[Mr. Swinney]

minimise needless bureaucracy that will be faced by individuals or businesses in trying to comply with the Government's tests. The amendments have been tabled to strengthen and to clarify the legislation and I hope that the Government are able to respond to them in that way.

Mr. Dalyell: The hon. Member for North Tayside (Mr. Swinney) and his Scottish National party colleagues have done the Committee and the discussion of the Bill a service by tabling these important amendments on the tax net. Following up immediately his point about the North sea, I shall ask a direct question. What about the person who works on an oil rig? Will the North sea be considered, in terms of clause 111, as "adjacent to Scotland"? There is a legal problem here, and perhaps tonight would be the time to clarify it.

What is the position of a Scottish soldier who has married quarters, let us say, in Arbroath but who served six months in Northern Ireland and three months in Catterick, Pirbright or somewhere else in England? What are the implications for him in terms of tax-raising powers? The whole issue of service men, who, by the very nature of their job, move around, has to be clarified.

There is the question of holidays. If a person takes his or her holidays abroad in the first part of the year, that could make that person into a Scottish rather than a UK taxpayer, if there is no principal home in England. It may seem that I am being pedantic about all this, but may I refer the House to my question to a former Prime Minister? I asked him to

"ensure that legislation presented to this House is not drafted in obscure language."

He replied:

"I have every sympathy with, the hon. Member's objective. However, I am afraid that, in order to achieve precision in legislation which is complex and often technical, it is not always possible to avoid an impression of obscurity."

To which I replied:

"I accept the fact that the Parliamentary draftsmen must try to prevent those who would pretend to misunderstand from doing so, but is it not also important that we laity should understand legislation?"

The Prime Minister—Harold Macmillan—gave a classic and well-remembered reply, which gave me my come-uppance:

"I know that this is a difficult problem. I would remind the House of the very wise words of Sir James Stephen, one of our greatest authorities, who pointed out that since legislation is often the subject of litigation it is absolutely necessary not only that it should appear to be simple to those who read it in good faith, but actually precise. That is a very difficult art. Many things are simple. Let us take the sentence: 'When John met his uncle in the street he took off his hat.' That is a clear sentence, but it is capable of at least six different meanings."

Those were the days when Prime Minister's questions were heard in total silence. He continued:

"The point about legislation is that the courts have to interpret it in litigation based upon it, and it is therefore essential that it should be not so much simple as precise."

I think that that is the difficulty with clause 71.

8 pm

My friend—and he really was my friend—the late Brian O'Malley followed up my question with a question on the explanatory memorandum to a Finance Bill. The Prime Minister replied:

"I have every sympathy with the purpose of the hon. Gentleman. I think that Finance Bills dealing with a large number of subjects and sometimes fairly simple provisions seem very complicated. What we tried to do in 1962, where there was a fairly complicated provision, was to issue a special White Paper to explain that particular part. Other Finance Bills are fairly simple and involve the raising or reduction of the Income Tax or something of the kind. Therefore, I take account of what the hon. Member says."

So it went on, with a final question from the then shadow Chancellor, James Callaghan:

"Has the Prime Minister looked at the Finance Bill this year to see that it took us nearly 20 Clauses and seven Schedules to get rid of Schedule A? Would not that have been a very appropriate subject for an explanatory memorandum?"—[*Official Report*, 4 July 1963; Vol. 680, c. 583-85.]

The reason I have gone into such detail is that things have not altered all that much. We must take into account the fact that lawyers will try to extract every single penny possible from legislation. My fear is that the interaction between Holyrood and Westminster will be a lawyers' paradise.

I want to ask the Minister about the briefing that his advisers will have had from the Law Society. It states:

"With regard to Clause 71(1) the present position for UK tax is that strictly an individual should be taxed in the UK on the whole income of a year of assessment although only present in the UK for part of the year but under Extra Statutory Concession (A11) such a person is only taxed on income for the part of the year during which he is actually resident in the UK. There is, however, no provision for splitting the tax year in the Bill and it is submitted that this would be helpful since, without such a provision, for example, it appears necessary for an English employer of a Scot moving to England, say, in the second half of the tax year to operate PAYE at the Scottish basic rate for the whole year or if moved from England to Scotland after 1 month of the tax year would have to collect the Scots tax on English earnings of that month."

That may seem very dry, but in reality it is basic and very important. The Scottish Office has had notice of the matter from the Law Society and I expect some sort of response this evening.

The briefing continues:

"In respect of Clause 71(2)(b) it is suggested that time spent in Scotland alone is not a sufficient test if someone has his or her principal residence in other parts of the UK. For example, if a tax payer, having his own principal residence in England, but living in the Borders with family a few miles away, but across the Border, visits Scotland each weekend, arriving Friday and departing early Monday, and all public holidays and annual leave were spent in Scotland it might only require a fairly short additional period (say, 15 weeks) of work, perhaps as a Sales Representative or otherwise in Scotland to be subject to Scottish tax and vice versa in reverse for Scottish residents. It is suggested that there could be a number of people in this situation, e.g. professional sportsmen, particularly in the Borders area, who might, somewhat inadvertently, find themselves subject to Scottish tax and might not realise that were the case, which could have penalty consequences under the Self Assessment regime."

Those matters are nuts and bolts, but they are not unusual nuts and bolts; they are practical.

The briefing continued:

"In relation to Clause 71(2)(b) and (3), Inland Revenue leaflet (IR20) states that a visitor to the UK is treated as resident in the UK if physically present in the UK for 183 days of any tax year. The

result of Clause 71(2)(b) and 71(3) could be that a foreign visitor might be subject to Scottish tax if in Scotland for only 92 days out of that 183 test period, whereas a permanent resident of another part of the UK coming to Scotland would have to spend 183 days in Scotland before being subject to Scottish tax.

It is suggested, therefore, that the definition of 'Scottish tax payer' should exclude persons ordinarily resident abroad unless in Scotland for 183 days to prevent foreign visitors being discriminated against."

Do the Government accept the Law Society's view? If not, why not?

I have spoken at length to both the Law Society and the Institute of Chartered Accountants. The ICA says:

"Clause 71(1) indicates the requirements to be met by a 'Scottish taxpayer' and hence who is liable to pay the Scots income tax. This is based upon the test of 'residence' which is a recognised test in deciding whether an individual has a liability to UK income tax. If the test of residence is met, a taxpayer will be liable to Scots income tax throughout the fiscal year. However, if a 'Scottish taxpayer' moves permanently to, say, Wales in October should his new Welsh employer be required to withhold Scottish tax under PAYE?"

The ICA thinks not. It recommends that

"the existing Extra Statutory Concession A11 should be included in the law to ensure that a person is only taxed on income for the part of the year during which he is actually resident in Scotland."

What do the Government say about that?

The ICA continues:

"Although it may be simpler to apply the 'Scottish taxpayer' test of residence for a whole fiscal year, it will add to the complexities of PAYE for those who move to other regions. To this end we trust that proposed guidance on the operation of an 'S' code for PAYE will be issued at an early stage for consultation with employers and other interested parties.

As a matter of interest in 71(1)(a) is 'an individual who . . . is treated as resident in the UK' the same as an individual who is actually resident? We do not think so."

I want to know what the Government think. This will be a matter for litigation; it will be a field day for lawyers unless the issue is clarified.

On clause 71(3)(b), the ICA says:

"One test in defining residence in clause 71 is whether an individual has his 'principal UK home' located in Scotland. This does not fit particularly well with the capital gains tax definition of principal or main residence."

People who are subject to capital gains tax legislation can afford very good tax lawyers. Tax lawyers will make a meal of the provisions unless they are cleared up.

Mr. Wallace: Does the hon. Gentleman think that people will engage tax lawyers to make a meal for, at most, £660 a year?

Mr. Dalyell: From my experience of Finance Bills, what tax lawyers and their lobbies can do is amazing. I am a relative layman in such matters, but I have experience of several Finance Bills. I do not know whether the hon. and learned Gentleman has served on Finance Bill Committees.

Mr. Wallace: I have.

Mr. Dalyell: Then the hon. and learned Gentlemen must know what difficulties can be raised.

The ICA brief continues:

"Equally clause 71(4)(a) uses a test for an individual's day of presence which is not the same as that used for a UK test of residence and other related tests. The UK test is whether one is present at midnight whereas this test would treat one nonetheless as being present in Scotland. For example, if a person takes a morning flight to Brussels and stays there for two nights, then returning to Scotland using this test the person is out of Scotland for 1 day but in terms of s. 193 ICTA 1988 out of the UK for 2 days."

How are definitions to be made the same as those used in tax legislation to prevent unnecessary disputes?

The final point covered by the ICA brief is appeals. It says:

"Under the existing residence rules questions about a taxpayer's status can frequently take considerable time and expertise to negotiate. This involves both the Inland Revenue and the taxpayer in a relatively expensive process. To ensure as efficient a process as possible, particularly when only 3 per cent. of some income is at stake, we trust the Inland Revenue will establish a central processing unit at, for example, FICO Scotland."

Those are all seemingly dry details. They amount to what some of us have called the dewiring of the United Kingdom. During the debates on Welsh devolution, my right hon. Friend the Member for Llanelli (Mr. Davies) has repeatedly talked of the unbundling of the United Kingdom. They are the difficult issues that have to be dealt with. They may seem dry, but they are very important and will be the source of endless litigation and trouble if we do not sort them out.

Mr. Ancram: The details that the hon. Member for Linlithgow (Mr. Dalyell) has referred to may sound dry, but they are vital. He revisited a kinder, gentler time in the House of Commons when questions were answered and debate was real. If he is looking for a lack of obscurity in legislation after 34 years, I fear that he will have to wait a lot longer.

The points that the hon. Gentleman has made are important because the arguments about whether someone is liable to pay tax are centred not on how many people will pay but on whether it is fair that they should pay. The hon. and learned Member for Orkney and Shetland (Mr. Wallace) asked whether anyone would go to a tax lawyer over a sum as small as £630 or so. That is an extraordinary suggestion. We cannot decide whether someone is being rightly or wrongly taxed on the amount that they are being asked to pay. That is the Leona Helmsley line—only the little people pay taxes.

The hon. Member for North Tayside (Mr. Swinney) said that he thought that we support one of his amendments. He may find that we are supporting part of his amendment. We are not on all fours with him. I have also found that the amendment paper describes me as a doctor in some places. I assure the Committee that I have not taken medical qualifications. I leave that expertise to my hon. Friend the Member for Woodspring (Dr. Fox).

The hon. Members for Linlithgow and for North Tayside have rightly pointed out that the issues that we are debating will determine whether the system of taxation will work fairly. We talked earlier about the complexities of collection. We must have a clear definition of who pays. There must be no areas of doubt or confusion. I have told the Minister of my disappointment at his knocking back of every amendment. I hope that he can cast aside his prejudice on these amendments and think seriously about the impact on the Bill of leaving the confusion that exists at the moment.

8.15 pm

Amendment No. 370 is slightly different from the other Conservative amendments in the group. It would prevent businesses in Scotland from facing a different tax regime from those in the rest of the United Kingdom. That was the clear aim of the White Paper. If I have read the complicated Inland Revenue paper lodged in the Library this afternoon correctly, it confirms the impression given in the Bill that unincorporated small businesses would be liable to pay any additional tax raised by the Parliament. The Inland Revenue paper refers to partnerships in particular. Sole traders and partnerships appear to receive different treatment from incorporated businesses. It cannot be fair that payment of the tax depends on whether a trader is incorporated. I hope that the Minister will consider the amendment carefully and will be able to accept it in principle. I am always prepared to accept that my drafting may not be perfect, but I should be delighted if he is able to promise serious consideration of it.

We run into difficulties with the definitions of the terms used in the Bill. Phrases in clause 1 such as "principal home", "places of residence" and "main place of residence" have not been used before in United Kingdom income tax legislation. A recent paper by Deloitte and Touche confirmed that. There are uncertainties about definitions. We can all pull out examples. Under the Bill, an employee of a Scottish company who owned a house in Edinburgh but was seconded to London for one year, where he stayed in a rented flat, would presumably be considered a Scottish taxpayer because his principal home was in Edinburgh, even though he performed no duties of employment in Scotland during that period. That immediately raises a substantial question about fairness and the grounds for taxation. I hope that the Minister will look closely at the terms.

Amendments Nos. 371, 373, 374, 377, 372 and 378 are probing amendments. We are trying to find out what is meant by the terms, to understand how the tax will impact on individuals. I hope that the Minister will explain why new terminology has been sought. If ever there has been a field day for lawyers, it is when legislation uses new terms of which there are no definitions in existing law. I suspect that lawyers are rubbing their hands in anticipation and planning their holidays in exotic parts of the world as a result of the work that will stem from the Bill.

Let us consider the example of a Scot whose family home is in Scotland but who is transferred to the London office of his company. Not wanting to move his family south, he spends his weekends in Scotland. Those of us who travel on the aeroplane see such people flying down to London on a Monday morning and returning on a Friday evening. Under the Bill, the Monday and the Friday will be counted as days in Scotland, even though the man is working in London on those days. He will be deemed to have spent four of the seven days of the week in Scotland, even though he spent five days of the week working in London. Even though his work is entirely outside Scotland, he will be liable to pay Scottish tax. Amendment No. 376 is an attempt to deal with what we regard as a patently unfair situation.

Mr. Swinney: The right hon. Gentleman is citing a number of examples of what could loosely be characterised as a fancy life style, which involves flying to London every week. Construction workers, for example, might live in the north of England and travel to work every week on a site in Glasgow or on the A74, if it is ever improved. They would be liable for the Scottish tax if they worked there for a prolonged period.

Mr. Ancram: I take the hon. Gentleman's point. If they were working on a construction site in Lanarkshire but travelling home to England every night, they would not pay unless they were working the night shift, in which case they would.

Mr. Swinney: But if they were living in digs?

Mr. Ancram: That is the sort of anomaly that arises, and it is important to highlight such examples. These cases may not be many, but the Minister would surely want to prevent even one case of the tax being wrongly or unfairly levied.

I do not travel to Scotland as often as I used to when I was a Scottish Member of Parliament—I sometimes used to go up two or three times a week—but I came down on an early morning flight today. It was packed with people coming to earn their living in London during the week who will travel back on Friday evening. Although they spend five days of the week in London, they will be deemed to be resident in Scotland and as having spent four out of seven days there. That seems to defy logic, and I hope that the Minister will consider the problem.

Let us consider the issue of multiple presence. The Deloitte and Touche paper produced two examples in this regard, both of which are relevant. The first related to someone who had a home in England but spent 121 days in Scotland, 121 days in England and 123 days in France. Such a person would be liable to Scottish tax because he would be a UK resident and would have spent as much time in Scotland as in another part of the United Kingdom, although he had in fact spent 244 days outside Scotland. Again, that seems to create extraordinary anomalies.

The second example is perhaps even more graphic. It involves someone who lives in Glasgow and has a house there for 180 days of the tax year. He then moves to London where he lives for the rest of the tax year. He will not be liable to Scottish tax because his period of residence in England exceeds that in Scotland. However, if instead of moving to London he moves to France, he will be liable for Scottish tax because the number of days spent in Scotland will exceed the days spent elsewhere in the United Kingdom. That is an enormous anomaly for which there is no logical explanation.

The hon. Member for North Tayside mentioned day and night shifts and movements across the border. As I understand it, it is common in Europe to have special rules for cross-border workers, yet there is nothing in the Bill to provide for that. I hope that the Minister will consider the point. We believe that the amendment would solve the problem.

Mr. Wallace: The right hon. Gentleman is making some important points, and it is important to tease out some answers. He cited the example of someone who moves to France rather than London. If that person has spent only 180 days in the UK, would he be treated as a UK taxpayer at all in that year? If not, the question of paying Scottish taxation would surely not arise.

Mr. Ancram: I am not a tax expert, which is why I said the amendments were probing. I cannot answer the

hon. and learned Gentleman, but it is an interesting question because there might perhaps be a conflict between the Bill and the usual tax rules. It is important to avoid that conflict if we are to avoid the complications to which the hon. Member for Linlithgow referred. I appreciate that no legislation is ever perfect—if it were, there would be no lawyers—but it is important to examine such patent anomalies.

Deloitte and Touche also point out that, for overseas workers who are brought into Scotland, the tax may result in considerable extra costs for inward investment companies because those workers are paid on a net pay basis. In other words, a Japanese worker who has a certain net pay after tax in Japan will be guaranteed the same net pay after tax in the United Kingdom. The Japanese company will therefore pay him sufficient gross pay in the United Kingdom to result in the desired net pay after taxes. Were Scotland to have an additional 3p on the basic rate, the gross pay would have to be higher than in England to arrive at the same net amount.

As we know, Scotland is always looking for inward investment and I suggest that the cost to a major new investor bringing in, say, 40 Japanese workers paid on average £25,000 a year could be as much as £40,000. That might be taken into consideration if an inward investment decision were in the balance.

Mr. Swinney: I have studied very closely the material from Deloitte and Touche; I thought that that example was rather weak. I accept that choices will be made at the margin but, in the great scheme of an inward investment decision, £40,000 as the difference between one bid and another will probably not be a major factor.

Mr. Ancram: The hon. Gentleman may be right. It may not be a major factor, but with bids from various parts of the United Kingdom for inward investment becoming increasingly competitive, if £40,000 were the difference, I suspect that it could tip the balance. These matters have to be considered. It is terribly important that we do not pass clause 71 without consideration. When I said at the beginning of today's proceedings that I find this part of the Bill confusing and obscure, I was in large part referring to this clause. It is important that we try to cast some light on it, which is the purpose of the amendments.

Amendments Nos. 379 and 414 refer to employees and passengers on oil rigs and ships and trains. Under clause 71(6), offshore workers on oil rigs, fishing boats and other things will still be liable to pay the tax. Clause 111(1) defines Scotland as including

"so much of the internal waters and territorial sea of the United Kingdom as are adjacent to Scotland".

The hon. Member for Linlithgow also made this point. None of us know—at least I do not know—what is meant by "adjacent". Perhaps the Minister will tell us, because it will be crucial to any assessment of whether an oil rig worker or someone who is a passenger on or working on a ship is liable for the tax. It may be a question of a line very carefully drawn somewhere in the North sea.

In the old days of international law, I seem to remember talking about how to draw international boundaries; taking a point from one side of the border to the other and continuing it across the water. Hon. Members who represent Aberdeen—I see at least one here—were, at least in those days, very interested in where such lines were drawn. Now, however, one's eligibility for tax may depend on something as esoteric as that.

If amendments Nos. 379 and 414 were accepted, they would remove ship and oil rig workers from the tax provision. Indeed, amendment No. 414 deliberately excludes an oil rig in order to achieve that. For many people who work on oil rigs, their only connection with Scotland is flying through Aberdeen airport on their way to the platform, and they could well be coming from elsewhere in the United Kingdom.

The final example that I want to cite highlights the difficulties caused by clause 71. There is a problem in defining what constitutes being in Scotland if one is on a lorry, bus or train. Those of us who occasionally travel on the sleeper know that it leaves Edinburgh at 11.55 pm. Passengers will certainly be liable for tax on the day they board the train, because they will be regarded as having been in Scotland that day, but, under clause 71, I think that they will also be liable for the following day—the train will have left only five minutes before midnight and, for at least 25 minutes afterwards it will be travelling through Scotland on its way to London. Someone who gets on the night train may find that for the day he gets on the train and for the next day he is counted as being in Scotland although he is on the sleeper and is going to work in London.

If the Committee thinks that that is difficult, let us consider the case of the late-night lorry driver who starts his journey from Scotland to the south before midnight. Is he liable for the following day if his vehicle is still in Scotland?

Mr. Swinney: On a point of order, Mr. Lord. I do not want to interrupt the interesting flow of the right hon. Gentleman's speech, but many substantial issues have been raised to which I certainly would appreciate answers from the Minister. I wonder whether we shall have an appropriate opportunity to hear those answers.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): It is for the right hon. Gentleman himself to decide what are and what are not substantial issues.

Mr. Ancram: The hon. Gentleman spoke for quite some time at the beginning of the debate and he has just taken a little bit more. I am sure that the Minister realises that these are not just serious issues, but real ones which will arise in future if the Bill is not amended. When they do, they will cause a great deal of consternation and, if we are not careful, there will be much derision about the way in which the system works. We have a genuine chance to clean up the Bill, get it right and make the tax work, so I ask the Minister to examine our amendments closely.

8.30 pm

Mr. Wallace: I echo the point that the right hon. Member for Devizes (Mr. Ancram) has just made; it is important that there is as much clarification as possible of who will be liable to tax. However, he may have misinterpreted what I said. The hon. Member for Linlithgow (Mr. Dalyell) created a vision of the courts regularly being filled with huge, expensive litigation.

[Mr. Wallace]

I did not suggest that that would be the case in respect of individual taxpayers, although that is not to say that it is not an important issue for the individual taxpayers concerned—and there should be as much clarity as possible.

I shall not elaborate on points that have already been raised, but I plead with the Minister to respond positively to the debate and to indicate his willingness to go away and think again about certain points. The one that I would emphasise is that the same test of residence should apply to Scotland as to the rest of the United Kingdom.

I understand that the test of residence in the United Kingdom is whether one is present at midnight. That may not be the case in respect of the Bill. As in the example mentioned by the hon. Member for Linlithgow, someone taking a morning flight to Brussels and staying away for two nights before returning to Scotland would be out of Scotland for one day under the Bill, but out of the United Kingdom for two days in terms of United Kingdom tax legislation. That anomaly will give the tax powers in the Bill a bad name. It is important for those of us who want the tax powers that there is as much clarity as possible.

Mr. Gerald Howarth: I rise briefly to address one of the issues that has given rise to the huge complexities that will result from the Bill. The hon. Member for North Tayside (Mr. Swinney) has done the Committee a service by trying to expose some of the issues, as has my right hon. Friend the Member for Devizes (Mr. Ancram).

I should like to pursue a point raised by the hon. Member for Linlithgow (Mr. Dalyell) in respect of service men, as I represent the home of the British Army at Aldershot and quite a large number of Scots serve in the British Army in various parts of England. The hon. Member for Linlithgow raised an important point about the time that they might spend either at home in Scotland or on duty there. I hope the Minister will address that in his reply to the debate. I shall not trespass too much on his time so that he can answer the detailed questions that have been raised.

Clause 71 raises some important points of law. It will be a lawyers' paradise and there is a grave risk that lawyers will play it off against sections in the Income and Corporation Taxes Act 1988. That will create considerable difficulty for the Inland Revenue and it will certainly add to the costs that the Bill will impose on the body of taxpayers. I shall be interested to hear what the Minister has to say about which law will prevail if there is a conflict and how the courts and judges will interpret between the Bill and that other body of law which already deals with Inland Revenue issues and residence location for tax purposes.

Finally, I return to the point that my right hon. Friend the Member for Devizes made about the train departing at 11.55 pm. That provision could also affect airline pilots who are often required to work away from home. Given that it is a particular feature of the clause that one is caught at the beginning or the end of the day—rather than at a specified hour, such as midnight—the airlines could also be affected. For instance, a shuttle pilot on the route between Heathrow and Edinburgh or Glasgow could find himself spending quite a lot of time in Scotland although his principal residence might be in England. The opposite could also arise. There should be some consistency, and I hope that the Minister will be able to clear up some of the points that have been raised by Members on both sides of the Committee.

Mr. McLeish: In the 10 minutes that remain, I shall attempt to respond to some of the points that have been raised in an important debate. My hon. Friend the Member for Linlithgow (Mr. Dalyell) asked a number of specific questions. He referred to the Law Society. The Scottish Office and Inland Revenue officials have had a number of useful meetings with the Law Society at which all the main points raised by hon. Members were covered, in most cases satisfactorily.

Professional sportsmen have been mentioned. The example seems a bit far-fetched in my judgment, but in the circumstances described the individual would be a Scottish taxpayer. As far as possible, taxpayers will be informed of their status by the Inland Revenue.

Service men with married quarters—and, possibly, a principal home—in Scotland, who spend six months in Northern Ireland and three months in England might be liable to pay tax on the "principal home" test, depending on the circumstances. However, we are aware of the particular circumstances of military personnel and I am discussing the issues with colleagues.

The point about splitting tax years was addressed when we discussed amendment No. 357. My hon. Friend the Member for Linlithgow also raised the question of the North sea adjacent to Scotland as described in clause 111. Clause 111 confines the boundaries of Scotland for purposes of the Bill to the

"internal waters or territorial sea . . . adjacent to Scotland."

Much of the North sea is outside the 12-mile limit and is not adjacent to Scotland. Further to that, the Government plan to make available to hon. Members during the passage of the Bill a working draft order defining Scottish adjacent waters under clause 111.

Mr. Dalyell: Will my hon. Friend give way?

Mr. McLeish: No. I have very little time in which to respond.

Chartered accountants' comments about individuals being treated as United Kingdom residents under clause 71(1) have been mentioned. We are quite certain that it means the same thing in that context.

The right hon. Member for Devizes (Mr. Ancram) mentioned the example of the business man who flies to London on Monday morning and returns to Scotland on Friday. Such an individual would be a Scottish taxpayer as his family home is in Scotland. The number of days test would not apply.

The substantive amendments relate to the critical issue of who should be liable to pay tax at the varied rate proposed by the Scottish Parliament. Before I deal with them, I should say that the long experience of the Inland Revenue in income tax matters dating back to 1849 has proved invaluable in terms of negotiating us through particularly tricky policy issues.

Drawing up tax proposals is seldom, if ever, a simple matter. Judgments have to be exercised, weighing up and balancing issues of fairness, workability, scope for avoidance, cost of administration and, of course, tax take.

Those judgments have to be informed by in-depth experience and I remain convinced that the Government's conclusions, properly informed by the Inland Revenue, stand up to scrutiny.

Amendment No. 344 aims to link the definition of who will be a Scottish taxpayer to a complete year of assessment and to have it apply only for the tax year 1999-2000—the first full year of the Bill being enacted—and beyond. The amendment is unnecessary on both counts because clause 71 already relates the definition of who will be a Scottish taxpayer to whole tax years and because clause 70(6) makes it clear that the tax-varying power will not be available for use before the tax year 2000-01.

Amendment No. 370 would appear to be trying to exclude small, unincorporated businesses from the definition of Scottish taxpayers. I do not think that it succeeds, but, in any case, I am not persuaded that unincorporated businesses should be exempt from the tax-varying power. They do, after all, pay income tax at present and, since the maximum extra tax any individual will pay is £660, exercise of the tax-varying power will not damage small businesses. There is no reason why the self-employed and partnerships should not pay their fair share if others pay income tax in Scotland. They will benefit from exactly the same services provided by the Parliament as employees and other Scottish taxpayers.

Amendments Nos. 336 to 339 and 341 are all aimed at deleting the test whereby a UK resident would be a Scottish taxpayer if he or she spent at least half the tax year in Scotland. There has been a fair amount of comment about the test recently—not all of it, by any means, well informed. We have looked carefully at the test and concluded that it fully meets the requirements of fairness, practicability and cost effectiveness.

Taking into account time spent in Scotland is a fair way of ensuring that all those who might benefit from what the Scottish Parliament has to offer—including how it applies the proceeds of a resolution that increases the basic rate of income tax—should pay the appropriate share of the tax. It is only right that those who spend most of their time in Scotland should therefore pay at the Scottish rate.

Mr. Swinney: Will the Minister give way?

Mr. McLeish: I am reluctant to give way, partly because I want to address some of the important amendments tabled by the hon. Gentleman.

A test based on days spent in Scotland is consistent with tests of residence for UK tax purposes generally. I accept that the test involves decisions about where precisely its boundaries should lie—all residence-based tests do—but most of the examples I have seen quoted, in the Deloitte and Touche paper and elsewhere, are quite clear cut. The clause as drafted already gives the most equitable and practical solution in those cases and I would not wish to change it.

Treating someone as spending a day in Scotland if they are there at the beginning or the end of the day is a necessarily strict test to deter avoidance. The transaction costs of avoidance in the "within UK" context are relatively low and have to be guarded against. Better that than a test with glaring loopholes.

I should stress that there will be no extra costs for employers in operating the "days spent" test. No employer will deduct tax at the Scottish rate unless the Inland Revenue tells them to. As is usual, the onus will be on the taxpayer to get his tax affairs right. That again is consistent with other tax law, including UK residence rules. The costs for the Inland Revenue of ensuring compliance with the rules have been taken into account. The number of taxpayers likely to be caught solely by that test is thought to be relatively small.

Amendments Nos. 371 to 374, 377 and 378 would, when taken together, mean that a person would be a Scottish taxpayer if he had his UK home in Scotland, regardless of whether he lived there at all. Amendment No. 378 would remove the provision that decides which property, if a person has two or more homes, should be regarded as the person's residence for the purposes of the Scottish tax. That could mean that anyone with a place of residence in Scotland, such as a holiday home, could be a Scottish taxpayer.

I hesitate to suggest it, but it smacks uncomfortably of an attempt by the Conservative party to reintroduce by the back door the poll tax on holiday homes—a matter in which the right hon. Member for Devizes is well versed. I am not prepared to countenance that. In practice, however, there must be sensible rules to deal with individuals who have homes in Scotland and elsewhere in the UK. It would not be fair that everyone who had a place of residence in Scotland should automatically be a Scottish taxpayer.

Amendment No. 340 would widen significantly the "principal home" criterion whereby a person could be adjudged to be a Scottish taxpayer. Although I understand that the amendment is linked to the SNP's concern to remove the criterion of "days spent in Scotland" from the Bill, it would in practice create bizarre and unfair effects, and should be resisted. The effect of the amendment can best be illustrated by an example. If the amendment were accepted, a person moving with his family to Scotland on the very last day of a tax year, 5 April, would be adjudged to be a Scottish taxpayer for the whole of that year on the basis of the test at clause 71(3)(a) and (b), because he would have spent part of the year—one day—in Scotland and, for at least part of that year, his principal UK residence would have been in Scotland.

Amendment No. 343 picks up a point raised in the paper published by Deloitte and Touche about the potential liability for the Scottish tax of cross-border night shift workers. That situation was one we had identified when drawing up the proposals, but we reluctantly concluded that the balance of advantage lay with living with it rather than with trying to resolve what may in practice be a non-problem. I shall briefly explain why.

A night shift worker living in England but working in Scotland could become liable for the Scottish tax if he or she clocked up, under the "days spent in Scotland" rule, at least 183 days in Scotland. We have, however, to put that point into some sort of context: we are talking about a very small number of people who commute daily between England and Scotland; very few of these few daily commuters will be night shift workers; and very few night shift workers will spend 183 days, as defined in the Bill, in Scotland. Most night workers do not spend all their year working nights and most have significant time off which, when added to holidays, means that they would fall below the 183 day limit.

[Mr. McLeish]

I accept that that is not a reason to leave matters as they stand.

Mr. Swinney: Will the Minister give way?

Mr. McLeish: I want to come to the specific point. The question of night shift workers is extraordinarily difficult, but I can tell the hon. Gentleman that the Inland Revenue continues to work on this specific point. We want to discover the extent of the problem as it exists in reality and to find out whether there is a problem to be addressed. I give the hon. Gentleman an assurance that the matter will be examined.

Mr. Swinney: The Minister has said that it is likely that the number of people who will fall into the "days spent" category will be small, but that contradicts his central argument. It is no answer to my amendment about night shift workers—I find his response inadequate.

Mr. McLeish: If one takes a specific group, large or small, and starts to look for potential anomalies in the system, one may find that there are knock-on consequences—

It being a quarter to Nine o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution [this day], put forthwith the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The Committee divided: Ayes 32, Noes 307.

Division No. 176] **[8.45 pm**

AYES

Allan, Richard
Ashdown, Rt Hon Paddy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burnett, John
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Ewing, Mrs Margaret
Fearn, Ronnie
Hancock, Mike
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kirkwood, Archy
Michie, Mrs Ray *(Argyll & Bute)*
Öpik, Lembit
Rendel, David
Salmond, Alex
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Swinney, John
Tyler, Paul
Wallace, James
Welsh, Andrew
Willis, Phil

Tellers for the Ayes:
Mr. Alasdair Morgan and Mr. Donald Gorrie.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Fatchett, Derek
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris

McCartney, Ian *(Makerfield)*
McDonnell, John
McFall, John
McGuire, Mrs Anne
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheffd Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pike, Peter L
Ptaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and Mr. Robert Ainsworth.

Question accordingly negatived.

THE CHAIRMAN *then proceeded to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 71 ordered to stand part of the Bill.

Clause 72

CHANGES TO INCOME TAX STRUCTURE

Dr. Fox: I beg to move amendment No. 381, in page 31, line 31, leave out from 'Board,' to 'and' in line 33.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 382, in page 31, line 34, leave out

'have a significant effect on the practical extent'

and insert

'increase or decrease the revenue available to the Parliament by more than 5 per cent. of the amount available had the maximum tax power been used in the 1997–98 tax year,'.

No. 384, in page 31, line 37, leave out

'as soon as reasonably practical'

and insert 'within one calendar month'.

No. 409, in page 31, line 38, leave out from 'proposal' to second 'to' in line 40'.

No. 385, in page 31, line 38, leave out

'as soon as reasonably practical'

and insert 'within one calendar month'.

No. 387, in page 32, line 3, after 'to,' insert 'basic rate'.

No. 388, in page 32, line 4, leave out 'conditions' and insert 'condition'.

No. 389, in page 32, line 5, leave out 'subsections (4) and (5)' and insert 'subsection (5)'.

No. 390, in page 32, leave out lines 9 to 17.

No. 392, in page 32, line 14, leave out from 'would' to end of line 17 and insert

'be to raise or forego £450 million in 1997–98 prices, increased in line with the general government implied deflator.'.

No. 393, in page 32, line 15, leave out

'broadly the same from year to year as'

and insert

'within 5 per cent. of the amount'.

No. 396, in page 32, line 21, leave out 'generally'.

No. 397, in page 32, line 21, leave out 'significantly different from' and insert

'within 5 per cent. of'.

Dr. Fox: It will take me about as long to deliver this speech as it took you, Mr. Lord, to read out that long list of amendments.

Clause 72 is one of the most important in the Bill and, as anyone who has read the Bill will know, one of the most complex. It was an essential part of the referendum that the Parliament should be able to raise, in the words of the White Paper, £450 million or an index-linked equivalent sum, but that is not in the Bill; it is couched in different terms. Why is there no reference in the Bill to the £450 million? Why was it left out? The clause is more loosely drafted, imprecise and unclear than most in the Bill. Indeed, it is contradictory. We therefore need to ask two questions at the outset: what did the electorate believe they were voting for in the referendum; and what are they getting in the Bill as a result?

[Dr. Fox]

I shall begin with the clause's imprecise nature. Subsection (1)(b) is a clear example of the problem. It says:

"that proposal is one made and published by the Treasury or the Board, or (without having been so made and publicised) appears to the Treasury to be a proposal to which effect is likely to be given by Act of Parliament."

That would hardly get a plain English award.

More important, we are concerned about some of the terms in the clause. What are we to make of terms such as "significant effect",

"as soon as reasonably practicable",

and "likely"? Amendment No. 382 would define "significant effect" as varying revenue by 5 per cent. As the Bill stands, the Treasury alone will decide what is significant. What if the Scottish Parliament decides that changes to income tax Acts are significant? Will that count? Even if there were some sort of arbitration, "significant" is ill defined. It would be far better to stipulate it in the Bill, so that there was no question of friction as a result of imprecision. I readily confess that the figure of 5 per cent. is arbitrary, but I hope that the Minister will think about the matter again and table an amendment at a later stage so that we shall be rid of such extremely unhelpful imprecision.

9 pm

The main issue in clause 72 is whether and how the Scottish Parliament's extra revenue would be maintained in the light of changing economic circumstances. We must consider the clause in conjunction with clause 69, which leads Scottish voters—as did the referendum campaign—to believe that 3p would be the limit of the Scottish Parliament's tax-raising power, but, in two potential situations, major changes may occur. Either a United Kingdom Chancellor of the Exchequer raises thresholds and, as a result, produces a decreased number of basic rate taxpayers, or, as a result of a recession or adverse economic circumstances, the number of taxpayers falls. How, then, would revenue be maintained? It would not, as the hon. Member for North Tayside (Mr. Swinney) said in an earlier debate, just be tough for a Scottish Parliament, because the Bill appears to make provision for just such circumstances.

Under clause 72(2)(a), if

"in the Treasury's opinion, an amendment of the Parliament's tax-varying powers is required as a consequence of the proposal",

the Treasury would act to make up the amount of money that might be lost. It must take account of subsection (4)(b), which says:

"after making due allowance for annual changes in the retail prices index,

that the practical extent of the Parliament's tax-varying powers would remain broadly the same from year to year as it would be if . . . the law relating to income tax were the same from year to year as it was in relation to the year 1997-98."

As I understand it, that part of the Bill is to protect the Parliament's revenue-raising powers and ensure that it works with a consistently similar sum of money. I can draw only two conclusions from the two paragraphs when they are taken together. First, the Treasury could produce a situation that might result in the need to raise more money from fewer income tax payers, as it is committed to making the "practical extent" of tax-raising powers consistent. Secondly, that could require a rise in income tax of more than 3p.

It is only common sense that, if the Parliament has to raise the same amount of money—index-linked—and the number of taxpayers who are paying it shrinks, the amount that has to be raised from each taxpayer must rise. Unless there is something fundamentally amiss with my arithmetic, every hon. Member should accept that. That means that what voters thought they were voting for in the referendum—a 3p ceiling on tax-raising powers—is not in fact a ceiling. Especially as the Minister has consistently said today that the changes must be confined to income tax, I can see no way of maintaining income other than a rise of more than 3p.

The Opposition tabled amendment No. 387 to provide protection for taxpayers and to clarify the Government's intentions. Making the basic rate explicit will stop exactly what the hon. Member for North Tayside seemed to want: to be able look at other areas of income tax, such as raising the top rate, moving other income taxes around or even introducing new income taxes in Scotland. All that would be allowed if the words "basic rate" were not stipulated in clause 72(3)(a).

Mr. Dalyell: Is not that what the hon. Member for North Tayside (Mr. Swinney) and his colleagues are quite legitimately and honourably all about? They do want that.

Dr. Fox: It might be legitimate, but I am not sure whether it is particularly honourable to campaign in favour of one economic change in a referendum but knowingly to want to introduce quite a different one.

As we have said from the outset, we want to minimise potential points of friction. It is far better to include such stipulations in the Bill than to leave it open to vague interpretation. I whole-heartedly entreat the Minister to consider amendment No. 387. If the Government intend any changes to be limited to the basic rate, they must say so. Otherwise, various income taxes may be changed.

If clause 72(4) is to protect against loss of revenue, subsection (5) is clearly designed to reassure taxpayers. It states that

"the effect on the levels of the after-tax income of Scottish taxpayers generally"

will be much the same as in previous years of assessment. That is quite different from the notes on clauses. The question is how we interpret subsection (5). If basic rate taxpayers are to be protected, how could subsections (2) or (4) be put into effect? They would become contradictory. Do the Government not intend "taxpayers" to mean "basic rate taxpayers"?

The Opposition's suspicion begins to rise given that the notes on clauses say:

"the proposed revised powers must, if exercised, have broadly the same impact on the after-tax income levels of individual tax payers as the existing powers".

Which taxpayers are we talking about? Are we talking about all taxpayers, basic rate taxpayers, or could the word "generally" in subsection (5) mean average, across-the-board Scottish taxpayers? Therefore, if some taxpayers are taken out of the tax bands, others' taxes will have to rise to keep the general level of income the same.

That would be open season on basic rate taxpayers. It is what we have warned of all along. We have always said that the danger would be that the Bill was not watertight; that it would be so loosely drafted that it would open the door to those who wanted to set higher basic rates for those in the middle bracket in Scotland than elsewhere in the United Kingdom. That means that if the Chancellor of the Exchequer reduced taxation by raising thresholds, the burden would immediately fall on Scottish basic rate taxpayers, by virtue of this clause.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Does the hon. Gentleman agree with my interpretation of the clause, which is that it gives the power to change these arrangements in future to the Westminster Parliament, not the Scottish Parliament? Given his views, the hon. Gentleman should be happy to see the Scottish Parliament's powers of taxation being regulated by this House.

Dr. Fox: A neat try—but we want any changes made explicit in the Bill. The hon. Member for Linlithgow (Mr. Dalyell) rightly pointed out just now that this is exactly the sort of friction that the nationalists want in the Scottish Parliament. They want the Bill left vague, because that maximises the possibilities of future trouble-making. They want nothing fixed in statute. The hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) said during the referendum campaign that he wanted £450 million to be the limit; now, he does not want it to be the limit. He wants the clause to be unamended, because that maximises the chances of making trouble once the Parliament is set up.

We believe that the clause is dangerously drafted, confusing and contradictory. Many of our amendments are designed to probe, but amendment No. 390 is extremely important in its own right. If we get no satisfactory answer on it from the Minister, we shall push it to a Division to show that we understand the dangers that basic rate taxpayers could be up against if these plans come to fruition. We warned about an open season on Scottish taxpayers; unfortunately, that is what the Bill provides for.

Mr. Dalyell: Clause 72 presents real problems. First, I should like to ask a technical question posed by Martin Jones of Maclay, Murray and Spens, Glasgow tax experts. I talked to him at some length this morning about subsection (1)(b). He wants to know about the cumulative effect of modifications as distinct, first, from each modification separately; or secondly, the modifications of each year taken separately. What happens about three years of changes to the lower band, or about capital allowance changes? Serious lawyers would like an answer to that question.

My true concern has to do with the delineation of devolved functions. The delineation of functions is always a challenging task. There are, of course, many existing federations which, by definition, have such delineations in place; but most of them—at least the developed states with a political and public culture broadly comparable with ours—have been federations for a century or more. Their basic delineations were accordingly established at times when governmental functions were usually much less dense, extensive and interactive than they are now. The dividing lines have, by and large, evolved gradually and pragmatically within cultures familiar with acceptance of the federal concept.

Here, however, we are not talking about a federal concept; we are talking about a unique kind of semi-federal concept. Leading examples of the genre such as Australia, Canada and the United States stretch across large territories, so cheek-by-jowl comparison is less intense. It is without parallel anywhere else in the world to try to draw an entirely new legislative and financial boundary through a complex governmental scene, in a relatively small and densely populated island, with a powerful culture and an unusually strong nationwide media structure, giving rise to expectations of consistent treatment right across the UK.

Two basic questions arise in consideration of the crucial problem of delineation. Should the line be drawn by describing what is devolved and what is not devolved? In 1974–77, the former route was taken. Furthermore, should the line be drawn by broad description of subject or by detailed mapping according to current statutes? In 1974–77, the latter route again was taken. The 1974–77 approach produced long, complex Bills and was accordingly much criticised at the time and afterwards. The White Paper and the Bill indicate the opposite approach, but it should be recognised that there are considerable practical difficulties in regard to both approaches, whichever course is preferred. There is no logical reason why the difficulties would be removed simply by reversing the approach adopted in the 1998 Bill.

The problem is policing the delineation. The choice of approach to delineation on financial and legal matters interacts with the question of how the delineation is to be policed. Who is to decide whether the Scottish Parliament has overstepped its powers? During the 1974–77 saga, that was a matter of considerable argument in the Government, centring on the issue of judicial review.

That bring us to the question of judicial review and who is to decide when the Scottish Parliament asks whether it is to have more taxation. It is absolutely certain that that will come up soon after Holyrood is established. The expectations have been raised out of all recognition. All sorts of problems—lone parents, tuition fees; you name it—will be solved when there is a Scottish Parliament. It is not laws, let alone speeches in that Parliament, that will deal with those matters, but resources. The demand for resources will be huge. That is why delineation is crucial. This is the point in the Bill at which to ask questions about it.

9.15 pm

One argument, advanced virtually as a matter of basic legal and constitutional principle, is that it would be wrong to deny citizens the right to argue in the courts that a Scottish Parliament Act disadvantaging them exceeded the powers granted by Westminster in a devolution statute. The other argument, arising partly from an awareness of the boundary complexity problem, is that it would be unreasonable in practice and politically objectionable in Scotland that primary legislation and financial regulations of the Parliament should be liable at any time, perhaps long after enactment, to be struck down by the courts as ultra vires. The more broadly drawn the delineation, the greater the risks.

[Mr. Dalyell]

If this argument prevails, the question still arises as to who is to police the boundary. At some point, somebody must. If there is no general right of post-enactment judicial review of the vires of primary legislation or financial legislation, there must be some procedure—legal or Westminster parliamentary—for providing a nihil obstat at the time of enactment. We come back to the lawyers. The procedure for considering vires and resolving disputes must be clarified before the Bill passes into law.

No course is free from difficulty. It is fair to acknowledge that in the past 20 years public opinion has become more accustomed—because of the operation of the European Court—to the idea that the legal system might be able to overrule statute passed by a democratically elected body. That does not make the experience politically comfortable. The scale and weight of those incidents might—depending on the quality and style of the devolutionary delineation, the political climate, and how widely any right of challenge to vires extends—be a good deal more onerous than in the European dimension, as it would be additional to that dimension.

Dr. Fox: Does the hon. Gentleman accept that with the spectre of judicial review looming at any time, it would be far better for terms in the clause such as "significant effect", "likely" or "reasonably practicable" to be defined much more closely? Are we not asking for trouble with judicial review later by leaving the Bill so loosely phrased?

Mr. Dalyell: I shall reply to that by asking the Minister a question. What is the legal advice on all this? I agree with the views expressed from the Opposition Front Bench on this matter. The terms are very loose. That is also the view of the Law Society and other lawyers who have studied the Bill. Are the Government saying that, according to their legal advice, the Bill is sufficiently watertight to avoid a challenge in the courts such as Jarndyce *v.* Jarndyce?

Incidentally, that would lead to tremendous political discontent on the part of all Members of the Holyrood Parliament, including Conservative Members. Let us not assume that the Conservatives would avoid those pressures. They would face the same problems because of the expectations that have been raised in Scotland. The entire Parliament would create those pressures.

I conclude with this question: what legal advice have the Government received about these very delicate and important matters?

Mr. Laurence Robertson (Tewkesbury): I support what my hon. Friend the Member for Woodspring (Dr. Fox) said about the possibility of the Treasury's changing the rules so that the Scottish Parliament could levy a higher taxation rate than 3p in the pound. My hon. Friend has covered that point, but it is extremely important as regards democracy.

Mr. Alasdair Morgan: The Bill does not give the Treasury the power to change any rule: the Treasury is given the power to suggest changes to the House .

Mr. Robertson: The Scottish people were asked to vote on whether they wanted the Scottish Parliament to have tax-varying powers. They understood that the rate would be no more than 3p in the pound, but it could well be more than that.

I refer to the constraints that might be placed on the Treasury. The Chancellor of the Exchequer has said—I believe very reasonably—that he might want to introduce a taxation rate of 10p in the pound. What effect will that have on the Scottish Parliament's ability to raise £450 million? Will it not place the most enormous constraints on the Treasury's ability to act for the whole United Kingdom? I ask the Minister to reply to those two points.

Mrs. Laing: Once again, I agree with the remarks of the hon. Member for Linlithgow (Mr. Dalyell). He has made some serious points tonight that are often overlooked in the public debate about the Bill. He referred, in particular, to the difficulties of delineation and the problems arising from it. It is an understatement to say that the confusion and conflict that the problems will create are a lawyer's paradise. I know many lawyers, both north and south of the border, who must be rubbing their hands with glee at the thought of the business that will come their way in the next few years.

We begin to suspect that the Government have no wish to clear up the confusion in the Bill. We offer clarity through our amendments. The Bill would become clearer if the Government accepted the amendments. However, they will not, so we must assume that they wish to preserve the conflicts and the uncertainties that we have pointed out time and again.

This warning has been issued many times: if the conflicts that exist on the face of the Bill are not resolved, the Scottish people will not get what they voted for in September. They voted for a limited amount of devolution and a little variance on tax. If the conflicts are not solved now and the Bill is not clarified, devolution will not work. If devolution does not work, the Scottish people will get what Scottish National party Members want them to have: a separate Parliament and a separate Scotland. The Government have been warned about that time and again, but they constantly ignore our warnings.

Mr. Prior: It is likely that, in the not-too-distant future, a Budget will raise thresholds for paying basic rate income tax, so that the tax base in Scotland will fall. If it falls from £450 million to £350 million, for example, the Westminster Parliament will have to decide whether to extend the tax base in Scotland—that will be a clear example of the problem of delineation that the hon. Member for Linlithgow (Mr. Dalyell) mentioned. Until delineation between the two Parliaments is sorted out, problems over taxation will continue each year.

Mr. McLeish: It would be helpful to remind Conservative Members in particular of the intention behind the clause—to provide protection from the erosion of the tax base. Conservative Members have claimed that the clause is imprecise, but it is important to be flexible in these

matters. We cannot be precise, as the future shape of the United Kingdom tax structure, in the context of which any change to present arrangements would be made, is not known. Any changes would be to the income tax system, not to any other form of taxation; they would maintain, as far as possible, the tax's current distributional effects—the same people will pay roughly the same amount of tax as they will under the proposals in clause 72.

It may also help if I briefly outline how what I regard as the fall-back power in clause 72 will work. The clause falls into two parts. Subsections (1) and (2) set out the process whereby any fall-back power would be introduced. In effect, what will happen in most foreseeable circumstances is that, first, the Treasury would internally develop a proposal to change UK tax arrangements. Secondly, if the Treasury assessed that that would significantly reduce or increase the Scottish tax take, it would, if it thought it necessary, again draw up internally proposals for changing the Bill's powers.

Thirdly, when the UK tax changes became public on Budget day or possibly in a Green Budget, the Treasury would be obliged, as soon as reasonably practicable, to lay before the House in a statement whether it believed that the Scottish power needed to be changed and what the changes, if any, should be.

In practice, the Treasury would be expected to consult the Scottish Executive before laying revised proposals before the House as soon as was reasonably practicable. Once a proposal had been laid before the House, it would be incorporated into the Finance Bill as an amendment to the Scotland Bill's powers.

Subsections (3) to (7) set parameters to any revised power—in effect, that roughly the same people should pay roughly the same amount of income tax as they would under the power that is currently proposed. Once any new power had been implemented, the Scottish Parliament would either stick with any tax resolution that it had already made under its formal powers or make a new in-year resolution under the new power.

Of course, we should note that the new power would need to include provision allowing an in-year resolution to be made in these circumstances. Under clause 70, such an in-year resolution would be considered.

I understand from the Conservative party's hostility to the referendum result in favour of a Scottish Parliament that it will exaggerate and distort; it can never regard an issue such as the one covered by the clause as simple and straightforward.

Mr. John Hayes (South Holland and The Deepings): Will the Minister give way?

Mr. McLeish: I shall not give way just now.

I respect what my hon. Friend the Member for Linlithgow (Mr. Dalyell) said; it was principled, and he, at least, has been consistent in his opposition over many years. However, on this and other clauses, the Opposition have tried to hide behind a smokescreen of distortions and exaggerated claims about a lawyer's paradise; in fact, their basic hostility creeps through on every possible occasion.

The Committee's objective is to scrutinise the Bill; and it is, of course, acceptable for hon. Members to make political points. However, let us not pretend that those are the same things.

Dr. Fox: Under the Bill, as drafted, would it be possible for the Treasury to increase Scottish tax-raising powers by more than 3p in the pound?

9.30 pm

Mr. McLeish: I repeat that the key purpose of the provision is to protect the tax take. It does not need a great deal of imagination or intellect to appreciate what that is. The Bill, which will become an Act, will have the ability to raise or lower the basic rate of income tax by 3p. In future, however, changes made by any Government or any Treasury could have an impact on the tax take. The clause provides an important fall-back mechanism for the Westminster-based Parliament and the Treasury to ensure that the level of tax take that we try to build into the Bill is taken forward in subsequent years. That is straightforward and common sense.

There must be flexibility, and that is provided by a fall-back power. Where would flexibility lie if the Chancellor of the Exchequer, in this place, changed the basic tax system? A fall-back power is essential because it will protect the Parliament, the tax take and the integrity of the tax-varying power. In addition, it will protect the taxpayer.

Mr. Gerald Howarth: Does not the clause and everything that the Minister has said confirm that we are talking about tax-raising powers? We are not talking about tax-varying powers. The clause, and the Bill in general, is geared towards increasing the tax burden on the Scottish people. Will the Minister not come clean about that?

It is not only the hon. Member for Linlithgow (Mr. Dalyell) who has principles about these issues. It is the duty of the Committee to point out to the Minister the practical consequences of what could arise for the Scottish people, as drawn from a detailed study of the Bill.

Mr. McLeish: With great respect, that is complete and utter nonsense. The situation has been well discussed in Scotland, in the publication of the White Paper, in the referendum and in the publication of the Bill. It is interesting that the Conservative party used to help the business community through some of its difficulties. Nowadays, however, only the Conservative Opposition see the perceived dangers—they make them up as they go along—as we consider the Bill in Committee.

Mr. Hayes: Will the Minister give way?

Mr. McLeish: No. I am not giving way at this stage.

No self-respecting Parliament with a working tax-varying power could avoid a fall-back position. That having been said, I shall deal with the specific amendments.

Mr. Dalyell: Neither my hon. Friend the Minister nor I is a tax lawyer. Rather than asking my hon. Friend to answer the question that I posed on cumulative accumulation of tax, may I suggest that a tax expert from

[Mr. Dalyell]

the Scottish Office gets together with Martin Jones of Maclay Murray and Spens and the Law Society's tax committee to sort out this issue? I suggest that my hon. Friend writes to us or returns to the House with a closer definition on Report.

Mr. McLeish: Inland Revenue and Scottish Office officials are in consultation with many groups about the rules and duties that will be taken on board through the tax-varying power. I take my hon. Friend's suggestion on board, but consultation is taking place.

The group of amendments is concerned with what, for convenience, I shall term the fall-back power. Amendments Nos. 381 and 409 would remove from the Treasury the duty to start taking steps to consider a replacement tax-varying power in circumstances where it was obvious that it should be doing so. The circumstances in question would be where it looked likely that a major change to the UK tax structure was likely to be enacted, but, for some reason, that had not been formally proposed or published by the Treasury or Inland Revenue. Thus, for example, the Treasury would not be under an obligation to act when, as has happened, the Government accepted an amendment to income tax provisions during the passage of a Finance Bill, but had not formally proposed or published the policy enshrined in that amendment. That would plainly be absurd, and I hope that the amendments will be withdrawn.

The purpose behind amendment No. 382 is to put a figure on the trigger for clause 72 coming into play. The Bill as drafted leaves that undefined; this is deliberate. If we were to determine a particular figure, whether a 5 per cent. increase or decrease in potential tax take, or some other figure, that could easily trigger the clause when it was in the interests of nobody to trigger it. Alternatively, it could deprive the Scottish Parliament of an important opportunity to enter negotiations with the UK Government.

I simply do not accept arguments that a lack of definition will lead to conflict. Of course, there may have to be negotiation in particular circumstances, and I have no doubt that those negotiations may sometimes be tough, but I would argue that is a much more stable and mature arrangement than sticking an arbitrary, non-negotiable statutory marker in the ground. Therefore, I do not accept the need for the amendment.

Amendments Nos. 384 and 385 bring those of us who are accustomed to the work of Standing Committees on to familiar territory—the respective merits of a requirement to do something as soon as "reasonably practicable" or within a particular, specified time frame. Amendment No. 384 at least has the merit of making sense, although I do not accept that, in all circumstances, it would be desirable to require the Treasury to lay material before the House within a month of publishing or proposing a tax change. Amendment No. 385 should be rejected.

Amendments Nos. 387 and 390 are an attempt to provide that any replacement power should apply only to the basic rate of income tax. The deletion by amendment No. 390 of one of the particular conditions that any replacement tax would have to meet is, I assume, intended as being consequential, but that requirement is itself potentially completely unworkable. It is precisely for that reason that we have not limited the replacement power, but nevertheless have included the detailed provisions at clause 72(4) and (5) to ensure that, under any future power, broadly the same people would end up having broadly the same liability for the Scottish variable tax.

Amendments Nos. 392 and 393 are not acceptable. Amendment No. 392 seeks to put a precise figure on the tax that any replacement tax power should be capable of raising.

Amendment No. 393 attempts to provide relative precision in an area where a more broad-brush approach is the only practical way forward. The design of any replacement tax system will inevitably have to take into account a whole range of factors.

Amendment No. 396 strives for too great a degree of precision. The clause makes it quite clear that Parliament expects the effect of any new tax power generally to be broadly similar, as it affects individuals, to the power currently in the Bill. Again, precision is the enemy of the setting of sensible, workable parameters. The amendment should not be accepted.

Amendment No. 397 attempts to establish 5 per cent. parameters—this time on the effect of any replacement tax power on individuals' income after tax. Because of the way in which it has been drafted, it would prevent any new after-tax income level coming within 5 per cent. of previous levels. I suspect that that is not something any of us want.

This has proved to be a wide-ranging group of amendments, testing the fall-back power provisions. The Government's approach in relation to that power has been to put into statute the general framework of how any replacement power would be designed, in accordance with the undertakings that we gave in the White Paper. I am convinced that that is the right approach, given that we cannot begin to predict the specific circumstances in which the power will operate. Therefore, I ask the Committee not to accept the amendments.

Dr. Fox: Anyone who has read the clause or heard the Minister's response to the debate will realise why we had a pre-legislative and not a post-legislative referendum: people might have recognised what recipe the Government had for them. The Minister's inability to accept any amendment, or even the arguments made in good faith by Opposition Members, is sad. The Government's ability to speak with a forked tongue on these matters is extraordinary, and their condescension staggering. The Bill is loosely drafted.

The Minister paid tribute to the integrity of the hon. Member for Linlithgow (Mr. Dalyell) and then proceeded to disregard all his arguments about the potential for judicial review, and the terms in which the Bill is drafted. The Secretary of State urged us on Second Reading to look at everything on a worst case scenario. Now the Government ask us to welcome a situation in which Westminster will decide any changes to Scotland's taxes, which will be different from the position in England. That is what they used to complain about when the poll tax came into operation. They now suggest that it will be all right; that it will not be exploited by the nationalists; that we have nothing to fear from this process, and that we are scaremongering by bringing up these subjects.

This is a recipe for friction. That is one of the many reasons why we cannot accept the Minister's arguments, which are contradictory. Clause 72(4) seeks to protect the Parliament's income. Clause 72(5) seeks to protect the taxpayer's income. In the Minister's words, roughly the same people should pay roughly the same tax—how precise for a financial measure. We simply cannot accept that, but I guess that we should not be upset about contradictions from a Government who are introducing a tax-raising power, with a Prime Minister who says when he goes overseas that raising tax is a threat to jobs but thinks that it is all right to introduce it in Scotland, where, apparently, the laws of economics will be suspended. I shall seek to withdraw amendment No. 381, but press amendment No. 390 to the vote.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 390, in page 32, leave out lines 9 to 17.—*[Dr. Fox.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 126, Noes 328.

Division No. 177] **[9.39 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Curry, Rt Hon David
Davis, Rt Hon David *(Haltemprice)*
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. Stephen Day.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Betts, Clive
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell-Savours, Dale
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*

Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonnell, John
McFall, John
McGuire, Mrs Anne
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Naysmith, Dr Doug
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Wallace, James
Ward, Ms Claire
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. Robert Ainsworth.

Question accordingly negatived.

Clause 72 ordered to stand part of the Bill.

Clause 73

ACCOUNTING FOR ADDITIONAL SCOTTISH TAX

Mr. Bernard Jenkin (North Essex): I beg to move amendment No. 399, in page 32, line 35, at end insert

'provided that all costs incurred by the Board and the Inland Revenue in collecting such amounts shall be defrayed from the Scottish Consolidated Fund.'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 400, in page 33, line 13, leave out 'may' and insert 'shall'.

No. 401, in page 33, line 17, at end insert—

'(5A) Arrangements under subsection (4) shall not include provision for the adjustment of the amounts paid into the Scottish Consolidated Fund under this section on the basis of changes in the taxable income of the generality of Scottish income tax payers deriving from economic fluctuations in the United Kingdom as a whole.

(5B) Arrangements under subsection (4) shall include provision for the adjustment of the amounts paid into the Scottish Consolidated Fund under this section on the basis of changes in the taxable income of the generality of Scottish income tax–payers deriving from economic fluctuations attributable to previous resolutions of the Parliament.'.

No. 402, clause 74, page 33, line 37, at end insert,

'together with all costs incurred by the Board and the Inland Revenue in receiving such payments.'.

No. 403, in page 34, line 13, leave out 'may' and insert 'shall'.

No. 404, in page 34, line 17, at end insert—

'(5A) Arrangements under subsection (4) shall not include provision for the adjustment of the amounts paid from the Scottish Consolidated Fund under this section on the basis of changes in the taxable income of the generality of Scottish income tax-payers deriving from economic fluctuations in the United Kingdom as a whole.

(5B) Arrangements under subsection (4) shall include provision for the adjustment of the amounts paid from the Scottish Consolidated Fund under this section on the basis of changes in the taxable income of the generality of Scottish income tax-payers deriving from economic fluctuations attributable to previous resolutions of the Parliament.'.

Mr. Jenkin: Clause 73 concerns the treatment of the revenue raised from the SVR—or Scottish variable rate, as we must now learn to call it. Amendment No. 399 merely clarifies the fact that the costs of collecting the tax should fall not on the United Kingdom taxpayer but on the Scottish consolidated fund, in line with paragraph 7.18 of the White Paper. The substance of the amendment may lie elsewhere in the Bill; we merely ask for clarification.

The other amendments, including Nos. 400 and 401, are much more substantive. They are probing, but they are for serious consideration. Clause 73(3) specifies that the Inland Revenue should pay into the Scottish consolidated fund an amount equal to the estimated yield from the additional tax to be paid by Scottish taxpayers. I am bound to say that that cannot have been the expectation of people reading the White Paper, which clearly guaranteed £450 million. The main burden of the clause, however, is to ensure that the yield from the tax is paid into the consolidated fund.

Clause 73 leads to the need for the legislative gyrations in clause 72. Clause 73 on its own would not guarantee the £450 million promised from the full yield of the tax referred to in paragraph 7.13 of the White Paper. Should the £450 million guarantee apply in all cases? Clause 73(5) says that the Treasury may make adjustments to estimates of the tax yield in the light of the initial estimate being wide of the mark. The operative word is "may". Our amendment No. 400 suggests that the word should be "shall".

The Bill establishes the principle that the extra revenue that is gained or forgone by the Scottish Parliament should reflect the tax yield. If it emerges that the Treasury or the Board has made a mistake, whichever is responsible should put it right. It would not be right for the Scottish consolidated fund to collect money that has not been raised for it, just as it would be wrong for the Parliament to forgo funding that has been raised on its behalf. That is the principle that the amendments seek to establish.

Amendment No. 401 proposes an exception. The White Paper was clear about the effects of changes in the tax system, but not clear about the effects of changes in economic circumstances. The amendment proposes two new subsections. Where possible, the Scottish Parliament deserves stability in its funding because it is not to be given the kind of borrowing powers that will enable it to deal with cyclical fluctuations in economic activity. Our proposed subsection (5A) is intended to protect the Scottish variable rate tax yield from the effects of economic fluctuations in the UK economy.

We do not think that the Scottish Parliament should be immune from the effects of its own decisions. Our proposed subsection (5B) would mean that any increase or decrease in the yield from the Scottish variable rate as a result of the Parliament's decisions would be reflected in payments to the Scottish consolidated fund. For example, if there were a big increase in the business rate poundage in Scotland or if the tartan tax drove people away from Scotland or was levied at the higher marginal rate, as suggested in clause 72, it could have a detrimental effect on Scotland's economic activity. It would reduce the tax yield in line with what is called the Laffer curve and that loss of revenue should be borne by the Scottish Parliament.

There is an alternative scenario. If the policies of the Scottish Parliament took Scotland well ahead of the rest of the UK so that employment rates were higher there, the yield from tax increases would be greater and the Scottish Parliament would be able to collect the dividend of its policies or perhaps levy for the same yield with a lower SVR rate. I commend the amendments to the Committee.

Mr. Dalyell: I have a short question. What happens if there is a shortfall in relation to the yield and the estimates of the Scottish Treasury or the Treasury in London are not achieved? It is a question of contingency planning for a shortfall and for what happens thereafter.

Mr. McLeish: Amendments Nos. 399 and 402 seek to ensure that the costs that are incurred by the Board and the Inland Revenue of running the tax-varying power are met by payments from the Scottish consolidated fund. I give the Committee the absolute assurance that the Inland Revenue's costs will be met by the Scottish Executive. However, it is a matter for administrative arrangement rather than for statutory provision.

Amendments Nos. 400 and 403 seek to strengthen the provision to review the arrangements for estimating what income tax receipts should be paid by or to the Board if the tax-varying power is applied. No such strengthening is needed, as the current wording permits the Board to take into account any adjustments to those arrangements that may be necessary.

Amendments Nos. 401 and 404 seek to ensure that the estimate of income tax receipts paid into the Scottish consolidated fund is not affected by changing economic conditions unless those changed conditions are the result of previous applications of the tax power. The amendments are at odds with all the principles of the overall income tax system of which the Scottish Parliament's tax-varying powers are an integral part. There is no convincing argument for making the proposed adjustments. Even if there were, it would be impossible to disentangle economic effects from other effects on tax take or, more particularly, from the effects on the economy of past Scottish tax changes or from a welter of other influences. The amendments are unhelpful and unworkable. I hope that they will not be pressed.

Mr. Jenkin: The Minister's reply leaves the question of the £450 million guarantee more confused than ever, but, in view of the pressure of time, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 73 ordered to stand part of the Bill.

Clauses 74 and 75 ordered to stand part of the Bill.

Clause 76

REMUNERATION OF MEMBERS OF THE PARLIAMENT AND EXECUTIVE

Mr. Jenkin: I beg to move amendment No. 415, in page 35, line 13, at end insert—

'(1A) Salaries paid to a member of the Parliament under subsection (1) shall not exceed those for the time being paid to members of the House of Commons.

(1B) The salary paid to the First Minister shall not exceed the average salary for the time being paid to a Secretary of State in the United Kingdom Cabinet.

(1C) The salary paid to a member of the Scottish Executive other than the First Minister shall not exceed the salary for the time being paid to a Minister of State in the United Kingdom Government.'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 416, in page 35, line 14, after 'allowances', insert 'and expenses'.

No. 417, in page 35, line 15, at end insert—

'(2A) Allowances paid to members of the Parliament or members of the Scottish Executive under subsection 2 shall not exceed the allowances for the time being paid to members of the House of Commons.'.

No. 418, in clause 77, clause 77, page 35, line 35, after 'salary', insert 'or allowance'.

No. 419, in page 35, line 37, after 'salary', insert 'or allowance'.

No. 420, in page 36, line 1, leave out 'salary' and insert 'allowance'.

No. 421, in page 36, line 4, after 'salary', insert 'or allowance'.

No. 422, in page 36, line 6, at end add—

'(3) The Parliament shall ensure that the amount of salary is reduced by the amount of salary payable to the member as mentioned in subsection (1) (a) or (b).'.

Mr. Jenkin: The purpose of the amendments is to establish reasonable limits to the salaries of Scottish Ministers and Scottish Members of Parliament, and to their allowances, and to provide—

It being Ten o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution [this day], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 76 ordered to stand part of the Bill.

Clauses 77 to 80 ordered to stand part of the Bill.

Mr. Dalyell: On a point of order, Sir Alan. As I have spoken at some length on important matters in previous debates, it is as much my fault as anyone's, but it is unfortunate that the Government have not had the opportunity to make a statement on the salaries, remunerations and conditions of Members of the Holyrood Parliament because it is a matter of considerable interest. *[Interruption.]* Not personal interest—I chose the word delicately. I do not think that anyone would select me.

The Chairman: I think that the hon. Gentleman has made his point. He knows that, as a result of the motion that has been agreed by the House, that is not something over which the occupant of the Chair has any control.

Clause 81

SCOTTISH REPRESENTATION AT WESTMINSTER

Dr. Fox: I beg to move amendment No. 258, in page 37, line 32, leave out from 'is' to end of line 33 and insert

'120 per cent. of the electoral quota for England.'.

The Chairman: With this, it will be convenient to discuss clause 81 stand part and the following: amendment No. 259, in clause 114, page 52, line 13, at beginning insert—

'Subject to subsection (3) below,'.

No. 260, in page 52, line 17, at end add—

'(3) With the exception of an order relating to section 81, no order may be made under subsection (1) until each House of Parliament has approved any draft Order in Council which may be required to give effect to the first report of the Boundary Commission for Scotland to be submitted after 31st December 1997 under section 3(2) of the Parliamentary Constituencies Act 1986.'.

New clause 6—*Restrictions on voting rights of Scottish members of House of Commons*—

'As from the day on which the Parliament first meets, no member of the House of Commons representing a constituency in Scotland shall be entitled to vote in that House on any matter certified by the Speaker as relating solely to another part, or other parts, of the United Kingdom.'.

New clause 16—*Restrictions on voting rights of Scottish members of House of Commons (No. 2)*—

'Members of the House of Commons representing constituencies in Scotland may continue to participate in any vote in that House unless the Speaker deems the vote to relate to matters exclusive to England, or to England and Wales.'.

New clause 19—*Restriction on voting rights of Scottish Members (Committees on English Affairs)*—

'.—No member of the House of Commons representing a constituency in Scotland shall be entitled to vote in, or participate in any other proceedings of, any committee of that House established under any enactment or by the Standing Orders of that House, the functions of which are to consider matters exclusively in relation to England which are not reserved matters within the terms of Schedule 5 to this Act.'.

Dr. Fox: In this, the off-peak part of the debate, some of us will have a chance to delineate arguments that will, no doubt, be taken further by hon. Members who wish to star in the peak viewing time part of the debate on the next day that we consider the Bill, but a few points need to be made at the outset.

We shall debate what has come to be known as the West Lothian question. It is worth pointing out at the outset that we have to get one thing into perspective. Despite what I think is often a distortion in the Scottish media, when we discuss constitutional relationships between Scotland and the rest of the UK, we in this House have to remember that Scotland constitutes 10 per cent. of the UK population and it is unacceptable to force a

constitutional change on the rest of the UK because of what 10 per cent. of the population may want, however much it is their right to have that. We have to keep that in mind when we consider the possible alternatives and answers to that question.

There are two reasons for tabling this group of amendments. The first is to deal, or at least to address, the West Lothian question. It is not possible to deal with, or to answer, that question within the constitutional relationships that we are being asked to discuss. The second reason is to ensure that the Scottish Parliament is set up in the most practical way possible.

As I have mentioned in a previous debate, the Secretary of State for Scotland has asked us to imagine the worst case scenario in all our considerations. That is what we seek to do in all our amendments—to minimise potential friction when the Scottish Parliament is set up.

There are two different parts to the West Lothian question. The first involves Scottish Members of Parliament of this House affecting and voting on English issues, where English Members of Parliament cannot affect the same issues in Scotland. The second part involves Scottish Members of Parliament in this House affecting English issues, when they themselves cannot affect Scottish issues in their constituencies, as a result of a devolved Parliament having been set up.

Mr. Swinney: Will the hon. Gentleman give way?

Dr. Fox: I have hardly said anything yet. However, I shall give way to the hon. Gentleman, whose intervention will be as relevant when I have said nothing as when I have said something.

Mr. Swinney: I am grateful to the hon. Gentleman for his generosity. Will his arguments tonight be the same arguments deployed by the Conservative party at the next sitting of the Committee when this debate will be continued, bearing in mind that the Leader of the Opposition is making a landmark speech on this subject tomorrow evening?

Dr. Fox: There is obviously some confusion of terms if "generosity" is how the hon. Gentleman sees me registering despair—but, having heard the hon. Gentleman's intervention, I understand why. If the hon. Gentleman reads my right hon. Friend's speech, he will realise that the Conservative party has moved on. We have done so because events have moved on. We did not seek to have a debate on the changing constitutional relationships within the United Kingdom, but that debate has come about because of the result of the referendum. We campaigned, I believe honourably, for our point of view—that is what one does in a democracy—but that view was rejected and instead the Scottish electorate voted for the establishment of a Parliament, with tax-raising powers. That is where the debate now starts.

I say to one or two of my hon. Friends on the Conservative Benches and to some in my party outside the House that to talk of an evolutionary approach to the constitution, when the Government's agenda is to throw up the pieces of the jigsaw of constitution and hope that they fall down in something like a coherent manner, is no longer on the menu for our party. We must move on and address the issues as they are presented, and do so within the Government's time scale. However, that does not mean that we should not deal with the issues in an intellectually coherent manner. The debate that we are having is an inevitable result of what has happened in recent months, not least the election of a new Government.

The are several ways in which we can respond to the West Lothian question, but we cannot answer it. As I have said previously, there is no answer to the West Lothian question within devolution, because devolution pretends, wrongly, that we can change the constitutional relationship between Scotland and the remainder of the United Kingdom without changing the relationship within the remainder of the United Kingdom.

We must do what we can to deal with the question, and several options are open to us. There is the option to do precisely nothing—to make no change to our arrangements here or to our other constitutional arrangements, and just wait and see what happens. That is not a particularly constructive approach.

There is the possibility of developing English regional assemblies, moving down the federal path. The small problem with that, and something I find rather interesting when studying the Scottish media, is that it appears to be of no importance to certain political traits in Scotland that there is no demand for English regional government. Indeed, there is so little appetite for the proposed regional development agencies—the precursors for English regional government—that we wonder whether, if regional government will ever come.

A third option would be to set up an English Parliament, a separate body elected in the same way as the Scottish Parliament and with devolved powers set out in the same manner as the devolved powers for the Scottish Parliament are set out in the Bill. We could also have designated English legislation—which is dealt with in new clause 16—but there are drawbacks to that proposal, which is favoured by many. Who will decide what is to be a designated English Bill? Should it be left to the discretion of Madam Speaker? It would be a heavy burden for any constitutional politician. If it is to be decided by a resolution of the House, would Scottish Members vote on what should be an English-designated Bill? The practical difficulties would be enormous.

Mr. Wallace: The hon. Gentleman will be aware that the decision on whether Bills should be sent, for example, to the Scottish Grand Committee, is made by Madam Speaker, who has to determine whether a Bill relates exclusively to Scotland. Why should Madam Speaker have any greater difficulty in determining whether a Bill relates exclusively to England?

Dr. Fox: That is a matter of degree. We have a Scottish Grand Committee. There could be an argument for an English Grand Committee operating in the same way, but there would be a problem of scale with such a Committee. That is not an insurmountable difficulty, but it is not sensible to pretend that it does not exist if we are to have a rational debate on how to proceed. We could have English only—or English and Welsh only—sessions in the House, which would effectively be an English Grand Committee, as is suggested in new clause 19. All the options will have to be considered. If the hon. Member for North Tayside (Mr. Swinney), who is about to leave, would like a copy

[Dr. Fox]

of the speech to be made tomorrow night by my right hon. Friend the Leader of the Opposition, I shall send him one, so that he does not feel that he has missed anything from the rest of the debate.

Mr. Edward Leigh (Gainsborough): As the principal Opposition spokesman on the amendment, my hon. Friend is rightly posing a series of questions. Is he aware that most Conservative Members of Parliament have a forthright view on the issue? We are not prepared to accept Scottish Members being able to come here to vote on matters over which we have no control in Scotland. They must accept either that such Bills should be marked or that their representation should be reduced. There is increasing anger on the Conservative Benches about that. We want the Government to address those issues firmly, properly and fairly.

Dr. Fox: My hon. Friend makes the points more clearly than I could. Devolution will inevitably create tension in the House and the United Kingdom unless the West Lothian question is addressed swiftly. There will be a feeling that Scottish Members have undue influence over affairs in England, with no reciprocal arrangement.

Mr. Ian Davidson (Glasgow, Pollok): Does the hon. Gentleman recall the poll tax? A majority of English Members voted through a tax that at one time applied only to Scotland. Does he recognise that at no time will Scots form a majority in this Chamber, as the English Tories did when they voted for the poll tax to operate in Scotland? Does he not accept that such behaviour, not the anomalies that we might have now, threatens the Union?

Dr. Fox: Several responses immediately come to mind. England accounts for around 90 per cent. of the UK population. It will inevitably provide the largest number of Members in a united Parliament. The hon. Gentleman would do well to remember that, in recent weeks and again tonight, he has voted for clauses that give the English Parliament the same rights to impose legislation like the poll tax that he so abhors. Clause 27(7) made that clear—

Mr. McAllion: Does the hon. Gentleman realise what he has just said? He said that we voted to give the English Parliament the right to legislate over Scotland. I hope that, as a Scotsman, he will retract that abhorrent statement and remind himself that this is the United Kingdom Parliament, not an English Parliament.

Dr. Fox: I meant the Union Parliament. One of the things that I hate most, particularly when I am watching football, is for the United Kingdom to be referred to as England. Even worse is Scotland being referred to as England.

Clause 27(7), which we debated recently, gives this House a right to legislate on all matters, including economic matters. The hon. Member for Glasgow, Pollok (Mr. Davidson) voted for that power. If it is ever used, he should remember that. Even if I accepted what he said about undue influence in one direction—which I do not—there is no excuse for similar influence in the other direction. We must have a clear relationship with no potential for English Members of Parliament to feel that they have too little influence over affairs in other parts of the United Kingdom when Members of Parliament from that area have an influence over their constituencies. It is simply a matter of fairness, given that we have already started down the road of devolution. It is a matter of balance—*[Interruption.]* Hon. Members talk about fairness, but if they are as stubborn as those who refuse to accept that we have now entered a new constitutional landscape, it will lead to the break-up of the United Kingdom and play directly into the hands of the nationalists who seek to maximise friction through the Bill.

Mr. Salmond: Will the hon. Gentleman give way?

Dr. Fox: How could I mention Scottish nationalists without giving way to their current personification?

10.15 pm

Mr. Salmond: Personification—that is good; I quite like that. On the subject of friction, Sir Malcolm Rifkind, one of the hon. Gentleman's former—defeated—colleagues, said yesterday that if an English Grand Committee were set up and if the House overruled that Committee, he could see that leading to a constitutional crisis. Does the hon. Gentleman think that if clause 27(7) were used to overrule a Scottish Parliament, that would lead to a constitutional crisis?

Dr. Fox: We remain a Union Parliament, and clause 27(7) simply states what we are—the supreme law-making body in the United Kingdom. My former colleagues, like my current colleagues, are entitled to their views. It is a testament to the current resurgent intellectual health of the Conservative party that we are having such a wide-ranging and fruitful debate. *[Interruption.]* Of course I am smiling; I am looking forward to the future when, as a resurgent, intellectual Conservative party, we take more than a large share of seats in the Scottish Parliament.

Amendment No. 258 deals with the relative size of electorates.

Mr. Dalyell: It is just a thought, but would the hon. Gentleman have said that when he was a junior Foreign Office Minister?

Dr. Fox: As a junior Foreign Office Minister, I would not have presumed to say anything about Scotland. Given my departmental remit, I was happy to comment on the constitutional relationships in Sri Lanka and Nepal, but I would not have dared to stray on to the territory of the Scottish Office.

Amendment No. 258 deals with the relative size of the electorates who will return Members to this House. We have to ask in all seriousness why Scottish Members of Parliament should have the same size of electorate as proposed in the Bill to come to this House when they will not be dealing with the same work load as Members representing seats in England and Wales. The Scottish Members who come to this House will not be dealing with health or education, but, as the hon. Member for Dundee, East (Mr. McAllion) said, those issues take up two thirds of his work load. To tell the electorate that they must send

a Member of Parliament to the House of Commons to do a third of the work that Members in England are doing would smack very much of snouts in the trough. I admit that that mentality is currently the hallmark of the Government, but it is not a sound constitutional model for the future.

Mr. William Cash (Stone): My hon. Friend is deploying some very profound arguments. He has dealt with the West Lothian question, representation at Westminster, and the relationship between ourselves and the proposed Scottish Parliament. Will he explain why we are on a one-line Whip, given that we are debating a fundamental matter that affects the very future of the United Kingdom?

Dr. Fox: I think that it would be out of order to discuss such matters, and the party's internal organisation is not a matter for me at this point, or, with respect, for the Committee.

Amendments Nos. 259 and 260—*[Interruption.]* I have not eyes to see.

Mr. Salmond: Within the sight of the Committee, an hon. Member made an intervention and is now being spoken to by a Conservative Whip. I hope that no restraining influence is being used, against the procedures and wishes of the House.

The Chairman: Order. I think the hon. Gentleman is in danger of compounding a felony.

Dr. Fox: I always thought that the hon. Gentleman was fully in favour of rehabilitation.

Amendments Nos. 259 and 260 deal with the timetable for the implementation of the Bill and the setting up the Scottish Parliament. We feel that it should not commence until the next report of the boundary commission as it affects Scotland. There is a simple, practical reason for that. The Scottish Parliament will be set up with about 129 MSPs. Yet, under clause 81, within the first term of the Scottish Parliament their number will be reduced. It does not seem a stable, practical basis for setting up a Parliament to say to the newly elected MSPs, "Off you go to Parliament, all 129 of you but, by the way, in the first term your numbers will be cut and some of you won't be there the second time around." That is hardly a recipe for harmony. Surely it makes sense to set up the Parliament with the numbers that will run for several terms. Would that not be a far more stable and sustainable basis on which to set up any new legislative body?

Sir Robert Smith: Does the hon. Gentleman not realise that the previous Government established a principle of exactly the opposite only a few years ago when they set up Aberdeenshire council with 47 councillors, only to inflict a boundary commission review increasing that number to 68?

Dr. Fox: If the hon. Gentleman found that so unpalatable, I am sure that he will support our amendment. Having experienced something that he did not like, he should try to avoid it happening again. That is what we are seeking to do. It is typical of the Liberal Democrats with their recent defector recruits—if I said defective, I apologise—the party for whom the Bells toll, that they should try to apply something that they do not like out of some bizarre sense of consistency, irrespective of the damage that it might do.

We are making a sound and practical proposal. As there will be a problem of relative over-representation in Scotland, why can we not have a single boundary change to establish the number of MSPs after the first election? Our amendments seek to introduce equality that does not exist in current legislation.

I am conscious of the time and I know that other hon. Members wish to speak as there are important issues to be considered. I know that my hon. Friends want to discuss some of the specific options in detail, but what is not on offer is that we do not address the West Lothian question. Some Labour Members profess themselves to be Unionists and I take no issue with their integrity on that, but if they wish to preserve the Union and want the new constitutional relationship to work, the problem must be addressed. Not addressing it will trigger a residual English nationalism which is just as potentially destructive for the Union as Scottish nationalism.

We all want to see patriotism in our politics, but we should avoid nationalism tinged with xenophobia. That is the issue which the House has to discuss and, if we get the arrangement wrong, it is not we who are doomed, but the Union itself.

Mr. McAllion: I shall be brief to allow the European experts to try to channel the debate into European byways, but I have to quarrel with the final sentiments of the hon. Member for Woodspring(Dr. Fox), who tried to draw a distinction between patriotism, which was wholly good, and nationalism, which was wholly bad. The hon. Gentleman knows very well that it was a false distinction.

Nationalism is not a single beast. There are different varieties of nationalism. It can be well argued that some of the speeches by Conservative Members—particularly those who regard themselves as Eurosceptic—are nationalistic. It seems that British nationalism is fine, but any other nationalism—Scottish, Welsh or Irish—is bad. That is not an acceptable distinction. If I were to draw such a distinction, it would be between ethnic nationalism, which is bad and should be rejected wherever it raises its ugly head, and civic nationalism, which is a good and progressive force that can be found all over the world spreading democracy and increasing the rights of ordinary people whatever their ethnic background. It is civic nationalism which is wound up in the Bill—a nationalism that gives the people who live in Scotland, no matter who they are, the same democratic rights as can be expected by people living in any other democratic society.

I strongly oppose the Conservative amendments because, if they have a unifying theme, it is to punish the Scots—to have a go at the Scottish Members of Parliament who remain here after a devolved Parliament is established in Scotland. In one way or another, the amendments punish Scottish Members. Their constituencies have to be bigger than the constituencies of other Members of Parliament—the figure produced is 120 per cent. The Opposition do not want parity between Scottish, English and Welsh constituencies; they want Scottish constituencies to be bigger than those elsewhere

[Mr. McAllion]

in the United Kingdom; and they want the Scots to be treated differently from people living anywhere in the United Kingdom.

Mr. Collins: The hon. Gentleman is making a case for parity between all parts of the United Kingdom, but that is what we have now in the United Kingdom Parliament. It is Labour which seeks to break that parity by establishing a separate Parliament in one part of the United Kingdom.

Mr. McAllion: We do not have parity; nor am I arguing for parity. But neither are the Opposition arguing for parity. They want to discriminate against Scotland. They want Scottish constituencies to be bigger than any other constituencies in this Parliament. I regard that as punitive against Scottish Members of this Parliament in that it treats them differently from any other Member of the United Kingdom Parliament. That is not a constructive attitude to be taken by the official Opposition at a time when they do not have a single Member representing a Scottish constituency.

Mr. Grieve: I appreciate the hon. Gentleman's point, but several amendments have been tabled and they would have different effects. Is not one of the central issues that although the Government have accepted that there will have to be a change in the number of Scottish Members of Parliament, they will not accept that that change should be made at the same time as the Scottish Parliament at Holyrood starts? Does the hon. Gentleman think that that is justified and that the over-representation thereafter should continue?

Mr. McAllion: I do not think that the change is justified at all. I remember that, for a long time when we were in opposition, we argued against any change in the constituencies and said that it was completely irrelevant to change the size of Scottish constituencies, because Scottish Members would still have a role to play in this Parliament.

In any case, changing the size of Scottish constituencies does not affect what the Conservatives identify as the West Lothian question. What does it matter whether there are 73, 58 or 49 Scottish Members of Parliament? They will still be doing the same thing to which the Opposition object—voting on English and Welsh matters. Changing their number is neither here nor there.

Mrs. Laing: The hon. Gentleman just said that Scottish Members of Parliament after the formation of the Scottish Parliament will be doing the same thing, but that is not true. They will not have nearly as many duties to perform on behalf on their constituencies as Members of Parliament currently have or as Members of Parliament who are not Scottish Members will continue to have after the Scottish Parliament has started, because so many matters will have been devolved to the Edinburgh Parliament.

Mr. McAllion: The hon. Lady completely misunderstands. Whichever Members get sent down from Scotland to represent Scottish constituencies in this Parliament will do exactly the same sort of work as other Members of Parliament. They will be here every night, voting in the Lobbies on every single issue and it is their right to do so, because this is a United Kingdom Parliament.

If the English people choose to have their domestic legislation dealt with in the United Kingdom Parliament, there is a price to pay for that choice. The price is this: whichever Members of that United Kingdom Parliament are here have a right to vote on that legislation. If the English Members do not like that, they have an alternative: they can go down the Scottish road, go back to their constituencies and around the country and argue for English devolution within a federal set-up. None of the Opposition Members have ever made any attempt whatsoever to do that. They have simply come here and whined and pined about how their rights as individual Back Benchers will be different from those of Scottish Members of Parliament. They should go back and talk to their constituents, because I do not detect anywhere in England the upsurge of feeling against Scotland that they talk about.

Mrs. Teresa Gorman (Billericay): Will the hon. Gentleman give way?

Mr. McAllion: The hon. Lady is on her own—we all know that she is a bit benighted, but she is the only one who continually froths at the mouth about Scottish devolution. Even her own constituents are not that concerned about it, but I shall give way so as to allow her to froth once more.

Mrs. Gorman: I thank the hon. Gentleman for stopping frothing at the mouth for a moment. I rise only to point out that I have made the case in the House on a private Member's Bill for an English Parliament to mirror the powers, privileges and exemptions that the Scottish Parliament will have.

Mr. McAllion: I know that the hon. Lady has made the case in the House but how much campaigning has she done out on the stump around England? *[Interruption.]* The hon. Member for Rochford and Southend, East (Sir T. Taylor), who used to represent Glasgow, Cathcart, made some comment from a sedentary position that I could not hear. He paid the price for not listening to the campaign for Scottish devolution. He was kicked by his Scottish constituents. His was the first Tory head to roll because the Tories would not listen to what the Scottish people were saying. If they had paid attention when he lost his seat they might still have a presence in Scotland.

10.30 pm

The continual refusal to listen to what the Scottish people want explains why the Conservatives have collapsed in my country. I remember, or rather I have read in history books, that 60 or 70 years ago, Scottish Members moved legislation for a Scottish Parliament in this House. They were laughed at. No one paid any attention to them but that did not stop them. They campaigned, kept up the fight, spoke to others and kept the idea alive. At the end of the trail, we are debating what they fought for all those years ago. It is the absence

of that sort of fight in England which means that the Tories have no right to tell us that we cannot have our Parliament now.

Mr. Salmond: Is not the hon. Gentleman underestimating the intellectual ferment that we were assured the Conservative party was in?

Mr. McAllion: I never underestimate the Conservatives; I thought that they might win some seats at the general election. I was proved wrong then and I am sure that I would be proved wrong now if I said that there was intellectual ferment among Conservative Members. They are all just sitting there like dummies. *[Interruption.]* Well, they are. I can only say what I can see, though I am not wearing my glasses.

Mr. Gerald Howarth *rose—*

Mr. McAllion: The top dummy is up.

Mr. Howarth: I will see the hon. Gentleman outside afterwards, after that profoundly offensive remark. If he had not been such a dummy himself, sitting in the Tea Room or wherever it was—

The Chairman: Order. I think that a bad example has been set. I do not think that such words add to the dignity of Parliament.

Mr. Howarth: I am sure that they do not.

If the hon. Member for Dundee, East (Mr. McAllion) had been here throughout our earlier proceedings, he would have seen that many of my hon. Friends participated in the debates and that the expression that he used was therefore wholly inappropriate.

Mr. McAllion: I was not here earlier because I was attending a meeting in Committee Room 10. I was not sitting in the Tea Room but was carrying out my duties as a constituency Member of Parliament, looking after foreign affairs and trying to stop the war in the Gulf. There are other issues that affect Scottish Members that would require them to come here to debate after we have our own Parliament in Scotland.

Dr. Fox: I hate to bring the hon. Gentleman back to real world, however temporarily, but when he says that he thinks that the demand for Scottish constitutional change was overlooked for too long in England, he is making exactly the same mistake in thinking that he can impose a view of constitutional change on the English without their having anything to say about it. It is a grave mistake to think that the English, who constitute 90 per cent. of the UK population, will not have a view. He is in danger, through his comments, of putting the Union at risk.

Mr. McAllion: It is an oxymoron to talk about bringing me back to the real world in a debate in this place. Nothing could be further from the real word than our debates. Labour Members are not imposing anything on the English people. It is for the English people to articulate their demand for English home rule. Conservative Members can sit here all night saying what they think, but they must remember that, at the general election, they were defeated in England, just as they were in Scotland. They do not represent the voice of the English people. What they call for is not what the English people are calling for. When the English people legitimately call for their own Parliament and home rule, the Labour party and Government will support it; they would be mad no. to.

Mr. Hayes: Will the hon. Gentleman or, failing that, perhaps the Minister later comment on the issue first raised in the House on 1 February 1977 by the hon. Member for Linlithgow (Mr. Dalyell), then the hon. Member for West Lothian, about whether following devolution, Members of this House would have the right to raise questions that are within the jurisdiction of a Scottish Parliament? If the hon. Member for Dundee, East (Mr. McAllion) cannot answer that, he is imposing significant restrictions on the rights of English Members.

Mr. McAllion: Any hon. Member would be entirely free to write to their equivalent Member of the Scottish Parliament and ask them to raise such issues in the Scottish Parliament. I am not trying to stop them doing that.

Devolution is a response to the democratic demands of the Scottish people. They have asked for their own home rule parliament. This Parliament, in its wisdom, has decided to honour the Labour party's manifesto commitment following the election of the Labour Government. There is nothing untoward in that. Conservative Members keep pointing out anomalies because a Scottish Parliament will exist in what used to be a unitary United Kingdom. Of course there are anomalies—but what about the anomalies before? When did we hear Conservative Members complaining about the way in which the poll tax and local government reorganisation were imposed on Scotland when nobody in Scotland wanted it? In the general election in 1992, 75 per cent. of the Scottish people voted against a Tory Government, but had one imposed on them. What about the sensibilities of Conservative Members then? There was not a whisper from them about any anomaly or inconsistency or anything being intolerable to the Scottish people.

I return to the point that I made at the beginning of my speech. The amendments' unifying theme is very much in line with what the Tories did for the past 18 years in Scotland. It is against the Scottish people and against their interests. Their constituencies would have to be bigger, and when their MSPs were sent down here they would be stopped from taking part or voting in certain debates. That is not as bad as the poll tax and local government reorganisation, but it is in the same vein. The Conservative Opposition have yet to learn the lesson of the general election defeat. It is time that they started listening to people in the constituencies in which they are trying to be elected, instead of telling them what they should be thinking.

Mr. Cash: Does the hon. Gentleman accept that a vast amount of money is being paid to the Scottish people as a result of the United Kingdom Parliament's decisions? Whether or not that is justified it blows a hole in his argument. Furthermore, the amount of money that is being paid as a result of the Bill—the effect of giving

[Mr. Cash]

jurisdiction to the Scottish Parliament with regard to education and all the range of reserved matters—indicates the huge gulf that the Government are creating between the Scottish people and those in the rest of the United Kingdom. The hon. Gentleman's argument is completely flawed because, on one hand, money is largely being provided by taxpayers south of the border, and on the other, jurisdiction is being given to the Scottish parliament. Is not that the very reason why the West Lothian question is so important and why Scottish Members should not be allowed to vote twice?

Mr. McAllion: That is simply not true. The hon. Gentleman is simply wrong when he says that the English are subsidising Scottish public expenditure. Earlier debates on the Bill have patently shown that to be false. He does not include in the calculations all the non-identifiable expenditure largely spent in the south-east of England, or North sea oil revenue, which has been used by the people in the south to subsidise mass unemployment for 20 years. There are all kinds of arguments. The West Lothian question is a problem only because it is a problem for the Conservative party. That is the nub of the argument.

Somebody mentioned that there was likely to be a speech tomorrow night by the Leader of the Opposition in which he will advocate that an English Grand Committee should be set up to deal—[HON. MEMBERS: "How do you know?"] How do I know? The spin doctors are writing in the press. How do I know what my own party is saying? I have to read it in the papers. It is the only way I know what is happening in this world.

The Leader of the Opposition's speech brings into question the remarks made by Mr. Malcolm Rifkind, who used to be a very senior figure in the previous Government.

Hon. Members: Sir Malcolm.

Mr. Davidson: He did not beat his wife.

Mr. McAllion: The last thing that I want to do is to involve Sean Connery.

Malcolm Rifkind argued that were this Parliament to overrule the decisions of an English Grand Committee, it would lead to a constitutional crisis. I remember Malcolm Rifkind, Mr. Forsyth and others in the previous Parliament arguing that the answer to the Scottish problem was to set up a Scottish Grand Committee, which would be overruled when it suited the House of Commons. They did not see any constitutional crisis when they were in government. They only see constitutional crises when they are not in government. When will the Conservative party stop being an English nationalist party? There is no constituency even in England for such a party. The English people rumbled the Tories a long time ago. When will they begin a productive relationship with the peoples of this United Kingdom?

There is one amendment that I do not completely rule out—the one dealing with changing the boundaries for a Scottish Parliament. In the constitutional convention, there was a clear commitment on the part of all its members that there would be a separate boundary review for the 129 Members of the Scottish Parliament. I will never accept that, just because the number of Scottish Members at Westminster is reduced, the number at the Scottish Parliament must automatically be reduced, too. We in the convention committed ourselves to honouring the 129 Members of the Scottish Parliament by allowing them a separate boundary review. I hope that the Government will remain true to that commitment.

Mr. Ancram: The hon. Gentleman has reached an important point in his speech—[*Laughter.*] It is about the only important point in it. What he suggests is not, in fact, in the Bill. However many Scottish MPs are removed by the boundary review from this House, there will, under the Bill, be a commensurate reduction in directly elected seats and regional seats in the Scottish Parliament. That is what the Bill says: will the hon. Gentleman support the Bill?

Mr. McAllion: The clauses dealing with that were not debated tonight owing to the timetable, but it is a serious issue which will have to be debated. What the right hon. Gentleman describes does not tally with the commitment that the Labour party gave in the constitutional convention. We rightly make great play of honouring the commitments that we gave in that convention. Here is one commitment that we should honour; I shall continue to support it.

The Opposition are for ever saying that the English people are Unionists. Being Unionist is not the same as being anti-Scottish. That is a distinction which they fail to make. The Opposition seem to think it impossible to be a good Unionist without being prepared to put the boot into Scotland and Scottish interests. They cannot conceive of a kind of Unionism that operates with Scotland and England being partners in a reformed relationship, a very different one from the sort of Unionism that they used to represent many years ago. Their type of Unionism died at the 1997 general election.

If there is to be a Unionist future, it will be very different from anything the Opposition recognise. The sooner they understand that, the better.

Sir Teddy Taylor (Rochford and Southend, East): Although we should all be grateful to the hon. Member for Dundee, East (Mr. McAllion) for preventing war in the Gulf, as he apparently did in a Committee Room this evening, he may have made some mistakes when assessing the current situation. For instance, he made a vicious personal attack on me, saying that I had lost my seat in Scotland because I had failed to listen to people's views on devolution.

There are probably many reasons why I was thrown out of my seat, but, in 1979, there was a vigorous Conservative party in Scotland which was absolutely opposed to devolution. We fought the battle hard and wiped out the SNP from the House of Commons. The SNP's 11 Members of Parliament were knocked for six. Unfortunately, because the nationalist vote collapsed on that occasion, and because I depended on an adequate SNP vote, I was thrown out at the same time.

I had warned the Prime Minister, Lady Thatcher, who had told me to eradicate the SNP, that that would mean eradicating me, too. It appears that she, having considered the bargain, was willing to take the risk.

Mr. Salmond: The hon. Gentleman has cheered me up a great deal. I now realise that there was a silver lining to

the 1979 general election result. He speaks of the SNP being eradicated at that election. True, we did not do very well; we had only two seats left. But eradication means having no seats, as the Conservatives in Scotland have now.

Sir Teddy Taylor: The hon. Gentleman is right. Losing nine of 11 seats is a substantial reduction, shall we say? The lesson presumably was that supporting the nonsense of devolution does not necessarily knock the SNP for six.

I was also astonished by what the hon. Member for Dundee, East said about the size of constituencies. He said that we should not change the arrangements and have larger Scottish constituencies. I tried to understand the logic of that assertion. He seemed to be saying that my constituents who live in multi-storey flats are not as important as his constituents who might live in bungalows with big gardens. Trying to calculate an hon. Member's significance according to size of constituency or size of property would lead to constitutional madness.

10.45 pm

The hon. Gentleman said, finally, that if the English do not like the Bill, they can have their devolved Parliament too. Can there be a sillier answer? I know that my hon. Friend the Member for Billericay (Mrs. Gorman) has tabled an extremely sensible private Member's Bill that has made many people think about the issue, but why should we land ourselves with a separate assembly with lots of extra Members of Parliament all of whom want secretaries and researchers and to go on trips to the United States and Canada to study devolution there? Why should we undertake the huge responsibility of paying for all that?

One of these days, the hon. Gentleman will have to tell the people of Scotland what he has done to them, and the cost that they must pay for it.

Mr. McAllion: The hon. Gentleman is missing an important part of the scenario for England, which is the massive reduction of seats in this place. That would be warmly welcomed by people across the United Kingdom. The House of Lords could be turned into the House of 200, and that could be the federal Parliament, so we could do away with this House entirely.

Sir Teddy Taylor: I am trying to present a logical argument. I do not understand what the hon. Gentleman is getting at. I am told that the House of Lords has 1,500 members and is the cheapest assembly in the world. It may not be the most logical one, but it works, which the Scottish Parliament will not do for the United Kingdom.

I have noticed in the debates on Scottish devolution that every minute there is less enthusiasm for the idea. When we started, there was a huge amount of enthusiasm for a devolved Parliament, but now we see it fading away. Those who think about the matter seriously—there are some hon. Members on all Benches who think about it seriously—have suddenly realised the significance of clause 33.

The first time a Secretary of State tells the Scottish Parliament, "I'm sorry, that law is dead," that will be the beginning, as Scottish National party Members are well aware, of a deep division. When the Scottish Parliament says, "We believe that this is okay constitutionally," and the English Parliament says, "No, the legislation is dead," there will be a terrible problem. Having lived in Scotland for most of my life, I know what that will mean.

We have just been talking about taxes and the problems that will arise. Hon. Members on the Government Front Bench are well aware, as the Conservatives learnt to their cost, that the problem of SNP-ism—the problem of the desire for independence—is not solved by offering a halfway house. It does not work and it will not work.

Mr. Salmond: Is the hon. Gentleman's conclusion, then, that this Parliament cannot overrule a Scottish Parliament without division? Presumably this Parliament could not abolish a Scottish Parliament without division, so what is his conclusion?

Sir Teddy Taylor: My conclusion is that the structure of the devolved Parliament is such that, as the hon. Gentleman is well aware, it will lead to bitter division between Westminster and Edinburgh and will lead to the kind of fracas that will destroy our nation. The evidence is clear. The hon. Gentleman knows that, when devolution gets going, his party will have a great future. It may be good for Scotland; it may not. People should wake up to what will happen.

Mr. Hayes: Is not my hon. Friend drawing attention to what has been described as the balkanisation of Britain? It was described as such by John Strachey, who was the Member of Parliament for Dundee, West, I think. Perhaps that suggests that the west of Dundee has a greater propensity for intellectualism than the east.

Sir Teddy Taylor: John Strachey was in charge of food rationing and ran an admirable system whereby he saved public expenditure by making the food coupons so small that people who did not have glasses could not read them. That certainly saved expenditure, which was important.

If we are to proceed with the Bill, we must sort out the problem in a sensible way. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) and I have put forward a suggestion. If hon. Members do not like our idea, what do they suggest? In the old days—I am one of the oldest Members here—people used to face up to problems. A great chap called Gladstone was a wonderful Prime Minister and a Liberal Democrat. He introduced a Bill about Ireland in 1893. He wrote clearly and precisely in the Bill that the answer to his devolution proposal was to have no Irish Members in this Parliament. That caused a great deal of distress and concern in Ireland, but at least he faced up to the issue and said, "This is my idea."

Another great chap was Harold Wilson from the Labour party—in fact, he is one of my favourite Prime Ministers. He was not terribly popular with some, but I thought that he was a gem. He faced up to the situation. Unlike many in the Labour party, Harold Wilson was a gentleman. He said that the devolution problem could be solved if people "considered their position." Basically, he told the Members of Parliament from Northern Ireland that, if they were to get devolution—which he thought was a good idea at the time—they must consider their position when issues are raised in this place that related not to Northern Ireland, but to England, Scotland or Wales.

[Sir Teddy Taylor]

Harold Wilson suggested tackling the problem through honour. He wanted all Northern Ireland Members to say, "This is not our business, so we will go home and study other matters or serve on a Committee and see if we can improve the situation in Northern Ireland." If everyone had been as honourable as Harold Wilson, there would have been no problem. Sadly, things do not work out like that. We simply cannot solve constitutional problems by appealing to people's honour—particularly in a narrow situation such as this.

So what can we do? My hon. Friend the Member for Aldridge–Brownhills and I have made a suggestion in proposed new clause 6.

Mr. Dalyell: As the hon. Gentleman can imagine, I had several meetings in the middle 1970s with Harold Wilson about the devolution question. The difficulty—as he would eloquently put it—was that the Irish never failed to ask for certain favours in return, especially when it came to the nationalisation of steel and problems with the late Woodrow Wyatt and the late Desmond Donnelly. There is a price to pay for playing that game.

Sir Teddy Taylor: The hon. Gentleman is absolutely right. He points out the logic of the situation: if we rely on people being gentlemanly, we sometimes find that the so-called gentlemen will exact their price. There was no steel in Northern Ireland, so the Irish Members of Parliament said, "If we are to act like gentlemen, we want something for it; if the Government have a narrow majority, we want something in return." That is the trouble with running things on the basis of all being gentlemen together. There will always be rascals: someone will say, "I'll be a gentleman if you pay my price"—which might be a trip to South America, a place on the Front Bench or dinner with one of the party Whips. There are many prices, and we cannot pay them all. That would prove very expensive indeed.

So what shall we do if we are not going to try to solve our problems by having dinner with the Chief Whip? The answer is simply that we must do something. My hon. Friend the Member for Aldridge–Brownhills and I have made a simple suggestion. New clause 6 says that, from the beginning of the new Scottish Parliament:

"no member of the House of Commons representing a constituency in Scotland"—

whether it has multi-storey flats, bungalows or anything else—

"shall be entitled to vote in that House on any matter . . . relating solely to another part . . . of the United Kingdom."

That is a sensible suggestion.

Sir Robert Smith: While I appreciate that the principle behind the proposed new clause is sensible, does the hon. Gentleman realise that, for the first year, the Scottish Parliament will meet as a shadow Parliament with no responsibility for Scottish affairs, so the consequence of his new clause would be to allow English Members to have a say in Scottish affairs for one year while denying members of the Scottish Parliament any say in English affairs? Perhaps the hon. Gentleman might think about withdrawing his proposed new clause, which is flawed, while recognising that the Government may accept the principle behind it.

Sir Teddy Taylor: That is a very sensible and helpful suggestion. If, like the Liberal Democrats, the Government can respond positively, I shall be happy to withdraw the new clause. If the Government say that my hon. Friend the Member for Aldridge–Brownhills and I have not got it exactly right, but that they accept the principle behind new clause 6 and promise to introduce an even more sensible measure that takes account of the problem, I shall happily withdraw it.

Mr. Davidson: Would the hon. Gentleman intend to apply the same principle to the Natonal Assembly for Wales, to London because of the London authority and to any northern assembly that might come about, or are we faced simply with an anti-Scottish measure?

Sir Teddy Taylor: In no sense is the amendment anti-Scottish. I am trying to protect the United Kingdom. I am trying to safeguard the people of Scotland and the people of England because I love them both equally. I can assure the hon. Gentleman that there is no question of my being anti-Scottish.

I say to the hon. Gentleman honestly and seriously that if he thinks that we can have a similar answer for the regions, he is living in cloud cuckoo land. I know that he is a busy person who takes an interest in many things—perhaps helping the hon. Member for Dundee, East to stop war in the Gulf—but he should think about the English regions. No one wants them, apart from people in the north-east of England, who seem to think that a regional system will help them to receive the same Euro-subsidies as they get in Scotland.

Mr. Davidson: The hon. Gentleman says that no one, apart from people in the north of England, wants regional assemblies. Has he taken London into account? I am not clear whether his answer is a yes or a no. Would he extend the principle to other areas that might have a form of devolved structure?

Sir Teddy Taylor: If people do not want regional government, cannot afford it and see no benefit in it, given the limited amount of certainty that is left we shall not find the answer by following that course. No one is suggesting that regional authorities should have the same powers as the Scottish Parliament. Those who follow these matters carefully will understand that these proposals are being shoved on us because of pressure from the European Union, which wants regions established throughout Europe and the abolition of democratic national Parliaments.

We must face the problem. If my suggestion is unacceptable, what should we do instead? We cannot look forward to the future with an Assembly that will do huge damage to the present Government and to Scotland, but if we are to have such an Assembly, let us not turn it into a constitutional nightmare. Unfortunately, we shall face such a nightmare if something is not done along the lines that I have suggested.

I appeal to the House of Commons to realise that something must be done. My hon. Friend the Member for Aldridge–Brownhills and I have openly, fairly and clearly

made a suggestion. If we are wrong, what suggestion should take its place? If nothing is done the foreseeable nightmare will become even worse.

Mr. Dalyell: I shall reply in some detail and seriousness to the hon. Member for Rochford and Southend, East (Sir T. Taylor). He said at the beginning of his speech that we are confronted with a problem that faced a man called Gladstone. That certainly was the case. Morley's biography of Gladstone describes in detail the problem that Morley called the problem of the ins and outs. Joseph Chamberlain followed, with similar results. The proposed answer was unworkable for a simple reason—there is such a thing as the Treasury.

It is all very well having dispensations and people acting honourably and saying, "All right, we won't vote on certain matters." If there is a Government with a large majority, that may be possible, but if there is a Government with anything like the majorities of the 1970s and the mid-1960s, that response is impossible because it becomes impossible to run any sort of economic policy.

So it was in Ireland. The hon. Member for Rochford and Southend, East knows his history. What about Carson? Carson said that it would be impossible in terms of Dublin government—this was in 1912—because the ins and outs would not work. One listens seriously to the hon. Gentleman, but if his proposal had been a possibility and if it had been workable, those clever men John Smith and Bruce Millan, and those equally clever men Sir John Garlick and Sir Michael Quinlan, would surely have alighted on it in the mid-1970s, but they turned it down as unworkable.

I shall not insult the hon. Gentleman by saying that it is an old chestnut—*[Interruption.]* It is not often that a Whip comes to sit beside me. I have to say that I am wearing the wrong glasses. I cannot read what the Whip was indicating.

I am in the position of the night watchman. The truth is that the enterprise on which we are embarked remains one of peculiar and, perhaps, unique difficulty. It is hard to find any significant example of an established semi-federal state—one in which a substantial proportion of the population are governed—

It being Eleven o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—[*Mr. Clelland.*]

Committee report progress; to sit again tomorrow.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

COURT OF AUDITORS REPORT FOR 1996

That this House takes note of Official Journal No. C348 of 18th November 1997, the Annual Report and Statements of Assurance of the European Court of Auditors concerning the financial year 1996, on activities financed from the general budget and of the sixth and seventh European Development Funds, together with the Institutions' replies; and of European Commission Document No. SEM 2000/3(97) Doc. 5, the SEM 2000 Stage III Second Report on the Implementation of the Recommendations of the Personal Representatives Group on Sound Financial Management; endorses the Government's determination to ensure that taxpayers' money is spent efficiently and effectively in the EC budget; and welcomes the priority which the current British Presidency of the EU is giving to this subject.—*[Mr. Clelland.]*

Question agreed to.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE

That the Special Grant Report (No. 28): Persons from Abroad Children's Grant (HC 478), which was laid before this House on 26th January, be approved.

That the Special Grant Report (No. 29): Unaccompanied Asylum-Seeking Children (HC 479), which was laid before this House on 26th January, be approved.

That the Special Grant Report (No. 30): Asylum Seekers' Accommodation (HC 480), which was laid before this House on 26th January, be approved.

LOCAL GOVERNMENT FINANCE (SCOTLAND)

That the Special Grant Report for Unaccompanied Asylum-Seeking Children and Children of Asylum Seekers (No. 98/4) (HC 491), which was laid before this House on 26th January, be approved.

That the Special Grant Report for Adult Asylum Seekers' Assistance (No. 98/3) (HC 490), which was laid before this House on 26th January, be approved.

LOCAL GOVERNMENT FINANCE (WALES)

That the Special Grant Report (Wales) (HC 457), which was laid before this House on 26th January, be approved.—*[Mr. Clelland.]*

Question agreed to.

SELECT COMMITTEE ON MODERNISATION OF THE HOUSE OF COMMONS

Ordered,

That Mr. Joe Ashton be discharged from the Select Committee on Modernisation of the House of Commons and Mr. Stephen Twigg be added to the Committee.—*[Mr. Clelland.]*

DEREGULATION COMMITTEE

Ordered,

That Mr. Oliver Letwin be added to the Deregulation Committee.—*[Mr. Clelland.]*

Multilateral Agreement on Investment

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

11.1 pm

Dr. Nick Palmer (Broxtowe): I should declare a general interest: I act as consultant for my former employer, Novartis, a multinational company. However, I do not know its view on the multilateral agreement on investment, if it has one. It is perhaps also relevant to mention that I am a member of the World Development Movement, which has taken a critical view of the MAI.

I requested this Adjournment debate in view of the rather striking discrepancies between the official view of the MAI, as expressed by the negotiating Governments, and the fears expressed by the World Development Movement and other non-governmental organisations. I have the draft agreement, which is available in the Library for any hon. Member who would like a copy, and it contains both positive and negative potential. I should like to identify the areas of concern and ask the Minister either to dispel them or, where she agrees that there is a potential problem, to tell us whether the Government will fight for improvements.

The basic principle of the multilateral agreement—that there should be a common basis for attracting investment—is not necessarily controversial. The present patchwork of conditions and special arrangements around the world is profoundly unhelpful to companies with foreign investments, for companies that invest around the world, and, therefore, is particularly unsatisfactory for Britain, with its numerous major international investors.

Conversely, most of us on the left feel that multinational companies increasingly escape from all forms of control. If the agreement were to balance rights and responsibilities, it could be profoundly helpful. In fact, it could be more helpful than many national policies, to which we devote much more attention. I note that the Conservative Benches are entirely empty.

The usual objection to constraints on multinational behaviour is that companies may take their business elsewhere. With a potentially global agreement, and with a balance of rights and responsibilities, we could be less constrained, as we would have to worry about losing business only to little green men from Mars. Furthermore, the requirement that domestic companies should not be given unfair preference, although previously controversial, has now become the norm in most sectors in the developed world.

However, there are a number of matters of concern that, if true, would be major obstacles to acceptance in Britain and in most other countries. First, is it true that local authorities and national Governments will be prohibited not only from discrimination against foreign firms, but from certain types of ethical restriction, even if that ethical restriction is also applied to domestic firms? Could they refuse to give a contract to a firm believed to have used slave labour elsewhere, or to have treated unacceptably the work force, the environment or animals?

The disputed paragraph 4 in the draft treaty would explicitly allow such a restriction, at least for local behaviour: that is to say, behaviour within Britain. Will the Government fight for the retention of the wording of that passage, as it is clear that a number of delegations still oppose it?

Secondly, is it true that if developing countries later sign up, they will not be allowed to claim exemptions? If it would be by negotiation, will the Government commit themselves to ensuring that developing countries get a fair deal in those negotiations and are not forced to expose their fledgling industries to instant, massive competition? It is not 20 or 30 years since we in Britain felt the need to protect our industries by special legislation, and we should not expect less from developing countries.

Thirdly, given that multinationals receive considerable benefits from such a level playing field, would it not be reasonable to impose certain responsibilities? In particular, will the Government insist on the retention of the strict formulation of the section "Not Lowering Standards", including a ban on countries waiving labour and environmental laws to attract investment? Will there be any obligation to respect agreed international standards from other treaties, such as environmental treaties, and not just local treaties? If the Philippines wanted to attract investment to Manila, would it be able to say, "If you invest with us, you don't have to worry about that law. We'll waive it for you"? If the section that would rule out such behaviour retains its teeth, it will go a fair way towards making the treaty more balanced between rights and responsibilities.

Fourthly, France has said that it will not sign if the United States is given an exemption for the Helms-Burton law with its illegal boycott of Cuba. Given Britain's strong opposition to Helms-Burton, will we support the French stance? I see reports that President Clinton is seeking ways to soften the boycott. If we take him at his word, this agreement could give him useful ammunition. The boycott seems to be in clear contravention of the draft article on secondary investment boycotts, and if the multilateral agreement on investment will help us get rid of it, it would be an important point in its favour.

Fifthly, under that article would it still be possible to boycott countries that the United Nations agreed were violating international standards? That approach was effective against apartheid, and is currently being applied to Iraq. If South Africa still had apartheid, would it be illegal under the MAI for a local authority or government to campaign against the importing of South African wine?

The draft article on secondary investment boycotts prevents authorities in Britain from taking any account of how companies behave outside Britain, as long as the behaviour is locally legal and is not in conflict with international law. If that is so, the position needs to be modified to allow objections to companies that are violating not just international law, but United Nations resolutions. Otherwise, we should be in the absurd position of being suddenly forbidden to enforce the sanctions on Iraq in so far as they affected movements of capital. I cannot imagine that that would be the intention of most of the likely signatories.

Sixthly, is it true that trading pollution quotas for environmentally friendly technology, as envisaged at Kyoto, would be an illegal anti-competitive subsidy?

Seventhly, I understand that the United States is resisting the draft clause allowing increasing European Union integration, while insisting that US state Governments be allowed to maintain discriminatory practices indefinitely without any commitment to ever rolling them back. What is the Government's position on that?

Finally, it has been suggested that a partial agreement may be signed in April covering only some of the issues. Will the Government insist that that should not implement the free-trade aspects, while postponing the labour and environmental safeguards to a nebulous future?

Mr. David Heath (Somerton and Frome): I am following the hon. Gentleman's argument closely, and agree with much of what he is saying.

The environmental study by the Organisation for Economic Co-operation and Development, commissioned at the behest of the British Government, was not discussed at the January OECD meeting. The Secretary of State for International Development has commissioned a study of the impact on developing countries, but we are told that it will not be presented until 23 March. Given those facts, does the hon. Gentleman agree that there is some logic in the Government's withholding signature in April, and delaying it until we have secured an agreement that satisfies us that all the impacts on the developing world and the environment can be properly addressed?

Dr. Palmer: I am grateful for that interesting intervention, but I think it is more a question for my hon. Friend the Minister, so I shall not attempt to deal with it.

I am aware that other hon. Members want to speak briefly before the Minister's reply, so I shall conclude my speech. If my hon. Friend can cast light on the issues that I have raised, she will have done a real service to a great many concerned individuals and groups and reinforced our commitment as a Government to an ethical foreign policy. This agreement has real potential. I hope that we shall make the most of it, and will not allow ourselves to be trapped into making an agreement that does not give the benefits for which we all hope.

Mr. Jeremy Corbyn (Islington, North) *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. It is normal in Adjournment debates for Members who wish to speak to have obtained the permission of both the hon. Member who has secured the debate and the Minister. Do I take it that that applies in this case?

The Minister for Small Firms, Trade and Industry (Mrs. Barbara Roche): Yes.

11.12 pm

Mr. Jeremy Corbyn (Islington, North): I shall be brief.

The House is indebted to my hon. Friend the Member for Broxtowe (Dr. Palmer) for securing the debate, and for putting his case.

When the Minister replies, I should be grateful if she would acknowledge some serious concerns about the MAI. First, the agreement promotes the unfettered power of multinational corporations—many of which are larger than national Governments, can move capital around the world at whim and yet can deny the movement of labour around the world at whim. That should be contrasted with the attempts of the International Labour Organisation to impose minimum standards around the world, with the welcome steps taken at Rio a few years ago in setting a worldwide environmental agenda, and with what was achieved at the Kyoto conference on climate change.

The MAI will increase world trade and the amount of transport of goods world wide, and I believe it will be very damaging to economies in the poorest developing countries in the world.

It appears to many people—not just those lobbying on behalf of aid agencies and others—that all the aces are being stacked in favour of the OECD members that are busy negotiating all kinds of get-out clauses and protections for themselves, while the world's poorest countries have no alternative but to sign the agreement, knowing that they will have no control over what multinational capital does in their countries about land ownership, import substitution or anything else that those countries may wish to impose in order to protect themselves and encourage development of the living standards of their people.

We are debating serious matters. The Minister should say that Britain will not sign the agreement until we are sure that it is environmentally sustainable and will not destroy the ability of poor countries to develop themselves rather than hand their economic development to international capital.

11.14 pm

Ms Joan Walley (Stoke-on-Trent, North): I congratulate my hon. Friend the Member for Broxtowe (Dr. Palmer) on securing the debate, for which many hon. Members are present. Perhaps the Minister will say whether we can have more time to apply the full parliamentary scrutiny that the subject of the debate requires. We would all appreciate that. Perhaps through our Select Committee procedure we could find an opportunity to investigate the matter in even greater detail. Hon. Members in all parts of the House are anxious to ensure that agreements are environmentally sustainable, and I emphasise that in this important debate.

11.15 pm

The Minister for Small Firms, Trade and Industry (Mrs. Barbara Roche): I apologise to the House and to my hon. Friend the Member for Broxtowe (Dr. Palmer) for my late arrival. I missed his opening comments and my excuse is the vagaries of the House in Committee.

I thank my hon. Friend for raising the topic of the multilateral agreement on investment. He has done the House a great service, and the debate gives me an opportunity to bring hon. Members up to date on the agreement since our previous debate on the matter on 23 July last year. In that debate, I outlined the background and, I hope, corrected some of the misunderstandings about the MAI, which is currently being negotiated within the Organisation for Economic Co-operation and Development.

In the Government's view, the flow of investment across national borders is an integral and usually a welcome part of global economic reality. Britain has a particularly large stake in that in both directions, and it is difficult to imagine what the British economy would be like without the contributions of European, American and Asian companies. My hon. Friend spoke about that. We are second only to the United States in outward direct investment to developed and developing countries throughout the globe.

The United Kingdom has a strong interest in creating a framework in which foreign investment can prosper and make its full contribution to the global economy.

[Mrs. Barbara Roche]

Above all, we must bear it in mind that the MAI is about non-discrimination. The idea is that foreign investors should be treated no less well than domestic investors or each other. Another key feature that is planned for it is a binding dispute settlement system that will cover state-to-state and investor-to-state disputes. The Government support those basic principles, although there are some important issues in the agreement on which we are not yet fully satisfied. I shall return to those.

If an agreement can be reached that increases the confidence and security of foreign investors, and if the detailed terms are right and our specific concerns are properly addressed, we shall want to sign it. However, I make no bones about the fact that there is some way to go. It might be useful to explain the state of the negotiations, to clarify some confused recent press coverage. In late May last year, which was the original deadline for completing the negotiations, OECD Ministers unanimously decided to extend the time limit to the next OECD ministerial meeting on 27 and 28 April this year. However, at a high-level meeting last week to prepare for the April event, the United States stated that it would not be ready to reach an agreement by April. All OECD countries accepted that they should intensify their efforts to resolve outstanding issues, with a view to making as much progress as possible by April, and that, in the light of that progress, it was for OECD Ministers at the April meeting to decide what to do next.

At this stage, the most important outstanding issues for the UK are the treatment of environmental and other regulatory issues, labour standards and the listing of "exceptions", by which countries may reserve the right not to accept MAI obligations in full in particular sectors or in relation to categories of governmental activity. On environmental and labour matters, there has been a distinct change of policy by the UK. This Government have been taking the lead in ensuring that the MAI will not undermine regulation in those sectors, as some people claimed it might. It is essential that we avoid that, and I am confident that we shall, as all participants in the negotiations recognise the need to do so.

In addition, we have pressed hard for unambiguous reaffirmation in the MAI of commitments to sustainable development and core labour standards; for close association with the MAI of OECD guidelines for multinational enterprises, which are collective recommendations by OECD Governments to multinationals on good corporate behaviour; and for a strong and binding provision on not waiving environmental or labour standards to attract particular investments. That is one of the important questions that my hon. Friend has put to me. The majority now share our strong line on those points, although some remain to be persuaded.

It was this UK Government who proposed a review of the MAI and environmental policy. The first part, an overview of the literature on foreign direct investment and the environment, is on the internet. The second part, on the relationship between the MAI and multilateral environmental agreements, is under discussion and should be available shortly.

In short, the Government are absolutely determined to ensure that there is no risk that the MAI will undermine environmental protection and labour standards.

Dr. Lynne Jones (Birmingham, Selly Oak): Will my hon. Friend give way?

Mrs. Roche: May I finish this point?

We have said it many times before and I say it again: if there were such a risk, we would not sign the agreement.

Dr. Jones: The Minister has answered my question. I was going to seek the assurances that she has just given.

Mrs. Roche: I am grateful to my hon. Friend.

The Government believe that, far from being a threat to environmental and other standards, the MAI provides a useful opportunity to encourage all participants to raise their standards, but we do not believe that it would be either right or practicable to make the MAI an instrument by which to impose particular labour or environmental standards on other countries. There would be a danger of deterring potential members from joining, without achieving any improvement in standards. The Government are working hard in the appropriate forums to raise international labour and environmental standards.

I hope that I can allay other anxieties that have been expressed. The idea that an investor should be allowed to challenge the state has been received with horror in some quarters. It has been suggested that that is a threat even to democracy, but private interests can and do mount legal challenges to state decisions in the UK and in other democracies, and binding international arbitration for investor-to-state disputes has existed for many years in the UK's numerous bilateral investment treaties. What is new in the MAI is binding international arbitration for investor-to-state disputes, over a wider range of issues than in existing bilateral treaties.

My hon. Friend the Member for Broxtowe mentioned local government. The agreement will apply to all levels of government, including local government, but it will not obstruct local government or interfere with programmes that are aimed at increasing employment opportunities for local people. We would not expect nationality of ownership to be a factor in local government decisions, but we have consulted local authorities. They have not identified any problems or any need for exceptions. If any do come to light, we shall, of course, consider them.

Ms Julia Drown (South Swindon): I understand that the USA has sought exemption for its states and local government. If so, surely that should ring warning bells for us to protect our national and local government.

Mrs. Roche: As part of the negotiations, countries will try to get exemptions. I am stating the position, as we understand it, from the UK's viewpoint and giving an assurance that we have consulted local government. If it raises objections, we shall certainly consider them.

My hon. Friend the Member for Broxtowe asked about developing countries. The agreement will not be forced on reluctant developing countries. Many have attended seminars in Latin America, Asia and Africa to learn more about the MAI. For many of the more advanced

developing countries, the MAI is an attractive opportunity. Argentina, Brazil, Chile, Hong Kong, China and Slovakia are already observers at the negotiations and are keen to join at the earliest possible stage. Others are queueing up for the same treatment. The reason is, of course, that inward investment is a key element in their development plans. Naturally, we recognise that many of the least developed countries may have difficulty taking on the full range of obligations immediately. Negotiations are progressing on how to tackle that. It is important to do that.

Whatever the solution, the British Government will be determined to ensure that the agreement does not damage the interests of the poorest countries. If possible, it should offer opportunities to the developing world as a whole. As has already been mentioned, the Department for International Development has commissioned a review of any implications that the MAI may have for poorer developing countries. That will be made public upon completion.

Mr. Corbyn: Will my hon. Friend give way on that point?

Mrs. Roche: I should like to make progress. I would usually give way, but I am anxious—

Mr. Corbyn: Will my hon. Friend give way?

Mrs. Roche: Yes, but very briefly.

Mr. Corbyn: When will the report be ready?

Mrs. Roche: It will certainly be ready before April and will be available for consideration.

One persistent complaint in the press and in documents from the non-governmental organisations is that the MAI negotiations have been secret. That was mentioned by my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley). That is simply not the case, either in the UK or in the OECD. The start of the negotiations was announced, as were other milestones. Representatives of labour and business have been kept in close touch, as have trade unions and local government.

More recently, in response to legitimate NGO interest, many groups have had discussions with officials and with my noble Friend Lord Clinton-Davis. There have been various public events. In the OECD, there have been briefings after meetings of the negotiating group, consultations with non-member countries and consultations with NGOs. The current draft text is available on the internet. My hon. Friend the Member for Stoke–on–Trent, North raised a point about parliamentary scrutiny. All the appropriate parliamentary scrutiny processes will be adhered to.

The next major stage in the process will be the ministerial meeting in April, at which OECD Ministers collectively can review progress and the prospects for achieving a satisfactory agreement.

Ms Walley: Have the opportunities for detailed parliamentary scrutiny by Select Committees passed by? How can we have influence before a decision is made?

Mrs. Roche: The opportunity has not gone by. All the European scrutiny processes of Select Committees and Standing Committees will have to be undertaken.

My hon. Friend the Member for Broxtowe raised a number of other points. The United Kingdom strongly supports the European Union-wide position against Helms-Burton. He asked about sanctions. Any United Nations sanctions would prevail over MAI obligations. He also raised an important question about trading pollution quotas. That would not be prohibited.

We do not think that there is a possibility of even a partial agreement in April, but, even if there were, we would not postpone our aims on environmental and labour standards.

This has been a welcome opportunity to hear hon. Members' views. It is important that we consult widely during our presidency of the European Union and beyond. We shall ensure that the consultation process is as wide as possible.

I hope that I have explained the Government's position in the short time available. Our stance is balanced. The MAI is potentially a useful agreement, but we must get it right. We shall keep the House informed.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes to Twelve midnight.

House of Commons

Tuesday 24 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

LLOYDS TSB BILL *[Lords]*

Order for Second Reading read.

To be read a Second time on Tuesday 3 March.

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Telemedicine

1. **Mrs. Butler:** What proposals he has to promote the benefits of telemedicine in the NHS. [29313]

The Secretary of State for Health (Mr. Frank Dobson): Telemedicine means harnessing the latest in information technology so as to benefit patients. X-rays and scans can be examined by specialists hundreds of miles away from the patient. Hospitals can send test results to general practitioners and GPs can send patient information to specialists. All this is to provide even higher quality treatment for patients. That is why we are developing telemedicine.

Madam Speaker: Is the Secretary of State taking Question 15 with Question 1?

Mr. Dobson: I understood, Madam Speaker, that Question 15 had been withdrawn.

Madam Speaker: No. The hon. Member for Burnley (Mr. Pike) is in his place. We can take the two questions together.

Mr. Dobson: In that case, with the permission of the House, I should like to take Question 15 with Question 1.

Madam Speaker: My pleasure.

Mr. Pike: To ask the Secretary of State for Health what proposals he has to promote the benefits of telemedicine in the NHS.

Mrs. Butler: Does my right hon. Friend agree that, for a truly modern and dependable health service, we should make better use of information technology? For instance, would it not be a good idea for general practitioners to have such technology at their fingertips so that patients could then and there be booked into hospital out-patient appointments? Will my right hon. Friend consider such a scheme?

Mr. Dobson: That is certainly something that we aim for. We think that a great deal of people's frustration with the health service is having to go to their general practitioners and then having to wait for an out-patient's appointment to be made. By using information technology, it should in future be possible for people to have an appointment made there and then at the GP's premises. If people then go to an out-patient department, an in-patient appointment could be made in the same way.

Mr. Pike: I can assure my right hon. Friend that I had no intention of withdrawing Question 15.

I welcome what my right hon. Friend has said. Will not information technology be crucial in the 21st century in giving us a modern and efficient national health service, to which the Government are committed, and that it will play an integral part in developing that process as we go forward?

Mr. Dobson: That is indeed the case. Information technology in the health service is unsatisfactory at present and needs substantially to be improved. I can say from experience within my constituency at the national hospital for neurology and neurosurgery that, if a patient has something wrong with his brain, the authorities flash the scan over to Paris where a professor, who is the world's expert, can examine the scan at the same time as the staff at Queen square, WC1. That is immensely to the benefit of patients, and we want that sort of idea to spread.

Mr. Ian Taylor: Excited as I am by information technology, I am sure that the Secretary of State will recognise that the key feature is not the technology but what it can do. Will the right hon. Gentleman continue to ensure that technology is used to the fullest extent to devolve the health service to small general practitioner practices in rural areas and, ultimately, even [illegible]e home, so that people may get a fairly instant reaction to injuries that they have sustained? The beauty of the internet, combined with the NHS network, is that we can obtain access to expert information rapidly. That can transform the rather bureaucratic and centre-driven aspects of the national health service.

Mr. Dobson: The hon. Gentleman has made a good series of points, which I take on board. We are to introduce NHS direct, and we are running pilot schemes from 1 April. We intend to have a scheme covering the entire country. People will be able to ring in to talk about their condition and receive advice from a nurse-organised help line. We believe that that will be effective and popular.

Mr. Ian Bruce: The right hon. Gentleman will know that the year 2000 problems that his Department is tackling will take up virtually the whole of his IT budget. He has set out in the White Paper details of NHS direct and the other schemes about which he has just told the House, which are all desirable and which the Opposition strongly support. However, will he look carefully at the

resources available for information technology within the NHS and talk urgently to the Treasury about additional funds, which will be necessary to do all the things that he wants to do and the whole House wants him to do?

Mr. Dobson: We hope that, over a period of time, the national health service will get all the resources that it needs to do its job properly, including resources for information technology. The present state of information technology in the NHS is deplorable and it will take a long time and a lot of money to put right.

Dental Services (Shropshire)

2. **Mr. Paterson:** If he will make a statement on dental services in Shropshire. [29314]

The Minister of State, Department of Health (Mr. Alan Milburn): Shropshire is an area where we have inherited local difficulties of access to national health service dentistry. Shropshire health authority has submitted eight proposals under the investing in dentistry scheme. One has already been approved at a cost of £45,000.

Mr. Paterson: NHS dentistry is not available to any new patients in Oswestry and, although the new schemes are welcome, they are many miles away. What action will the Minister take this afternoon for the 10,000 to 20,000 people who are estimated by the local heath authority to be on lists for NHS dentistry treatment?

Mr. Milburn: The one thing that I did not bring with me today was my cheque book. I assure the hon. Gentleman that all the proposals received from his area are being considered seriously. In some ways, he wins the award for bare-faced cheek, as it was his Government who ran down NHS dentistry in the first place, not just in Shropshire but throughout the country. This Government will build it up again.

Tobacco Advertising

3. **Ms Stuart:** If he will make a statement on progress towards implementing the EC directive on tobacco advertising. [29315]

The Minister for Public Health (Ms Tessa Jowell): A common position was agreed on 4 December at the Health Council and was formally adopted on 12 February at the Research Council. The text will now be considered by the European Parliament and the Government will continue to work hard to achieve final adoption of that important and long-awaited legislation.

Ms Stuart: Is it not the case that that historic agreement would not have been achieved without the British vote? Will my hon. Friend join me in congratulating Birmingham health authority on its public health policy of a smoke-free city, particularly its half a million annual expenditure programme targeting both young and adult smokers? Will she also congratulate Birmingham on achieving a 50 per cent. increase in the number of calls to the national quit smoking line this year alone?

Ms Jowell: I am happy to congratulate Birmingham on its efforts to reduce smoking. Birmingham sets a clear example and the Government will build on the experience of such cities in taking action across a range of areas to combat smoking. We shall publish our plans in a White Paper later this year. Birmingham is a smoke-free city; it is an extremely good model for combating the harm done by smoking in public places. However, it is clear that a ban on tobacco advertising must be central to all our efforts to protect children from the pernicious effects of tobacco manufacturers' efforts to recruit them to smoking and to get them to take up an addictive habit that will only do them harm.

Mrs. Lait: Is not the high cost of tobacco one of the most effective deterrents to smoking? What discussions has the Minister had with her fellow Ministers in the Health Council about raising the excise duty on tobacco in other European countries so that bootleggers and smugglers can no longer undercut our high taxation policy by selling cheap tobacco to youngsters?

Ms Jowell: I agree with the hon. Lady that maintaining the high cost of tobacco is an important part of combating consumption, particularly among children. My right hon. Friend the Chancellor is aware of that and has raised the matter with other European Finance Ministers. He has also taken a lead in setting up tough action to combat fraud and smuggling.

Mr. Stevenson: While my hon. Friend's statement about a ban on tobacco advertising in Europe is welcome, is it not a serious contradiction, given that the European Union spends some 1 billion European currency units on subsidising tobacco that cannot be sold elsewhere because it is of such a low quality? Will my hon. Friend make every effort in the European Council to end that serious situation? On the one hand, we are trying to reduce smoking but, on the other, taxpayers' money is subsidising tobacco production.

Ms Jowell: Yes, that is a contradiction. I shall raise the matter with other European Health Ministers, just as my right hon. Friend the Minister of Agriculture, Fisheries and Food has expressed the Government's concern in the Agriculture Council.

Mr. Ieuan Wyn Jones: Is the Minister aware of the considerable disparity between the revenue raised by the Chancellor through tobacco sales and the low priority given to resources for health promotion? The two figures do not bear comparison. As well as driving forward the agenda to secure an EEC directive, does she recognise the need to promote health among young people? They should not start smoking, but, if they have, they should be encouraged to stop.

Ms Jowell: My right hon. Friend the Chancellor shares with my right hon. Friend the Secretary of State and Ministers across Government a determination to reduce both the rate at which children take up smoking and tobacco consumption. Smoking costs the national health service £1.4 billion every year. We are determined to reduce that figure by cutting consumption. I remind the House of the previous Government's legacy to the children of this country: in 1992, one in four 15-year-old girls smoked; in 1997, the figure was one in three.

Young Women

4. **Mr. Sheerman:** What steps he is taking to promote healthy styles of living among young women. [29316]

Ms Jowell: The Government's Green Paper "Our Healthier Nation" sets out a strategy for promoting healthy life styles among the whole population, including young women. We are working with the Health Education Authority and the media on initiatives to address issues that are relevant to young women, including smoking rates, alcohol consumption, sexual health and teenage pregnancy.

Mr. Sheerman: My hon. Friend will know that, although I welcome what she has said, after 10 months under a Labour Government, many Labour Members are a little impatient for a formidable national advertising campaign to tackle the health of young women. Will she commission the best advertising agencies in this country, which are some of the best in the world, and spend real money on an advertising campaign aimed at young women? There is an epidemic of smoking among young women, and they will later get cancer, so the message should be driven home. We have banned advertising—I fully support that—but advertising money is being shifted into product placement in films and on television. Do we not need an active campaign, sooner rather than later?

Ms Jowell: I assure my hon. Friend that we shall take action on advertising to make young women aware of the risks of smoking. I shall shortly be meeting editors of teenage magazines to raise that and other issues with them.

Mrs. Virginia Bottomley: The hon. Lady will be aware that one in five women suffer from a mental illness, and that such illnesses cause one in four days off sick among women. I welcome the inclusion of mental health as a key area of the relaunched health strategy, and the proposal of a target similar to that in the previous health strategy. Does she agree, however, that the omission of any mention of mental health in the White Paper "The New NHS" is deplorable? Does she plan to review the Mental Health Act 1983, which would be a great help to young women and others?

Ms Jowell: I assure the right hon. Lady that we work as one Government and as one team of Health Ministers, and that mental health is indeed referred to in the White Paper. The White Paper and the Green Paper together represent the Government's strategy to improve health, to tackle inequality—that was a glaring gap in the last Government's action in relation to health—and to rebuild a modern and dependable national health service.

Partnership (NHS)

5. **Ms McCafferty:** What new statutory duties he intends to introduce in the NHS relating to partnership. [29317]

Mr. Dobson: The previous Government's policy set doctor competing against doctor and hospital competing against hospital. We believe that that was wasteful and bad for patients, and so do most of the 1 million people who work in the health service. It is better for patients when all parts of the health service work together instead of working against one another. That is why we intend to make partnership the statutory duty of every part of the national health service.

Ms McCafferty: In a modern and dependable health service, should not everyone work together and learn from each other? Is he aware that, in one hospital, nurses were warned against disclosing information relating to improvements in treatment, because it might jeopardise the hospital's competitive edge? Does that not sum up the gulf between the Government's new agenda for health and the tired old dogma of the Tories?

Mr. Dobson: I can confirm what my hon. Friend has said. When I had the privilege of presenting awards to nurses for nursing innovation, a number of the teams which won the awards told me that their local managements had instructed them not to disclose innovations because that might undermine the competitive edge of their hospital, as against the one down the road. When I informed the former president of the Royal College of Surgeons, he said that people performing cardiac surgery had been given the same message by some stupid managements.

Mr. Simon Hughes: What partnership deal will the Secretary of State offer the additional 54,700 people who joined the waiting lists in the last quarter, and the 1.25 million who are now on waiting lists for NHS treatment? Given that the Government started with a patients charter that still is not honoured—not everyone is receiving treatment within 18 months—and given that the early pledge to reduce waiting lists by 100,000 has turned into an early policy to increase them by 100,000, is not the only way forward to impose a statutory duty on the Secretary of State to reduce waiting lists? That might allow him to go to the Chancellor of the Exchequer to get the money to bring down waiting lists—not just to reduce them by 100,000, which is almost nothing, but to make a radical reduction in the number of people out there who are waiting for treatment in the NHS.

Mr. Dobson: As I have made clear in the House many times since we took office, I told people working in the national health service that their first priority for this winter was to work together to use the extra money that we were finding to cope with the winter pressures. If that had consequences for waiting lists, I should take responsibility for giving the guidance. I do take that responsibility; equally, I am sure that we shall discharge our promise to reduce hospital waiting lists, before the next general election, to a level lower than those that we inherited.

When it comes to money, this year and next year we are spending far more than the Liberals said was needed at the last general election.

Ms Hewitt: May I draw my right hon. Friend's attention to the excellent bid for health action zone status submitted by the city of Leicester? Will he take this opportunity to congratulate the partnership that has been established by Leicestershire health authority, Leicester city council, community groups and, more recently, private business—not only on the quality of their bid,

but on the progress that they have already made towards improving primary health care in very disadvantaged communities?

Mr. Dobson: As my hon. Friend will know, we have received a good many bids for action zone status, and we shall be able to organise only about 10 or a dozen pilot schemes, so I cannot give any promises at the Dispatch Box. I believe that the Minister of State, my hon. Friend the Member for Darlington (Mr. Milburn), is meeting Leicestershire Members later today to discuss various matters. I certainly congratulate people working in the health service in Leicester, both in the hospital sector and in the primary community and mental health services, on the massive contribution that they have been making and on the way in which they have been working together. That should be an example to everyone.

Mr. Nicholls: Does the Secretary of State not realise that the existing successful partnerships on which the White Paper sought to build—fundholding practices—are successful precisely because they are voluntary? Is that not why the British Medical Association poll of general practitioners showed that less than one third believed that the changes that are outlined in the White Paper would improve the delivery of primary care, while more than half said that they would not be willing to take part in a local primary care group? Unless the right hon. Gentleman believes that shotgun marriages are the way to wedded bliss, what possible sense is there in dragooning MPs into partnerships that they have not been prepared to form voluntarily?

Mr. Dobson: I suspect that the hon. Gentleman is talking about GPs rather than MPs. Frankly, I am not sure that the lot opposite would qualify even as dragoons, but we have made our position clear. We have consulted the various professions and our proposals broadly command their support. Before we implement the changes, we are consulting further on the detail, but it is entirely indicative that the Tory Front-Bench team are harking back to yesteryear. The divisions that they deliberately introduced between fundholding GPs, other GPs and hospital doctors are the way of the past; we propose a way for the future.

Mr. Blizzard: Are not community health councils important partners in the NHS? Will my right hon. Friend confirm that they will continue to have a key role in the health service, as mapped out in the White Paper? Is not the great strength of CHCs their ability to relate to the communities that they serve; they do not have to serve vast geographical areas? Will he confirm that that will continue? Does he expect primary care commissioning groups to work closely with CHCs?

Mr. Dobson: I expect everybody to work closely with community health councils. On size, it varies from place to place. For example, Leeds, which will have the biggest health trust in the country when it is amalgamated, is covered by just one CHC. For some strange reason, the Leeds-wide community health council did not want the two trusts to merge so that it had a Leeds-wide trust. I am not quite sure whether I follow its logic, but we value CHCs' work. As some sign of that, I believe that my visit to their annual conference last year was the first for more than a decade by a Secretary of State for Health.

Public Accountability (NHS)

7. **Mr. Hinchliffe:** What steps he is taking to improve public accountability in the NHS. [29321]

Mr. Dobson: As part of our efforts to improve accountability in the NHS, I have required all health boards to meet in public, I have opened up the appointments process, I am placing a duty to co-operate on all parts of the NHS and I require every health authority to prepare a health-improvement programme for its area, in consultation with all interested local organisations.

Mr. Hinchliffe: Will my right hon. Friend take steps to end the practice whereby local health authorities blatantly mislead the public during consultation on closures or changes in the use of health facilities? Will he consider as an example what has happened in Wakefield? A few years ago, Manygates maternity hospital, where I and my children were born, was closed and the health authority gave a clear commitment to build purpose-built maternity provision at Pinderfields general hospital. Not only has that promise never been fulfilled, but there is now a proposal to remove maternity facilities completely from Wakefield. As a Yorkshireman, does he agree that it is inconceivable that people will no longer have the chance to be born in the capital of the West Riding of Yorkshire—my constituency of Wakefield?

Mr. Dobson: I am not sure that I should refer to anything being inconceivable in relation to maternity services, even in Yorkshire. Certainly, one problem facing the national health service when it is trying to re-establish its reputation with local people is that there have been examples of clear promises being made—that if people went along with one closure there would be an opening to compensate, or something of that sort—which were not delivered.

We are determined to ensure, first, that the process of consultation is not merely a period of time but a genuine consultation and, secondly, that, if local promises are made, local promises are kept. The Minister of State, my hon. Friend the Member for Darlington (Mr. Milburn), and I had to make very sure in some funding allocations that we had a hand in that certain promises were kept. If the funds had been allocated according to the propositions that came to us, the NHS would have been going back on promises, but we stopped that.

Mr. Maples: One measure of accountability is the publication of waiting lists. Why does the Secretary of State think those are rising?

Mr. Dobson: At the danger of sounding like the right hon. Member for South-West Surrey (Mrs. Bottomley), which I should hate to do—she has now left the Chamber having asked her question—in the last quarter for which figures were produced, the people working in the health service dealt with more emergency cases than ever before in the history of the NHS. They also dealt with more waiting list cases than in any previous third quarter of the financial year. The only trouble is that the number of people joining the list grew faster than the number being treated. We shall have to see to that, not by reducing the number joining it but by treating more.

Mr. Maples: Is not the true reason why waiting lists are rising that real increases in spending under this

Government of 1.2 per cent this year and 1.5 per cent. for next are running at half the level of the past 18 years? Until the right hon. Gentleman can increase funding levels to what they were for the past 18 years, waiting lists will continue to rise. Far from redeeming his promise to reduce waiting lists by 100,000, he will watch them continue to rise at that rate for the foreseeable future.

Mr. Dobson: I remind the hon. Gentleman that, when the Thatcher Government came to power, about 750,000 people were on the waiting lists. The figure did not go over a million until that Government stupidly introduced the internal market, which contributed to lengthening waiting lists. The money we are spending this year includes £300 million more than the previous Conservative Government had budgeted for this year. That £300 million has been spent to ensure that emergency and urgent cases are properly dealt with. Next year, we intend to spend £1.9 billion, which is £1.2 billion more than the previous Government put in their Budget. If he is not satisfied with spending levels, he should talk to the right hon. and learned Member for Rushcliffe (Mr. Clarke), who was responsible for deciding those things.

Health and Social Services

8. **Mr. Drew:** What proposals he has to improve working arrangements between health and social services before the report of the royal commission. [29322]

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): A range of measures have been put in place, including the introduction of health action zones, joint health authority and local authority investment plans and a requirement for better joint arrangements for multi-disciplinary assessments. Partnership and collaboration were also key themes in "The New NHS" White Paper and the "Our Healthier Nation" Green Paper.

Mr. Drew: I thank my hon. Friend for that answer. The Secretary of State has talked on a number of occasions of the Berlin walls between social services departments and health bodies. We have a particular problem in Gloucestershire because of a rise in the amount of bed blocking. Will my hon. Friend consider having pilot projects in advance of the royal commission to find out whether we can get a better working arrangements between social services departments and health bodies and to scrutinise how the money is being expended?

Mr. Boateng: We are certainly sympathetic to pilot projects and will develop in several ways our initiative to improve working relationships between health authorities and local authorities. We started that work this winter and my hon. Friend's constituency—which has received £200,000 of extra money—is an example of how that work is being cemented. We know that health authorities and local authorities work better together. They want to work together better; we are giving them the means to do so.

Mr. Gill: Does the Minister accept that the problem of bed blocking was entirely predictable and, therefore, that the most recent round of local authority funding should have reflected the problem? Will he specifically examine the current problems in Shropshire?

Mr. Boateng: The hon. Gentleman really is hoist by his own petard: Conservative Members are responsible for Shropshire's current budget. We are open to representations from any Shropshire Member—indeed, I will soon meet a Shropshire Member and a chief executive. We want—as we have done in our response to winter pressures—to underpin the relationship between local authorities and health authorities. That is a matter not only of resources but of cementing the will to work together and of providing—as we will do—the legal framework to enable them better to do so.

Mr. Dawson: Does my hon. Friend share my concern that, of 38 questions on today's Order Paper, this is the only one that even obliquely refers to the work of the social work profession? Does he agree that, despite the Health Committee's recent excellent scrutiny of the subject of children in care, the crucial work of social services requires more scrutiny? Will he consult other Ministers to determine whether there are other ways in which that work can be done?

Mr. Boateng: I hear what my hon. Friend says, but questions are a matter for the House and for hon. Members. I am heartened by the work of the all-party Committees, which have shown that hon. Members are very interested in social care and are determined—as Ministers are—not only to give it a higher profile but, importantly, to create the circumstances in which health care and social care work ever more closely together.

Medical Staff Recruitment

9. **Mr. Chidgey:** What plans he has to recruit more medical staff for the NHS. [29323]

Mr. Milburn: We are recruiting more medical staff. We have also introduced a range of initiatives to improve not only retention but recruitment. We are currently considering the medical work force standing advisory committee's recommendation to increase the annual intake to United Kingdom medical schools by 20 per cent.

Mr. Chidgey: Is the Minister aware that there is a shortage of 120 hospital doctors in the South and West health authority, which directly affects my constituents in Eastleigh? Is he aware that a recent parliamentary answer revealed a shortage of 1,600 hospital doctors, 8,000 nurses and 1,000 general practitioners across the NHS? Does he agree that that must have a direct impact on this winter's record cancellation of operations and on the fact that waiting lists for hospital places are climbing out of control? Is it not about time that the Government took the matter seriously and took some firm action to provide an NHS that is properly funded and properly resourced?

Mr. Milburn: That is precisely what we are doing: we are putting in extra money this year. Next year, we will put in an extra £50 million to aid education and training of future doctors. However, it is not only a question money. The best recruiting sergeant for attracting more doctors into the NHS will be to restore doctors' sense that,

rather than being sidelined, they are at the heart of the NHS. Our White Paper proposals will do precisely that, not only in primary care—where family doctors and community nurses will be in the driving seat in shaping the future of local health services—but in local health services, where we will explicitly bring hospital consultants in from the cold so that they will have an opportunity to help shape the local health service as they have been unable to do under the internal market.

Sir Peter Emery: In view of the general shortage of dentists, particularly in the south-west—about which, as the Minister will know, I have been in consultation with his Department—will he consider setting a capital allowance for dentists who wish to start a new dental clinic in areas where it is acknowledged that a clinic is required and allow that capital to be repaid over a 10-year period from the fees earned? The difficulty with starting a new clinic is often the capital cost. An allowance would surely be a way of easing the problem and would be preferable to introducing mobile dental clinics—which we have in my constituency and which must be nonsense in this modern age.

Mr. Milburn: Perhaps I can reassure the right hon. Gentleman that, in part, that is precisely what investing in dentistry does; it makes available to dentists and health authorities that want to work in collaboration grants for improvements to premises and, in some cases, for construction. The deal we offer dentists is that they can come back into the NHS and get a grant for doing so, provided they give a three or five-year commitment to continue in NHS dentistry. I assure the right hon. Gentleman that, of the 200 applications we have received under investing in dentistry, 73 have come from the South and West health authority area, and they will be considered seriously.

Private Finance Initiative

10. **Mr. Laxton:** What progress has been made in the PFI hospital building programme since 1 May. [29324]

Mr. Dobson: Before the general election, the tired old Tory Government spent more than £30 million on legal and other fees for the private finance initiative programme but did not make a start on one hospital. Since May last year, I have authorised progress on 17 new hospitals. Building work has already started at Dartford and Gravesham; Carlisle; Norfolk and Norwich; and the two hospitals in South Buckinghamshire.

Mr. Laxton: Does my right hon. Friend agree that the centrepiece of this Government's legislation is to start, through the private finance initiative, to build the hospitals that the previous Conservative Government only promised? Does he further agree that whereas, if I can use this phrase, the previous Government were all mouth and no trousers, he is mouth and trousers?

Mr. Dobson: I am not sure whether that is a compliment or an insult, but I shall assume that it is a compliment as it comes from our side of the House.

Besides the hospitals that I have just mentioned, where building work has already started, we expect work to start fairly soon in North Durham and Calderdale; within a foreseeable period at Hereford, Wellhouse, Greenwich, Worcester, South Manchester, South Tees, Bishop Auckland, Swindon and Marlborough and Bromley; and, following the outcome of the Turnberg review in London, at University College hospital in my constituency, at St. George's, the Royal London, King's and Oldchurch. That is not bad going considering we have not yet been in office for a year.

Sir Sydney Chapman: As the previous Government gave the go-ahead for the development of phase 1b at Barnet general hospital and the new Government have decided not to reopen the accident and emergency department at Edgware, and understanding that the new Government wanted time to review all the hospital building programmes, will the Secretary of State tell the House when construction work will start on phase 1b at Barnet general hospital?

Mr. Dobson: I cannot, but I will write to the hon. Gentleman with that information.

NHS Trusts

11. **Mr. Rammell:** What changes he intends to make to the current role of NHS trusts in shaping local health care. [29325]

Mr. Milburn: National health service trusts will be brought in from the cold and given back their place in the shaping of local health services. In place of competition, NHS trusts will work with the rest of the local health service to plan and deliver the best possible services.

Mr. Rammell: My hon. Friend will be aware that, under the old Tory NHS, trusts often slashed their costs on an unsustainable short-term basis to drive the so-called competition—other hospitals—out of business. Will he confirm that, under Labour's new NHS, that approach will not be acceptable and that co-operation rather than competition will be the way forward? Co-operation was one of the founding principles of the NHS, and that is what the Labour Government are bringing back to the NHS.

Mr. Milburn: My hon. Friend is absolutely right. We start from a simple premise: one cannot treat hospitals as if they were supermarkets. The old internal market that the Tories unleashed on the NHS set not only doctor against doctor but hospital against hospital. All that is being swept away; in its place there will be partnership and co-operation, which will truly benefit patients.

Mr. Flight: The new primary care commissioning groups will have a major role in shaping local health care in the future. The only area over which community health councils have no powers is general practice. Will the Minister consider imposing some obligation on primary care commissioning units to consult CHCs in the management of the provision of care?

Mr. Milburn: That is an extremely important question. We want the new primary care groups and trusts to be representative of, and properly to engage with, their local communities. That is why we determined that the boards of the groups and the trusts should include representatives

from the public they serve—that will be a helpful step forward. The hon. Gentleman is right; no part of the national health service can be exempt from public scrutiny or from the need to drive up standards and quality.

Mr. Sutcliffe: Will my hon. Friend consider the actions of hospital trusts? The Government are doing excellent work in opening up the partnerships, but will he examine the management costs that trusts are still incurring on administration and premises, as there has been no decrease, particularly in areas such as Bradford?

Mr. Milburn: The Government have instituted two important policy developments. The first is to cut the money spent on bureaucracy and to ensure that front-line patient services receive the savings from cutting red tape. As my hon. Friend will realise, the White Paper proposes that we shall save £1 billion as a result of moving away from the discredited and expensive internal market and reintroducing to the NHS a partnership approach. Secondly, we shall consider favourably any trust mergers that are proposed, provided that they are in the interests of patients and that they release at least £500,000 from bureaucracy to front-line patient care. That is what patients deserve and staff want.

Aricept

12. **Mr. Swayne:** If he will make a statement regarding the regional availability of Aricept in the NHS. [29326]

Mr. Milburn: Information about the prescribing of Aricept in the national health service is available only for prescriptions dispensed in the community in England; in many health authorities, these will have been issued in hospitals. Available data show that prescriptions have been dispensed in 99 of the 100 health authorities in England. However, I understand that many health authorities are reluctant to commit resources to the drug because of the perceived lack of evidence about its clinical and cost-effectiveness.

Mr. Swayne: Will the Minister say what a patient should do when the general practitioner advises him—or, more likely, one of his relatives—that the condition would benefit from the prescription of Aricept but that, under the local regime, that is not possible? Should the patient move house?

Mr. Milburn: The hon. Gentleman raises an extremely important issue, with which I think the whole House will sympathise. Alzheimer's disease is among the most distressing of medical conditions, not only for the sufferers, but perhaps particularly for the carers and close family. However, there is no instant, miracle cure and there is certainly no wonder drug either on the market or about to come on the market. Published data show that Aricept has a limited beneficial effect on the symptoms of the disease. It is important that hon. Members, from whatever party, do not raise unrealistic expectations about the ability of this or any other drug to deal with this severe, debilitating and ultimately fatal condition.

Dr. Harris: The hon. Member for New Forest, West (Mr. Swayne) raises a wider question—the availability of treatments apparently by postcode rather than by cost-effectiveness. The Liberal Democrats and the Minister disagree about funding, but will he at least accept that the people who make decisions on funding should take some democratic responsibility? Decisions to ration treatment because of cost are taken locally, but there is no local mechanism to vote people out if they are not prescribing certain drugs or treatments.

Mr. Milburn: The hon. Gentleman is right—there is a disagreement between my party and his on the funding of the national health service: his party wanted to put in less money. On rationing by postcode, it is important that we put the issue into perspective. For most patients in most places for most of the time, most services and treatments are available on the national health service. We should say that loudly and clearly, and we should celebrate it, because it is a success story for the NHS. However, we want to build on that and, as the hon. Gentleman is aware, our proposals in the White Paper for a national institute of clinical excellence and for national service frameworks are intent upon bearing down on unacceptable and unjustifiable variations in performance and availability of service. We want a genuinely national health service to be available to people.

Patient Care

13. **Ms Jenny Jones:** What steps he plans to take to improve the monitoring of outcomes and the quality of patient care after the abolition of the NHS internal market. [29327]

Mr. Milburn: "The New NHS" White Paper set out our new approach to assessing and monitoring performance, focusing on the quality, effectiveness and outcomes of care. It incorporates a range of indicators that encompass health outcomes of NHS care and effective health care delivery. We are currently consulting on the detail of this approach.

Ms Jones: Can my hon. Friend assure the House that, in the initiatives that he has announced, quality of care will now take precedence and we will get away from the old days when number crunching and making the tables look right was more important than quality? Can he also assure the House that quality of care will also take precedence in the NHS complaints procedure?

Mr. Milburn: I can certainly give my hon. Friend the latter assurance. Under this Government, standards are as important in health as they are in education. There have recently been recurring problems with standards and quality in the NHS, particularly the difficulties with hip joints and the dreadful problems affecting screening services in Kent and Canterbury Hospitals NHS trust. If we are genuine about wanting a one-class, first-class service, we should no longer be willing to tolerate what is, frankly, second best.

Mr. Boswell: While the Minister is considering outcomes, will he acknowledge that unless people can get off the waiting lists and into treatment there is no question of outcomes? Given the sensitivity of the issue, will he give the House an assurance that there is no question whatever of manipulating the figures by allowing patients off the waiting list either because they have died or

because it is unrealistic for them to be treated? In particular, will he consider introducing a robust measurement of overall unmet patient need in order to satisfy us that the NHS is genuinely tackling the problems?

Mr. Milburn: I have to say to the hon. Gentleman, for whom I have a great deal of respect on this and other issues, that if patients have died I do not see why they should remain on NHS waiting lists. As for manipulating the figures, I remind him that it was his party, not mine, that was most adept at manipulating figures—certainly the unemployment figures.

Mr. Flynn: Does my hon. Friend agree that the crisis affecting hip replacements was entirely predictable and inevitable and resulted from the market free-for-all that was extremely profitable for the 60 companies that produced new hip prostheses when two very reliable ones—the Stanmore and the Charnley—were already on the market? Will one of the Government's major reforms be to change the health service so that the emphasis is not on making money or on the quantity of the service, but on the quality of the service?

Mr. Milburn: My hon. Friend is absolutely right that in future the emphasis will be on quality, quality and quality. It is quality that counts, quality that patients experience, and when quality goes wrong it is the patients who suffer.

Primary Care

16. **Mr. Stinchcombe:** What action he is taking to promote the development of primary care. [29330]

Mr. Dobson: The White Paper "The New NHS" sets out our approach to modernising the national health service and providing integrated primary and community health care services. It will be done through the establishment of primary care groups and ultimately primary care trusts. The establishment of the primary care groups will build on other policies that we have already implemented, such as the National Health Service (Primary Care) Act 1997, personal medical services pilots, the salaried doctors scheme and other local pilots. We shall introduce schemes only when they have been tried and tested.

Mr. Stinchcombe: Is my right hon. Friend aware that his policies are warmly welcomed by the doctors and nurses in my constituency, but that they also seek reassurances? In particular, they want a package of incentives to reward them adequately for the extra work that they will be asked to undertake.

Mr. Dobson: There will be such incentives. Knowing the professionalism of the doctors, nurses and other staff involved, the greatest incentive will be that the policies will lead to a better health service, for which they have all been hoping and working for years.

Rev. Martin Smyth: The Secretary of State will have heard the concerns that have been expressed about social care. Is he happy with the links between health professionals and social care workers in dealing with the scourge of child abuse? Are there enough social workers to deal with the problem?

Mr. Dobson: The Utting committee reported to me before Christmas with proposals to deal with the abuse of children living away from home. The record is disgraceful. We intend to change the arrangements to ensure that the situation improves. It is staggering that, although the number of young people in care—as it is fondly called—represents only a small proportion of the population, 22 per cent. of the prison population was previously in care. That does not say a lot for the care.

Mr. Lansley: When the Secretary of State comes to designate primary care commissioning pilots, will he ensure variety—not just geographical variety, but a variety of approaches to primary care commissioning? Will he also ensure that larger fundholding practices that feel capable of being primary care commissioning groups are offered opportunities to bid for pilot schemes? When will the Secretary of State seek a debate in the House on the NHS White Paper?

Mr. Dobson: The hon. Gentleman makes a reasonable point. The idea of the pilot schemes is to test different approaches. There is no point in having 30 identical pilot schemes. We want a variety of approaches, some of which include the enthusiastic involvement of fundholding doctors. We shall see what works and what does not. I shall say now so that no one can accuse me of not saying it in advance that some of the pilot schemes will almost certainly prove not to be successful. That is why we are having pilot schemes—to find out what works and what does not.

Community Hospitals

17. **Mr. Prior:** What proposals he has for community hospitals. [29331]

Mr. Boateng: As we said in our White Paper, we see an important role for community hospitals providing intermediate care close to where people live. The new arrangements that we are introducing will make it easier for hospital and primary care to work together to achieve that aim.

Mr. Prior: Is the Minister aware that hundreds of thousands of people, particularly in rural areas, regard their local community hospital as the most important part of the national health service? Will he give as much support and encouragement as he can to local health authorities that are doing their best to maintain as many such hospitals as possible?

Mr. Boateng: We recognise the vital role that many community hospitals play as a local resource. We want the best balance between them, acute hospitals and other community facilities to ensure the delivery of emergency, elective and rehabilitative care. Those three objectives, and a range of ways of delivering them, are at the heart of the new NHS.

Mr. Edwards: Will my hon. Friend join me in welcoming the announcement that building of the new community hospital for Chepstow will finally begin later this year? It will be the first hospital built in Wales under the private finance initiative.

Mr. Boateng: I am delighted to do so. That is another gain for new Labour.

Mr. Fabricant: Will not the quality of care depend on the number of people who can be employed in hospitals? Given that only a limited amount of money is available—albeit the Government claim that there will be an extra £1 billion—what representations has the Minister made to the Low Pay Commission on the minimum amount of money an hour that staff in hospitals should be paid?

Mr. Boateng: The hon. Gentleman is notoriously Whiggish on this and other points. Let us be very clear. We put our faith in NHS staff. NHS staff will be paid a proper wage. NHS staff deserve the very best. This new Labour Government will give it to them.

Iraq

18. **Mr. Dalyell:** What recent representations he has made to the World Health Organisation in relation to Iraq. [29332]

Mr. Dobson: We have made no representations recently to the World Health Organisation about Iraq. We welcome and support the humanitarian work that the World Health Organisation is carrying out in Iraq. It is worth noting that, since 1991, the United Kingdom has contributed more than £94 million in humanitarian and medical aid through bilateral and multilateral sources to Iraq, especially northern Iraq, where Saddam Hussein deployed chemical weapons against his own people.

Mr. Dalyell: Is not now the time to help the children of Iraq, particularly in relation to waterborne diseases?

Mr. Dobson: The British Government have taken the lead in trying to double the amount of oil that the Iraqis can sell to raise money to provide medicine and medical treatment for their people. It is worth remembering that, although the first United Nations resolution went through in 1995, it was December 1996 before the present Government of Iraq were even willing to go ahead with that resolution, which was intended to make food, medical equipment and pharmaceuticals available to the people of Iraq. If anyone is to blame for those materials and that food not getting through, it is the Government of Iraq, not the Government of Britain or the World Health Organisation.

Iraq

3.31 pm

The Prime Minister (Mr. Tony Blair): With permission, Madam Speaker, I will make a statement on the recent crisis over weapons inspections in Iraq, and the agreement signed by the United Nations Secretary-General and the Deputy Prime Minister of Iraq in Baghdad yesterday. Since the text of the agreement is now in the public domain, I am arranging for copies to be placed in the Library of the House.

It is worth recalling again the origins of the crisis. One of the main conditions of the Gulf war ceasefire in 1991 was that Iraq's weapons of mass destruction should be destroyed or rendered harmless by inspectors working for the United Nations. That was embodied in Security Council resolution 687. Since then, the UN weapons inspectors have done a tremendous job in finding and destroying those weapons. The full details have been given to the House before, but they include horrific amounts of chemical and biological weapons. The inspectors achieved that despite systematic obstruction, deceit and concealment by Saddam Hussein, which caused repeated confrontation between the UN Security Council and Iraq.

There was a crisis in November about the composition of UNSCOM teams, which was resolved by Saddam Hussein agreeing to allow the inspectors back in, following a diplomatic agreement brokered by the Russians. Crucially, however, that was not written down or followed by a fresh Security Council resolution. He almost immediately went back on the agreement, plunging us into the most recent crisis about access to presidential compounds, some of them large and containing hundreds of buildings, and presidential palaces. This has not been an artificial argument about some theoretical threat, but a reflection of real alarm on the part of UN inspectors about the use of those sites to conceal both evidence and actual weapons. The Security Council cannot accept that any areas remain off limits.

Saddam began by saying that there could be no access to the sites. Then, under intense pressure, not least from the start of the build-up of forces in the Gulf, he eventually agreed that they could be visited once. That was clearly unacceptable, but he refused to move further. Meanwhile, we and the Americans, together with our other allies, continued to make it clear that, if he did not back down, we saw no alternative in the end to the use of force. We made preparations to ensure that we were ready to use force, if absolutely necessary.

Under that renewed pressure, Saddam Hussein began to show readiness to move further. On the basis of a text drafted by Britain, the five permanent members of the Security Council agreed last week that the UN Secretary-General should go to Baghdad to make it clear to Saddam Hussein that he had to comply fully and unconditionally with the relevant Security Council resolutions, and to negotiate a written agreement on those lines. It was clear to all that if Saddam was not prepared to agree, force might have to be used, albeit with the greatest reluctance.

I am delighted that Kofi Annan, for whom I have the greatest respect and admiration, has succeeded in his mission and has brought back a signed agreement, the details of which have now become public. He will report to the Security Council this afternoon on his discussions with the Iraqi Government.

The key provisions of the agreement are as follows: Iraq reconfirms its acceptance of the relevant Security Council resolutions, including 687, and its readiness to co-operate fully with UNSCOM and the International Atomic Energy Agency; Iraq undertakes to accord immediate, unconditional and unrestricted access to UNSCOM and the IAEA; a special group will be established to inspect eight clearly defined presidential sites. It will be composed of UNSCOM and IAEA experts, together with diplomats appointed by the Secretary-General, and headed by a commissioner, also appointed by the Secretary-General. The group will operate under the established procedures of UNSCOM and the IAEA, but with some extra specific procedures related to the nature of the sites.

We await clarification of the details of the special group, but three things are essential. First, the commissioner in charge of the group must be properly qualified for the task. Secondly, the details of the inspection regime must preserve in full the professional and technical nature of the inspections and the inspectors. Thirdly, there can be no question of negotiating with Saddam Hussein over the integrity of the weapons inspection process. I am confident from our contacts with the Secretary-General that he understands those points.

I welcome the agreement, and pay tribute to Secretary-General Kofi Annan's achievement in securing it. It has been an important demonstration of the value of the United Nations and its absolutely vital role in the world. We should never forget that, if we do not stop Saddam Hussein acting in breach of his agreement on weapons of mass destruction, the losers will be not just those threatened by him, but the authority and standing of the UN itself.

The agreement refers to the desire of the Iraqi Government for the lifting of sanctions. No timetable is set for this. The sanctions have always been there for a reason: to ensure full compliance of Iraq with the relevant Security Council resolutions. Once that is achieved, the issue of lifting sanctions can be properly addressed.

Let me also deal with one false assertion often made by the Iraqi regime. It has never been our intention to undermine Iraq's territorial integrity, or its security, or the dignity of the Iraqi people. The issue has always been to ensure that there are no weapons of mass destruction left in Saddam Hussein's arsenal. The agreement repeats that and makes it clear.

However, while the agreement signed in Baghdad is welcome, it is not in itself enough. A piece of paper signed by the Iraqi regime plainly cannot be enough. The Saddam Hussein we face today is the same Saddam Hussein we faced yesterday. He has not changed. He remains an evil, brutal dictator. The only thing that has changed is that he has changed his mind in the face of effective diplomacy and firm willingness to use force. Nothing else would or could have brought about this success. Nothing else will ensure that it is followed up by satisfactory implementation on the ground and the total elimination of his capacity to obtain or produce weapons of mass destruction.

We will not tolerate any repetition of the Iraqi behaviour that has led to this agreement. We are not going to play more elaborate diplomatic games that allow Saddam Hussein to thwart the inspections regime that has now been agreed.

That is why there are now two essential requirements in the coming days. First, we need to embody the agreement in a new Security Council resolution. This must make it clear that any further prevarication or obstruction by Saddam Hussein of the smooth operation of the inspections, in accordance with previous Security Council resolutions and the latest agreement, will not be accepted by any member of the Security Council and will inescapably be followed by the most severe consequences for the Iraqi regime.

Secondly, the implementation of the agreement must be tested soon. That will require inspections by UNSCOM without any Iraqi obstruction, whenever and wherever it wishes to inspect. There will be no immediate change in the readiness of British or US armed forces in the Gulf until that is clear.

Throughout the dispute, our aim has been a peaceful, diplomatic settlement. There was no desire on either side of the Atlantic to use force, but it was also clear to us throughout that Saddam Hussein only understands and respects force. Those who have criticised us and the Americans for our willingness to use force in the last resort have to explain how such an attitude could have recovered Kuwait in 1990, or could ensure Saddam's compliance now. I do not believe that they can convincingly do so. As Kofi Annan said in Baghdad:

"You can achieve much by diplomacy, but you can achieve a lot more when diplomacy is backed by firmness and force".

I would put it this way: with Saddam, diplomacy plus force equals success.

Our task now is to do everything we can to ensure that the agreement reached by Kofi Annan is smoothly, effectively and rapidly implemented. We played a key diplomatic role in the negotiations leading up to his mission and we will continue to play the same role in the follow-up. I have already discussed this with Presidents Clinton, Yeltsin and Chirac in the past 24 hours, and my right hon. Friend the Foreign Secretary is in close touch with his counterparts. We are all agreed on the need for a rapid and clear Security Council resolution to ensure that we cannot find ourselves in the same position again in the future. That will be the main focus of our immediate efforts.

I have made it clear that when Saddam Hussein has complied fully with the Security Council resolutions, the UN inspectors have completed the disarmament stage of their work and the threat from his weapons of mass destruction has gone, we can consider the lifting of sanctions. Indeed, if Saddam had not blocked the implementation of UNSCOM's work so systematically, that could have happened long ago. The long-suffering Iraqi people deserve our sympathy and our help—our quarrel was never, and is not, with them.

We led the way in New York last week in the adoption of a new Security Council resolution that more than doubles Iraq's ability to sell oil for food—even though, I may say, food and medicine have never been subject to sanctions of any kind. I hope that, this time, Saddam will allow the scheme to be utilised properly for the benefit of all his people. Meanwhile, we will maintain and, if possible, increase the direct bilateral help we give to the Iraqi people, through appropriate non-governmental organisations.

Saddam Hussein has spent seven years playing for time, but has been thwarted by the resolve of the international community. It is now clearer than ever that his games have to stop once and for all. If they do not, the consequences should be clear to all. Throughout, our objectives have been plain: to do everything in our power to destroy Saddam Hussein's weapons of mass destruction; to hold out the prospect of relief for the Iraqi people; and to uphold the will of the United Nations. That is what we have done, and it is what we will continue to do.

Mr. William Hague (Richmond, Yorks): We are grateful to the Prime Minister for his statement, and I thank him for keeping me informed about these matters in recent weeks.

We on the Conservative Benches have always made clear our undivided support for the position of the Government and of the United States, and we do so again today. We agree that diplomacy backed by firmness is the right way to deal with Saddam Hussein. I join the Prime Minister in paying tribute to Kofi Annan for the skill with which he has carried out his mission. Clearly, the threat of the use of force was key to getting the agreement of Saddam Hussein to comply with the resolution of the Security Council. On behalf of the Opposition, I also pay tribute to our armed forces, who have, yet again, responded with great professionalism and, once again, been ready to risk their lives.

On the details of the agreement, may I ask the Prime Minister what is meant by the UNSCOM undertaking

"to respect the legitimate concerns of Iraq relating to national security, sovereignty and dignity"?

How much risk is there that those words could be used by Saddam Hussein as a pretext for further delay and obstruction? Can the Prime Minister confirm that the new procedures for inspection will not be subject to any veto by Saddam Hussein? Can he also say a little more about the consequences of any failure on the part of Saddam Hussein to comply with the terms of the new agreement?

Can the Prime Minister confirm that the reference in paragraph 1 of the memorandum of understanding to

"all relevant resolutions of the Security Council"

includes resolution 678, which authorises the use of force? How confident is he that a further resolution will be secured authorising the use of force if the agreement is not kept? The Prime Minister referred in his statement to the "most severe consequences". May we presume that that means the use of force?

On a wider point, does the Prime Minister agree that there is now a great opportunity for the United Kingdom to show fresh leadership and initiative in the middle east, both by ensuring that there is a stronger coalition against Saddam Hussein in the event of any repetition of the crisis and by taking forward the stalled peace process between Israel and the Palestinians?

Finally, this crisis in the middle east, which required a military response—and continues to require a military presence—occurred after the decision that the United Kingdom and the United States would stay on in Bosnia and during a difficult time in Northern Ireland.

[Mr. William Hague]

Therefore, does the Prime Minister agree that the strategic defence review, which is now approaching completion, could not reasonably conclude that there is scope for reducing the defence budget?

The Prime Minister: I thank the right hon. Gentleman for his support and that of his colleagues throughout the recent period. I join him in thanking our armed forces for maintaining a state of alert and readiness in the middle east.

In respect of Iraq and the reference to its dignity and security, it was precisely for that reason that I emphasised yet again that there is no quarrel with the Iraqi people or with the territorial integrity of Iraq. The quarrel is with Saddam Hussein's regime and its failure to abide by the Security Council resolutions.

Saddam Hussein certainly has no veto over the inspections. The consequences are, and will be, clear. That is precisely why we seek an additional Security Council resolution. We do not want to return to long-drawn-out negotiations that Saddam Hussein could use to thwart the intentions of the international community. The use of force is there—and there is force to be used should Saddam Hussein not comply with the agreement that he has entered into.

I agree entirely with the right hon. Gentleman's comment that the United Kingdom can play a very significant role. We provided the right leadership in the crisis in respect of the Iraqi weapons inspection regime. I agree also that Britain must try to move on and play what part we can—both in itself and as President of the European Union—in the middle east peace process. Many Arab nations have been concerned and frustrated about the lack of progress in that area. They look to us for leadership, and we certainly intend to provide it. Indeed, the European Union issued a statement yesterday on that point which was put together by the Foreign Secretary.

Finally, in relation to the strategic defence review, I hesitate to enter into a discussion about the position of defence expenditure. However—I shall try to put it gently—I can promise absolutely that we shall not repeat the mistakes of the previous Conservative Government and cut the defence force budget by 30 per cent. I think that that was the cut in the past few years.

I agree entirely that the main areas to which the right hon. Gentleman referred—Northern Ireland, Bosnia and our ability to play a constructive role in the Gulf—are important. Britain must continue to carry out its role in those areas. I have always thought and said that this country's defence forces are vital to our foreign policy and Britain's standing in the world. That is precisely why the strategic defence review will ensure that our armed forces have a secure and certain future.

Mr. Paddy Ashdown (Yeovil): The world owes a literally incalculable debt to the Secretary-General of the United Nations for finding a way back from war at the last perilous moment. That will greatly strengthen his position and that of the United Nations in the future. For that, we shall learn to be very grateful.

Whatever reservations one might have about the way in which the international community has handled this matter in the past four years, the Government's handling of it in the past few months has been clear-sighted, determined and consistent. That has done great credit to the country and to the standing of the Prime Minister, and I congratulate him.

I have three points to make briefly to the Prime Minister. The first is on sanctions. Of course it is right that military pressure must be maintained, and that we must measure delivery against results, not words. Surely that means that the lifting of sanctions cannot, as some in the United States believe, be attached to the person of Saddam Hussein, but is attached to his behaviour. If, in the long term, UNSCOM gives a clean bill of health to Iraq, there is no reason why sanctions should not be lifted completely.

Secondly, how will the Prime Minister use the strengthened relationship that he has with President Clinton's Administration to encourage the United States to put more pressure on the Government of Mr. Netanyahu also to observe UN resolutions, for long-term peace in the middle east is based on that?

Lastly, the Atlantic relationship, which has been the key relationship underpinning effective diplomacy, based on the ability ultimately to use force if necessary, will nevertheless have caused concerns among our European partners, as I expect the Prime Minister knows. What will he do to reassure our European partners that this Government, unlike their predecessors, see the Atlantic relationship as complementary to our central relationship with Europe, rather than a substitute for it?

The Prime Minister: I thank the right hon. Gentleman for his words and for the support that he and his party have given us throughout the past few weeks. I shall deal with each of his points in turn.

First, it is important that we realise that the sanctions are attached to compliance with the UN Security Council resolutions. We have made that clear throughout.

Secondly, in respect of pressure on the present Government in Israel, yes, I agree, as I said earlier, that it is important for us to play our part in ensuring that there is progress in the middle east. We must do so in a way that does not cut across the United States, but is complementary to the efforts that the United States is making. I met all the Arab ambassadors yesterday and discussed with them what help we can give to try to push forward the middle east peace process.

Thirdly, I know that the right hon. Gentleman was not criticising the Atlantic relationship. I am proud of the fact that Britain has a good and strong relationship with the United States of America. Thank heavens, the Americans are there and are willing to stand up and be counted when difficult situations arise in the world.

I believe that it is important that the American Administration and the American people are not isolationist, but are willing to face up to and take on responsibilities. I further believe that the strength of our relationship with the United States is no impediment to Europe acting in a more concerted way or to Britain's relations with Europe. "Strong with the United States, strong in Europe"—that should be Britain's motto. It is good for Britain, good for Europe and good for the United States of America.

Contrary to some of the reports that I read in the papers, we kept closely in contact with our European Union partners throughout recent weeks. I spoke with virtually

all the Heads of State in the European Union over the past few days. It is extremely important to recognise—*[Interruption.]*—if the Eurosceptics on the Conservative Benches will forgive me—that Europe gave us very good support. The standing of the entire international community, not just of those countries willing to send forces to the Gulf, has been reinvigorated by the past few weeks.

Mr. Gerald Kaufman (Manchester, Gorton): Does my right hon. Friend agree that, if the appeasers in the House and in the soft-centre press had had their way, and if the threat of force and the maintenance of sanctions had not been there, Kofi Annan's agreement would not have been possible? Will he confirm that, until not only resolution 687 but all relevant United Nations resolutions are complied with, sanctions will remain? Will he confirm also that this is it—that if this agreement is broken by Saddam Hussein, force will inevitably follow?

The Prime Minister: That is certainly right on the first point. As for the latter point, that is exactly the purpose of securing the new Security Council resolution. It is important that all the resolutions of the United Nations are properly complied with.

On my right hon. Friend's first point, it cannot seriously be denied that, unless we had been prepared to back up by force the diplomatic efforts that were made, we would never have secured the agreement that Kofi Annan obtained in Baghdad. Britain was not simply involved in building up forces in the Gulf, although we did play our part in that, and I am glad we did. It was the right thing to do. We have been intensely involved in the diplomatic effort as well.

It was Britain which put together the Security Council guidance for Kofi Annan's mission to Baghdad. It was Britain which put together the resolution on doubling the oil for food resolution. It is Britain which is now taking the lead in putting the new Security Council resolution together. Not merely generally, but particularly in our case, force and diplomacy have gone together.

Mr. Tom King (Bridgwater): In welcoming the obvious improvement in the situation over the past week, and recognising the vital importance of ensuring that the agreement is adhered to, may I ask whether the Prime Minister accepts that there will be wide support for ensuring that resolution 687 is complied with? Does he further agree that, against that background, the inspection teams must carry on their work and complete it, as the resolution requires, thus enabling sanctions to be lifted and a normal situation restored?

Has the Prime Minister seen the worrying stories that the work of the inspection teams may be being undermined by the locations of the places that they intend to visit being disclosed by members of the inspection teams to the Iraqi Administration, thus enabling that Administration to carry on their deceit? Will the Prime Minister agree that it must be in the interests of everybody, including the people of Iraq, that the inspection work is successfully carried out, and that any such attempts to break the security of the inspection teams are prevented?

The Prime Minister: I thank the right hon. Gentleman for his support over the past few days. He is absolutely right to say that the inspection teams must carry on and complete their work. I do not know of any instances, though I have read the reports, of the work of the inspection teams being given to the Iraqi regime. Of course, I would deplore any such breach of the security of the inspection teams. It is vital, as a result of the history of the weapons inspections, that we ensure that the security of the inspection teams is watertight. It is only by gaining access to sites as quickly as possible that we can prevent concealment.

Mr. Tony Benn (Chesterfield): Is the Prime Minister aware that the main immediate beneficiaries of what has happened are many tens of thousands of innocent civilians in Iraq, who might have been killed by British and American forces? They have been spared a death which could not in any way have been attributed to their behaviour.

The main contribution has been made by Kofi Annan, the Secretary-General of the United Nations. Not only has he worked for peace, but he has to some extent rescued the United Nations from the attempt by the United States to dominate it; there never was and never will be a majority of the Security Council in favour of the use of force. Does my right hon. Friend accept that many people, including me, were very disappointed that a Labour Government would have been prepared to go in and use force against the majority view of the Security Council and of world opinion?

The Prime Minister: Of course, my right hon. Friend is entirely entitled to his point of view. He enjoys a freedom here that, of course, he would not enjoy in Iraq. I honestly believe that Kofi Annan would not accept the version of events that my right hon. Friend has given. If my right hon. Friend were to talk to him, as I have done, he would find that Kofi Annan accepted that it was essential that there was firm resolve and a willingness to use force in order to get his diplomatic efforts to succeed.

I can tell my right hon. Friend that one of the hardest things to do, because of the nature of the Iraqi regime, was to persuade Saddam Hussein that we were serious about using force. It is my view, for what it is worth, that it was only when Saddam Hussein became aware that we were serious about using force that he began to make any form of concessions.

Should Saddam Hussein breach the agreement that he has now reached, I think that international opinion would be firmly with us in saying that we have to make sure that he adheres to the agreements that he has made.

The possibility of innocent people suffering in Iraq weighed very heavily on us, but responsibility for that lies with the regime itself. It is not merely preventing proper humanitarian aid from getting to its people; it actually moves people to sites which it thinks may be hit, to try to deter attacks from abroad—to use them, in other words, as human shields. I think that it would be better to direct that fire at the Iraqi regime.

Sir Peter Tapsell (Louth and Horncastle): Exactly what procedures will be followed to determine whether Saddam Hussein is breaking the agreement, particularly when the inspection teams are accompanied by diplomats from a number of countries? Will it be the responsibility of the commissioner, when appointed, to report back

[Sir Peter Tapsell]

formally to the United Nations that the agreement has been broken? If it is envisaged that the use of force will follow quickly upon a breach—it may be necessary to do so—it is extremely important that there should not then be international debate about whether the agreement has been broken.

The Prime Minister: I agree. That is a perfectly fair point to make. It is important to realise that the commissioner will report back, through the Secretary-General, to the Security Council. In respect of the sites other than the eight presidential sites, the regime is precisely the same. The regime that already exists has been reaffirmed in its entirety. In respect of the eight presidential sites, the changes have been laid down by the Secretary-General himself, and Saddam Hussein is not negotiating on the terms of those inspections.

We have not found in the past a problem deciding whether the agreements that Saddam Hussein has made on weapons inspections have been broken. There was never a disagreement that he was in breach of the weapons inspection regimes. The disagreement has been whether the response should be one of force. However, I believe that, in the procedures that are laid down, we shall be able to see clearly whether a breach has occurred; if it has, the consequences that I mentioned will follow.

Mr. David Winnick (Walsall, North): Given that the critics were as wrong in the past few weeks as they were seven years ago about the liberation of Kuwait, would not an apology be appropriate from those people, be they in the House or outside, who accused Britain and America of warmongering? As my right hon. Friend said, the only reason we had success in the diplomatic field—we are very pleased about that—was the threat of force.

I note what my right hon. Friend said about medical supplies and the responsibility belonging to Saddam Hussein—sanctions must continue for the reasons that the Prime Minister stated—but is there any way in which urgent medical supplies could go to hospitals in Iraq so long as UN officials and international agencies are convinced that they will be used for children and innocent civilians, and not for the criminal elite who have used medical supplies for themselves?

The Prime Minister: We are looking at how we can ensure that the urgent medical supplies get through better to the Iraqi people and to Iraqi hospitals. Under the oil for food and medicine regime, far more food and humanitarian aid could have gone through to the Iraqi people. We are looking at ways to bypass the Iraqi regime and ensure that more is done in that regard.

Of course I agree with my hon. Friend's first point. It is also important to realise—I have certainly felt it very deeply indeed throughout this matter—that no one but a fool or a villain would want to send our forces into battle. The reason we have been prepared to contemplate it, and are prepared to contemplate it if the agreed regime is breached, is precisely because we believe that, if we do not do so, the threat to world security, peace and stability will be all the greater. The alternative is to do nothing, which is probably the riskiest option of all.

Sir Peter Emery (East Devon): Obviously, the Prime Minister deserves congratulations on the way in which the nation has been able to stand by and ensure that a solution came about. Would he mind pointing out to those who make a great play about the damage that bombing might have done to the civilian population of Iraq that that damage and death would be nothing compared with the destruction that could be brought about by Saddam Hussein if he used those weapons for his purpose on the surrounding nations? That would be much greater than any other damage.

Secondly, will the Prime Minister follow what my hon. Friend the Member for Louth and Horncastle (Sir P. Tapsell) suggested and assure the House that, if there is a breach, the Secretary-General will not have to go back to Baghdad to negotiate before we can act? We must not get into such a position, because Saddam delays whenever he can.

The Prime Minister: That is right, and that is precisely why we need a new Security Council resolution. We also need to test the agreement, which is why any optimism that I have is tinged with caution. We will not be through this crisis until we get the Security Council resolution that we need and test the agreement that Saddam Hussein has entered into. I agree with the right hon. Gentleman that leaving Saddam with weapons of mass destruction is not a peaceful option; it is extremely dangerous, which is why we took the action we did.

Mr. Tam Dalyell (Linlithgow): Were the past four British ambassadors to Iraq, who wrote to *The Independent* on 16 February along with Sir Donald Maitland and the arms negotiator, David Summerhayes, wrong to say:

"If, after two months, the inspection has proceeded without interference, a further easing of sanctions will be authorised"?

Are the Government talking to the Government of Iran, whose country lost 1 million dead in the war with Iraq—casualties of first world war proportions—but do not want military action? The Prime Minister met Arab ambassadors yesterday. Did any one of them recommend military action?

The Prime Minister: No, the letter is not right to specify a time limit for easing sanctions, although it is true to say that sanctions are tied to compliance with UN resolutions. For the purposes of the Iraqi people and to restore normality, we want sanctions to be lifted, but that cannot happen until the resolutions are complied with, which is why the sanctions were imposed in the first place.

We have had contact with the Iranian Government; it was sensible for us to do that. My hon. Friend referred to Arab opinion and my meeting with the ambassadors yesterday. It would be a serious mistake to think that Arab opinion is on the side of Saddam Hussein. It is not. There may have been disagreements over the use of force, but Arab countries are deeply worried, with good reason, about any capability that Saddam Hussein may have to develop weapons of mass destruction.

The ambassadors put questions to me. Although most Arab nations have publicly opposed the use of force, they have also insisted on compliance with UN resolutions. Privately, they are a lot more concerned about Saddam

Hussein and a lot more grateful for people standing up to him and the threat that he poses. There is concern—I understand it—because the Arab nations want progress on their other great issue, the middle east peace process. That point was made strongly.

Mr. Andrew Tyrie (Chichester): What lessons has the Prime Minister learnt from the Iraq crisis about the prospect of a genuine European foreign policy being created?

The Prime Minister: As I said earlier, most European countries agreed entirely with us; indeed, many that I spoke to made it clear that if diplomacy failed they would support the use of force. It is in our interest—this may be a point of difference between the two political parties—to have a coherent European foreign policy as well as a strong relationship with the United States.

Mr. Jeremy Corbyn (Islington, North): When the Prime Minister met the Arab ambassadors yesterday, did he raise the issue of systematic human rights violations in most of the countries neighbouring Iraq? Has he raised with Turkey its constant violation of human rights in eastern Turkey, and the persistent invasions of Iraq by Turkish armed forces over the past two years?

The Prime Minister: We have constantly raised our concerns about the violation of human rights with Turkey and other Arab states over this past period of time, but, obviously, the ambassadors and I discussed principally the middle east peace process and the immediate threat posed by the Iraqi regime.

Mr. Roy Beggs (East Antrim): Along with my Northern Ireland colleagues, I welcome the Prime Minister's statement, congratulate him on the stand that he has taken in supporting the Americans throughout this difficult period and welcome his clear expression of good will on the part of the United Kingdom towards the people of Iraq.

Now that that major problem has diminished somewhat, may I ask the Prime Minister to direct his attention towards Northern Ireland, and to the need to ensure that never again can weapons get into our prisons and prisoners be murdered; nor can we experience the huge bombings—

Madam Speaker: Order. I cannot allow that question; it does not relate to the statement. Of course, I will give the Prime Minister an opportunity to respond if he wishes, but he should not do so, because the question does not relate to the statement. Questions must always relate to the statement.

Mr. Dale Campbell-Savours (Workington): The resolute approach has clearly worked. The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leeds, Central (Mr. Fatchett), and the whole Foreign Office team are to be congratulated on what they have done.

I recognise that the idea of a Basra enclave has now been suspended, temporarily in my view. What can we do—what can the British Government do—to strengthen the position, internationally, of the Iraqi National Congress, and to promote it as the legitimate representative of the Iraqi people? Only through the INC will we secure an ultimate solution.

The Prime Minister: I thank my hon. Friend for his support. It is certainly through the Iraqi people that salvation for them from Saddam Hussein will come, and, obviously, we constantly look at ways in which we can strengthen the Iraqi opposition. The Minister of State, Foreign and Commonwealth Office, is and has been in constant touch with the opposition.

Mr. Jonathan Sayeed (Mid-Bedfordshire): The Prime Minister said that diplomacy plus force equals success; but we are not there yet. That success depends on Saddam Hussein, and on his keeping his word—and he has not done that too often. One of the ways in which he has frustrated UNSCOM is by refusing to allow Iraqi Government controllers to escort the UNSCOM force. If he continues to refuse to do that, does that mean that bombings will follow?

The Prime Minister: Obviously, members of the inspection team must themselves judge the degree to which Saddam Hussein is frustrating any particular part of the inspections process. I do not think it would be right for me to decide that for them. The whole purpose is that they decide whether the integrity of the weapons inspection process is upheld.

However, I agree with the hon. Gentleman that we are not there yet. It is important to stress that. Saddam Hussein must be made to keep his word, which is precisely why we are saying both that we need the Security Council resolution and that then we must test it. That is why I say that—although we are obviously delighted at what Kofi Annan has achieved, and are optimistic about it—the caution is there, precisely because of the point that the hon. Gentleman has mentioned.

Mr. Mike Gapes (Ilford, South): When the Prime Minister sends messages of congratulation across the Atlantic, will he praise in particular the fact that President Clinton has resisted the hawkish Republicans in the Congress—and some in his own Administration—and gone for the negotiation outcome? Does the Prime Minister agree that the success of the efforts of Kofi Annan and our own Government will assist the credibility of the United Nations, and, we hope, lead to the United States Congress restoring the money that it still owes to the successful building up of the UN's future?

The Prime Minister: What Kofi Annan has achieved greatly boosts the authority and standing of the UN. I agree with my hon. Friend that it has been important throughout to ensure that we act reasonably. It would have been reasonable to use force if negotiation had not been successful. It is equally reasonable, if the negotiated settlement is there, to take it. That is the balance which civilised people would expect us to make.

Mr. Edward Leigh (Gainsborough): Notwithstanding the agreement, if America, for whatever reason, decided to use force, would Britain back her?

The Prime Minister: I am pleased to say that our position and that of the United States on this have been united throughout, and I am sure that that will continue to be true.

Mr. Robert Marshall-Andrews (Medway): In congratulating the Prime Minister, may I ask simply this? It is the common aim, shared by all hon. Members, to inflict the minimum damage on the people of Iraq, but to do everything in our power to bring about their leader's downfall. How can that product possibly be assisted by continuing to impoverish those people by the imposition of sanctions, thereby providing Saddam Hussein with the alibi he requires to explain to his people that the misery they suffer lies at our door and not at his?

Will my right hon. Friend contemplate the lessons of history, from Germany in the 1920s, to Vietnam, to Cuba and to South Africa, that totalitarian regimes are never brought down through the agency of their people by the imposition of external sanctions?

The Prime Minister: I have to say to my hon. and learned Friend that I remember, when we sat on the Opposition side of the House of Commons throughout the 1980s, fighting the case for sanctions against South Africa, and most people thought that that had a significant impact.

We are not impoverishing the Iraqi people at all. Ample money under the oil for food and medicines programme could be used for the Iraqi people. It would be a mistake to believe that Saddam Hussein was maintained in power by the love and affection of the Iraqi people. He is maintained in power by a ruthless dictatorship, which comprises, in particular, a special Republican Guard of 26,000 people, who are not immune to using murder, torture and whatever barbaric behaviour comes to hand to keep him in power. The reason why sanctions are there is to ensure compliance with UN resolutions, and sanctions have to remain until there is compliance.

Mr. John Wilkinson (Ruislip-Northwood): The right hon. Gentleman feels a sense of satisfaction that he has the approbation of yesterday's European Union Foreign Ministers meeting at Brussels, which unanimously approved the agreement that the UN Secretary-General concluded, thanks to the resolution of Her Majesty's Government, the British armed forces and, above all, the Americans. Will he, then, tell the House whether those same European friends are willing to take punitive military action, with us and the United States, if Saddam Hussein abrogates the agreement?

The Prime Minister: I really think that it would be pretty pointless to turn this occasion into a great attack on the European Union, but the answer to the hon. Gentleman's question is that it is not actually true to say that no other European country supported the action we took. From memory, I think that I am right in saying that Germany, Netherlands and Portugal all offered specific support. Other countries made it clear that they would back the use of force if diplomatic means failed, and the statement that came out of the European Union Ministers meeting showed a degree of consensus throughout Europe for the stand that was taken. We should welcome that.

Mr. Harry Barnes (North–East Derbyshire): Is the Prime Minister aware that, under Saddam Hussein's dictatorship, Iraq's average gross domestic product has dropped to less than one eighth of its previous level? That has had devastating consequences for the people of Iraq. What do we intend to do to assist the development of democracy, peace and economic and social progress in Iraq?

The Prime Minister: Obviously, we will do what we can to assist opposition groups in Iraq and to look at ways in which we can undermine Saddam Hussein in any shape or form. Most people would be delighted if he were to fall. If we had had to take military action and, as a consequence, he had fallen, we would have been delighted at that, too. The problem with saying that we should have set some sort of military objective to remove Saddam Hussein—I know that my hon. Friend was not suggesting that—was that there was not the authority to do so; nor would it have been possible without a massive commitment of ground as well as air forces. We will do what we can to assist opposition forces in Iraq and to undermine Saddam Hussein in any way we can.

As for the income of the Iraqi people and their suffering, the answer is obvious and clear. As my right hon. Friend the Foreign Secretary was telling me, for all but two years of Saddam's regime, Iraq has been at war or under sanctions. Potentially, Iraq is a rich and prosperous country and it is a tragedy that, as a result of the Saddam Hussein dictatorship, the Iraqi people are not in a position to enjoy that.

Sir Sydney Chapman (Chipping Barnet): Can the Prime Minister confirm that the agreement unambiguously and unequivocally binds Saddam to existing United Nations resolutions, in particular 678 and 687, as well as giving access to the eight presidential sites? If that is the case, why is it necessary to instigate another Security Council resolution, given the sad fact that most draft resolutions are changed substantially before they become resolutions? Even if that does not happen, what would happen if one of the permanent members of the Security Council disagreed?

The Prime Minister: The answer to the hon. Gentleman's first point is yes, it certainly reaffirms the existing resolutions. In answer to the second, it is important to have another Security Council resolution because it is important to have the will of international community clearly expressed and for all permanent members of the Security Council together to say that the serious consequences outlined will clearly follow if Saddam Hussein breaks the agreement that he has entered into. In our view, it is of benefit to us both in our dealings with Saddam Hussein and in terms of support from the international community that such a resolution is put through.

Mr. Andrew Mackinlay (Thurrock): May I add my congratulations to the Prime Minister and Ministers on their firm resolve in this matter? It is as plain as a pikestaff to me that there would have been no diplomatic solution had that firm resolve and cool nerve not been maintained.

I guess that my right hon. Friend will be having further discussions with the United States—there will sensibly be some debriefing and a review of recent events. Will it be reiterated in any such review that a further Security Council resolution would have been essential had Kofi Annan not succeeded in achieving a diplomatic settlement? Some people might well argue that the

existing resolutions gave a mandate, but those of us who believe that firm resolve had to be shown thought that a further resolution was necessary. That is worth reviewing.

I hope that those consequences will not occur again. Those of us who are trying to promote world order and who believe in it and in the enforcement and status of the United Nations, think that it would have been a big mistake to use force without that further mandate.

The Prime Minister: There is, and has been, a debate about that, although it is possible to argue that no further mandate was necessary. Fortunately, we will get a new and proper Security Council resolution. I am grateful to my hon. Friend for what he has said. I very much hope that we have a solution now, but we need to tie down those final points before that is absolutely certain.

Several hon. Members *rose—*

Madam Speaker: Thank you. I am bringing the exchanges to a close now. Thank you, Prime Minister.

Voluntary Personal Security Cards

4.23 pm

Mr. David Amess (Southend, West): I beg to move,

That leave be given to bring in a Bill to provide for a system of voluntary personal security cards; and for connected purposes.

There is a view that ten-minute Bills are a waste of time. Unsurprisingly, I do not believe that to be the case. An Act of Parliament stands in my name to protect horses, ponies and donkeys from cruel tethering. A statue of Raoul Wallenberg stands outside the main synagogue in London as a result of a ten-minute Bill. Although there appear to be one or two objections to my efforts to reform the quarantine laws, I am confident that after Cruft's we will see no more objections to that Bill, which will be another measure on the statute book.

On 12 May 1993, I introduced a Bill that was similar to the Bill that I am seeking leave to introduce today. I am also vain enough to say that, because of that Bill, two years later, the then Home Secretary introduced a rather modest rearrangement of driving licences and a further opportunity for people to use identification cards for free movement within the European Union.

On 1 May 1997, a new Government were elected. I am sure that Conservative Members are carefully noting that—although they are not giving us any credit—that Government seem to be adopting some of the measures that the previous Government had well in hand. Only two weeks ago, I noticed an article in which they talked up the very issue of voluntary identity cards. Therefore, I very much hope that, on coming Fridays, Ministers will have no objection to the Bill making progress.

On 22 August 1996, the previous Government announced that, in principle, they agreed with a voluntary identity card scheme. That announcement coincided with a report from the Home Affairs Select Committee, which agreed with proposals to introduce voluntary identification cards.

Although none of the arguments for introducing identification cards is original—the House has heard them all before—I am still somewhat frustrated by the fact that we have not legislated on the matter. There are two specific issues: the advantages of and arguments against identity cards, and whether cards would be voluntary or compulsory.

Given the weight of gentlemen's wallets and ladies' purses, I should have thought that it was entirely logical to use a smartcard as an identity card. The words, "I'll have to see some ID," are familiar to anyone whose cheque book or cheque card has been stolen and who is trying to get money out of a bank account. They are familiar also to students and pensioners applying for a rail card. Everyone accepts that there are times when, in return for a service or benefit, we may have to provide proof that we are who we say we are. Examples include showing a driver's licence; guaranteeing a cheque; proving one's age, or right to be in this country or to claim benefits; proving one's identity to gain access to medical records; and dealing with tax affairs. The list is endless. A voluntary identity card would be of enormous value to most sensible people.

A voluntary identification card would be particularly effective in combating, for example, under-age drinking in licensed premises or under-age purchase of alcohol and

[Mr. David Amess]

tobacco from retail outlets. We should never forget that, sadly, the peak offending age is 15. I am reliably informed that four out of five teenagers support introducing identity cards. I suspect that that support comes largely from their frustration at waiting in queues to enter discotheques.

Introducing identity cards would also end the problem of bogus official callers, and help in tackling social security fraud and similar crimes.

The law-abiding people of our country have absolutely nothing to fear from a voluntary identity card scheme. Moreover, the police would be greatly helped in performing their duties, whether in dealing with terrorism or dealing with immigration or motoring offences. I know that the police would support such a scheme.

I know that some people—including some hon. Members—believe that it would be an absolute waste of time to have a voluntary card, but I do not agree. Some people oppose the cards on the grounds of civil liberties, and I know that the police are reluctant to have a special power to require an individual to produce a card on demand, but I believe that, given the convenience of a card, voluntary ownership would soon become widespread. Indeed, it would eventually become a nuisance not to have a card.

We certainly have the technology to produce such a smartcard at relatively little expense. The Select Committee on Home Affairs was convinced that the technology was available to develop the cards, and to give the necessary protection in terms of confidentiality, with the capacity to contain the information required to make the card effective.

Many other countries have such cards. Of the 15 European states, 12 have some sort of identity card scheme. Seven countries have compulsory card schemes. Austria, Finland, France, the Netherlands and Sweden have voluntary schemes which have been hugely successful. Britain, along with the Irish Republic and Denmark, is the only European Union country not to have an identity card system. Outside the European Union, voluntary card systems operate in Iceland and Switzerland.

It is bizarre that, when one is born, one has to have a birth certificate and, when one dies, one has to have a death certificate, but the bit in between—one's life—is somehow clouded in a haze. I hope that the House will agree—I know that the country does—that an identity card system such as that which I have briefly outlined would register the fact that we have lived. I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Amess, Mr. David Atkinson, Mr. Ian Bruce, Mr. Geoffrey Clifton-Brown, Mr. Nigel Evans, Mr. Michael Fabricant, Mr. Nick Hawkins, Sir Geoffrey Johnson Smith, Rev. Martin Smyth, Mr. Richard Spring, Miss Ann Widdecombe and Mrs. Ann Winterton.

VOLUNTARY PERSONAL SECURITY CARDS

Mr. David Amess accordingly presented a Bill to provide for a system of voluntary personal security cards; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 6 March, and to be printed [Bill 126].

Orders of the Day

European Parliamentary Elections Bill

Considered in Committee.

[MR. MICHAEL LORD *in the Chair*]

[1ST ALLOTTED DAY]

Clause 1

NUMBER OF MEPS, ELECTORAL REGIONS AND ELECTORAL SYSTEM

4.32 pm

Sir Brian Mawhinney (North–West Cambridgeshire): I beg to move amendment No. 46, in page 1, line 8, after 'Kingdom', insert 'and Gibraltar'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 7, in page 1, line 9, at end insert—

'1A. For the purposes of this Act, the United Kingdom includes Gibraltar.'.

No. 47, in page 1, line 9, at end insert—

'1A. Wherever the words United Kingdom appear in this Act they shall be deemed to include Gibraltar.'.

No. 57, in schedule 1, page 5, line 44, at end insert—

'(e) the register of electors in Gibraltar.'.

No. 45, in page 6, line 25, after 'London', insert 'and Gibraltar'.

No. 8, in page 6, line 26, after 'London' insert 'and Gibraltar'.

Sir Brian Mawhinney: Gibraltar has been a subject of debate, interest and importance to this country for at least 300 years. British possession took place in 1704 and was ratified by the treaty of Utrecht in 1713. Ever since, Spain has wanted it back.

I am aware that it is not in order to give a history of British-Spanish relations as they relate to Gibraltar, and I shall not do so for two reasons: first, I do not want to incur your ire, Mr. Lord; and, secondly, I do not want to create the impression that I am seeking to spin out the debate, as that is not our intention. We shall address the issues, but not filibuster, even though we have serious differences with the principles at the heart of the Bill.

Over the centuries, Spain has tried in a number of ways and with varying degrees of aggression to reclaim Gibraltar. That has constituted a problem for successive British Governments, who have attached importance not only to friendly relations with Spain but to Gibraltar's position.

In 1967, Mrs. Judith Hart, speaking for the then British Government, made it clear that there would be no change in control of Gibraltar without the freely expressed wishes of its inhabitants. That is reinforced by article 73 of the United Nations charter, which states that no decolonisation of any territory will take place unless the inhabitants of that territory agree: the inhabitants' wishes are paramount.

All hon. Members, from whatever party, will recognise that Spain has embarked on a long game to try to reclaim Gibraltar. There have been border incidents and Spain has exerted a variety of pressures, including on airline services.

It is worth reminding ourselves at the start of this debate that Gibraltar joined the European Community in 1973 with the United Kingdom—incidentally, that was 13 years before Spain joined. However, no one specifically looks after Gibraltar's interests in the European Union; British Ministers, of course, have a general oversight, but no specific responsibility.

The question we must ask is why the 30,000 inhabitants of Gibraltar are the only people in a Union of 400 million who are not allowed to vote in European elections. If there were an enclave in this country of British citizens who did not have the right to vote for a representative in the House of Commons, there would be much agitation among Labour Members to right what would be seen as a palpable wrong.

I am the first to recognise—as did the Labour Government in the late 1970s—that there were difficulties in accommodating Gibraltar in the system for direct elections that we chose in 1979. That system was based on parliamentary constituencies; the European constituencies were formed by bringing together a number of parliamentary constituencies.

The then Conservative Opposition did not take great exception to the exclusion of Gibraltar, as we recognised the difficulties, and, during the 18 years when Labour was in opposition, Labour Members did not go on about the matter. What is exciting is that the Government have decided—we believe wrongly, although we recognise that the Bill received its Second Reading with the express will of the House—to rip up the system that stood us in good stead for 20 years and introduce a new system which, because it is not based on parliamentary constituencies, gives us the opportunity, for the first time, to right the wrong.

The Government's position was set out by the Under-Secretary of State for Foreign and Commonwealth Affairs, Baroness Symons, who said in another place:

"The noble Lord, Lord Bethell, and the noble Baroness, Lady Hooper, raised questions about voting rights in Gibraltar in the European Parliament elections. Gibraltar's lack of representation in the European Parliament results from Annex II of the 1976 EC Act on direct elections. The affect of Annex II on the 1976 Act is to restrict the application of the Act to the UK itself, to the exclusion of other UK territories such as Gibraltar, the Channel Islands and the Isle of Man, to which the EC treaty apply in part. Amending Annex II would require the unanimous agreement of all EU member states. However, the Government are aware of the strength of feeling in Gibraltar on that issue."—[*Official Report, House of Lords*, 26 November 1997; Vol. 583, c. 1058.]

If the Home Secretary is minded to accept our amendment this evening, I have no doubt that on Report he will want to move further amendments to include the Channel Islands and the Isle of Man. I give him an undertaking now that, if he does that, the Opposition will support him.

Mr. Andrew Mackinlay (Thurrock): With the greatest respect to the shadow Home Secretary, the issue is much narrower. The provision should relate exclusively to Gibraltar for one reason: Gibraltar is in the European Union, and the Channel Islands and the Isle of Man are not. I would ask the Committee to concentrate exclusively on Gibraltar as it is a stand-alone case. The other two jurisdictions are not in the European Union and are not seeking that facility.

Sir Brian Mawhinney: I entirely agree. The rest of my case concerns the uniqueness of Gibraltar. I was quoting a Foreign Office Minister in another place. It was she, not I, who widened the issue to include the Channel Islands and the Isle of Man.

I was saying that, if the Government chose to accept our amendment and then, in sympathy with what the noble Baroness said, decided to table amendments to incorporate the other two jurisdictions, we would be willing to support them. I am grateful to the hon. Gentleman for his courtesy. However, I know that the Government will not do that, because they are strangely reticent about anything relating to the Channel Islands, given the embarrassment that they have already suffered.

Let me focus the Committee's attention on Gibraltar. Gibraltar is an integral part of the European Union; if anyone doubts that, I refer him or her to article 227(4) of the treaty of Rome. As I have said, although Gibraltar is an integral part of the European Union, it is the only member state that does not have a vote.

I wondered whether that was true of other dependent territories and whether perhaps there was some quirk in the treaty of Rome denying dependent territories a vote, and I am indebted to the House of Commons Library for providing me with the information. I turned first to France. I found that French dependent territories fell into two categories. I cannot explain to the Committee why, so I hope that nobody will ask me that question.

The Secretary of State for the Home Department (Mr. Jack Straw): The two categories in France are known as the DOM and the TOM.

4.45 pm

Sir Brian Mawhinney: We are deeply grateful to the Home Secretary for that penetrating insight. I guess that that is his bid to be associated with the DOM, not having been invited to the celebrations this morning.

France divides its overseas dependent territories into two groups. The first is the French overseas department. Guadeloupe elects its own MEP. It is not absorbed into another region of France and expected to vote for the MEP representing that region. The second group is known as the French overseas collectivité, including Mayotte and St. Pierre and Miquelon. Those territories, too, elect a separate MEP. Not only do French dependent territories have a vote, but they elect their own MEPs.

I turned to Spain and discovered that Spanish dependent territories in north Africa, such as Ceuta and Melilla, also elect their own MEP. We are left wondering, therefore, why only Britain's dependent territories appear not to have a vote for representation in the European Parliament.

France and Spain have extra MEPs representing their dependent territories which are not absorbed into continental France or Spain. Those are extra seats. Our amendment does not go that far. We are proposing not that Gibraltar should be treated as a separate region, but simply that it should be bound to the United Kingdom system.

[Sir Brian Mawhinney]

Let me make it clear that the official Opposition are happy to support the amendment in the names of my hon. Friend the Member for Ludlow (Mr. Gill), my right hon. Friend the Member for Strangford (Mr. Taylor) and the hon. Member for Thurrock (Mr. Mackinlay). We agree that the London region is the appropriate place to include Gibraltar. Had those right hon. and hon. Members not tabled their amendment, we would have tabled one to that effect.

The consideration of the Bill in Committee provides the House with a new opportunity to remedy a long-standing democratic deficit. The issue is becoming increasingly pressing. In Gibraltar, the feeling of injustice is heightened as Gibraltar becomes more than a trading area and seeks a more independent voice in the international community.

The Government have also heightened the pressure by their agreement to the Amsterdam treaty. The Amsterdam treaty greatly enhanced the co-decision-making role of the European Parliament. It is no great secret that we would not have taken that route, but the Government did. They acceded to the granting of new powers to the European Parliament. In other words, the Amsterdam treaty gave the European Parliament a more extensive role in the process of legislation that Gibraltar is required to put into its law and, subsequently, to implement. However, it does not allow Gibraltar any say in the formulation of that legislation. It echoes the sentiments of "no taxation without representation". It is almost saying, "No legislation without representation."

The time has come to enfranchise Gibraltar. We have a new system. We do not like it and we think that the Government will regret it. When it dawns on the British people exactly what the Government are doing in this legislation, the Government's popularity will take a beating, and I view that with equanimity. I can force myself to sleep at night with that prospect.

I am not sure that there is not a devious, Machiavellian plot by the Home Secretary, who has honourably, repeatedly and—I hope that I do not embarrass him—with increasing enthusiasm made it clear that he does not believe in proportional representation. I wonder why his fingers are across the Bill. I had a smidgen of a thought that perhaps the public reaction some time next year will be such that he will be able to safeguard the House from the ravages of Lord Jenkins and his machinations on behalf of the secret Lib-Lab pact, the nature of which is becoming increasingly apparent.

The Government are destroying all the links with the old constituencies and putting new regions in place. There is an opportunity to allow Gibraltarians—as part of the London region—to help elect members who would have a direct democratic responsibility for the Rock and the people who live on it. The Government cannot argue that they cannot handle the numbers. In my part of the country we are promised a region with 4 million voters. What sense of ownership they will have of their MEPs, or the MEPs will have of the eastern region, defies my ability to understand. Of the 30,000 who are resident on the Rock, my understanding is that perhaps only 18,000 would be eligible to vote. Those 18,000 have been denied the franchise. There can be no argument that the numbers will be destabilising. A 1985 European Parliament research paper suggested that Gibraltar could be added to the electoral roll in a United Kingdom constituency.

The old system was difficult. The proposed new—but deeply flawed—system provides us with an opportunity. The Government will tell us that Spain will not like it. That will cut no ice with the Conservatives and, I suspect, precious little ice with Labour Members. If the Government are prepared to deny voting rights to 18,000 Gibraltarians because Spain will not like it, the Minister should get up, look the world in the eye and say so. We shall all draw our own conclusions.

Baroness Symons said that giving voting rights to Gibraltar would be possible only with unanimous agreement in the Council of Ministers. Of course we believe that a good relationship with Spain is important. However, the Conservatives believe that the relationship between Gibraltar and this country is also important. Gibraltar is part of the United Kingdom. Spanish dependent territories have a vote and representation in an additional seat. We are not asking for that.

We know that the Government are already tentative in their relations with Spain. I happened on a report of the Justice and Home Affairs Council of 4 and 5 December last year. It says:

"The Spanish delegation blocked three decisions which were ripe for agreement, over the status of Gibraltar. One decision concerned a proposed joint action for the creation of a European legal contact network. Spain, which does not recognise the independence or the autonomy of Gibraltar, did not want the British Government to appoint a magistrate or prosecutor to Gibraltar. To mollify the Spaniards, the Presidency asked all the Member States to notify their contact points—judiciary authorities and magistrates specialising in the fight against large-scale crime—to the Secretary General of the Council, so that this joint action could be implemented immediately once adopted at a future session. The UK delegation announced that it did not plan to create a contact point on Gibraltar."

The Government have already proved pretty weak on relations with Spain over Gibraltar when push comes to shove.

For the sake of the nation, eschewing partisan advantage, we do not want the Government, who are already becoming known as soft on crime, to be thought of as soft on democracy as well. The Minister of State, Foreign and Commonwealth Office, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson), said in an answer on 9 December that the Foreign Office was keeping the issue under review. Now is the time to end the review. Now is the time to put up or shut up.

The new Labour Government tell us that they are creating a new Britain, a new Europe, a new world and a new millennium, that they are making new friends in Europe, have new influence in Europe and have the presidency to boot. Let us have a small test of all that newness—all that new influence, all that new power, all that new persuasive charm, all that new democracy, all that "let the people decide" attitude, all that determination to put the people first, foremost and always. What about the people of Gibraltar?

This may cause some hurt among Labour Members, but some of us have been sceptical about some of the Government's claims. Today provides them with a chance to prove us wrong. I want the Minister to rise to the challenge on behalf of the people of Gibraltar and the

democratic accountability about which she and her right hon. and hon. Friends talk so much. Let us have a little openness on Gibraltar.

Mr. Austin Mitchell (Great Grimsby): I am grateful to the right hon. Gentleman for allowing me to intervene, because it stops a flood of tears springing to my eyes about the situation in Gibraltar. Did the outgoing Conservative Government intend to include Gibraltar in this Bill on the European elections?

Sir Brian Mawhinney: I have two things to say to the hon. Gentleman, whom, as he knows, I hold in the highest possible regard. First, had he been able to organise his timetable to join us a little earlier than he did, he would have already heard me deal with that point at considerable length and to the general approval of the Chamber. Secondly, had we won the election last year, we would not have dreamed of bringing in such a rotten Bill.

Of course the Foreign Office will be against our amendment; it will not like anything that upsets the relationship between the United Kingdom and Spain. But this is a Home Office Bill. The Home Secretary is already in danger—I put it as gently as I can—of creating the impression that his freedom of movement is only as great as that permitted by the Chancellor of the Exchequer. It would be damaging if the Home Secretary's freedom of movement were seen to be constrained by the Foreign Secretary as well as by the Chancellor of the Exchequer.

I ask the Minister to give serious consideration not to doing something for the Opposition but to doing something of huge importance for the people of Gibraltar. I commend the amendment to the Committee.

5 pm

Mr. Mackinlay: I support the amendments. I formally apologise to the shadow Home Secretary for interrupting and misunderstanding him. We were at one on the point that he was making. The amendments relate exclusively to Gibraltar. They relate to a self-standing case. It needs to be borne in mind that no other territory is relevant to the issue. The word "territories" is in all European legislation and treaties, and it is an accident. The treaties should specifically refer to Gibraltar since there is simply no other "territory" falling into that category.

I wish, though, that the shadow Home Secretary did not pick a fight on every occasion. It makes it more difficult for people like me, who are in enough deep water as it is, to agree with him almost entirely. He sometimes over-eggs the partisan case, as he has on this self-standing matter of fundamental right. The people of Gibraltar are in the European Union. They are British, and by virtue of the Maastricht treaty, they have European Union citizenship. Whatever our views on that, it is enshrined in British law and must have some value.

I hope that my right hon. and hon. Friends on the Treasury Bench extend me the courtesy of listening to my remarks. I shall certainly want to interrupt them when they start trotting out flawed arguments which the Foreign Office is peddling to them. If my hon. Friend the Member for Liverpool, Wavertree (Jane Kennedy), the Assistant Whip, asks me to move on, I will do so as quickly as I can, although I want to complete the important arguments. Such arguments are very serious to 17,000 potential electors who are denied rights.

The Labour party has a long tradition of ensuring enfranchisement. I find it difficult to reconcile that powerful tradition with the apparent refusal to recognise that the people of Gibraltar have a right to vote in European elections—and I do mean a right. I hope that there might be some more mature reflection on the matter.

The shadow Home Secretary advanced the idea that the British Government would not extend the franchise because they were somehow frightened of the reaction of Spain, and so on. My fear is that that view is endemic at official level in the Foreign Office. Over the years, the Foreign Office has badly failed the people of Gibraltar. That is reflected in its flawed briefs to Ministers.

Reference has been made to arguments advanced in another place by Baroness Symons that, somehow, there is an impediment to altering the law without unanimity among EU member states. That is simply wrong in law. It is nonsense, but it is indicative of the kind of stuff that is peddled at an official level in the Foreign Office. Even if I am wrong, it is up to the British Government to challenge such a premise. I am quite confident—I say this with as much humility as I can muster—that I happen to be right, and that the Foreign Office is wrong. I invite the Minister to consider that, if the point is conceded, the right of this place to determine categories of citizenship is conceded.

It is within the competence of any EU nation state to legislate on who its citizens are and on the various categories of citizenship. I shall not go into the question of the citizenship of the people of Gibraltar and the nature of their passports, suffice it to say that it is in our competence, within the EU, to include them in a category of citizenship. We could do so under this Bill or some other measure.

The shadow Home Secretary referred to the fact that, throughout the world—on islands in not only the Atlantic ocean but the Indian and Pacific oceans—EU citizens vote in European elections. He referred to the territories of France, Spain and the Netherlands. There is a wider issue in that people in such territories may also vote in national assembly elections. That matter should be addressed, too, but I will not go down that road today. Such countries have sensibly incorporated the people of their territories in their supranational territory. In the treaty of Utrecht, which I know the Minister looks at frequently, she will find that it is within our competence to do the same for the people of Gibraltar. The Spanish could not challenge it in the courts, because such a competence is four square within the terms of the treaty.

The shadow Home Secretary referred to people around the globe who will vote in European elections by virtue of citizenship of other European nations, but United Kingdom citizens in every corner of the world will also be voting due to legislation which, rightly or wrongly, was passed under the Conservative Government, who extended the franchise to people who have lived in other countries for up to 20 years. From central America to south America, and in every corner of the globe, folk will be able to vote and will vote in European elections.

I return to the moral argument, to which I ask the Minister to address herself. If we had gone to war this week, Gibraltar would have gone to war.

[Mr. Mackinlay]

When EU common foreign security policy decisions are made, Gibraltar is bound by them. The Prime Minister is Gibraltar's Prime Minister. Of course, Gibraltar has a Chief Minister, but the Prime Minister represents Gibraltar on world councils. The Foreign Secretary is also the Foreign Secretary of Gibraltar. I hasten to add that, in relation to a number of detailed aspects of the constitutional relationship between Gibraltar and the UK, the Home Secretary is the Home Secretary of Gibraltar.

The fortunes of the people of Gibraltar are ultimately determined in this House, but they are denied a vote here. Decisions are being taken in Brussels and the European Parliament which affect them, yet they have no right to have a say. That is demonstrably wrong and completely flouts the Labour party's tradition of extending the franchise.

The very least that I would expect of the Government is to incorporate in the Bill the ability to include Gibraltar, and then to test that ability in the courts, if challenged. As I said, if I am wrong, and we lose the case in both the United Kingdom courts—which is inconceivable—and the European courts, so be it. But that will not be so. The Government are not going to test that, because they will shun the amendments.

Sir Brian Mawhinney: I am sorry if I made it more difficult for the hon. Gentleman on a partisan basis. I was not trying to do that. He has just made an important and realistic point—that, if the Bill were amended to include Gibraltar, it is conceivable that, between it receiving Royal Assent and the 1999 elections, the Government might not get the agreement of Spain. That might take a little longer. In which case, were the Government to indicate a willingness in principle to incorporate something along the lines of the amendments, I would be very happy to withdraw our amendment, as I am sure he would withdraw his, to give the Government the opportunity on Report to table a more enabling amendment.

Mr. Mackinlay: I agree. I hope that Ministers are listening to the suggestion that there should be further reflection on the matter at least to enable the UK Government to extend the franchise. That is fair and sensible. If they do not accept that, the onus is on them to advance the reasons why they are unable to. I use the word "unable" deliberately, because, if they cannot advance such reasons, we must conclude that they are unwilling and we are entitled to ask why. I think that the smoking gun goes back to the Foreign Office, which has significantly failed the people of Gibraltar for a decade or more. I ask the Home Secretary to consider re-examining the matter.

There is abysmal ignorance about the matter. I intervened on the Shadow Home Secretary because I get so irritated by people thinking that the Channel Islands and the Isle of Man are part of this. I know that such flawed thinking often emanates from Foreign Office officials. The issue must be addressed. It is not going to go away. We will have this debate time and again when dealing with Bills on representation of the people for the House of Commons. No doubt there will be further legislation relating to elections to the European Parliament. As sure as night turns into day, some Government—I hope that it will be a Labour Government—will concede the point. After that, people will wonder what all the fuss was about. Some things are inevitable, and this place makes itself look silly by not listening to arguments that have been won. We stand rigid and try to use the whipping system to let a silly situation prevail.

I hope that the Minister will reconsider the matter. If I show anger, it is because of the prevailing attitudes to which I referred. An hon. Member, who, unlike me, holds office, referred to Gibraltar in my hearing as being "abroad". When I challenged him, he again said that it was "abroad". That underlines the nonsense that we hear about Gibraltar. I will not embarrass the hon. Member concerned but he was of some note. It is time that a line was drawn. I hope that we will start to stand by these people who have done us proud and are morally entitled to be represented in democratic institutions.

Mr. David Heath (Somerton and Frome): This is an important debate. Extending the franchise to people who should have a way of representing themselves democratically is very important. I listened carefully to the points made by the right hon. Member for South-East Cambridgeshire.

Sir Brian Mawhinney: North-West Cambridgeshire

Mr. Heath: I apologise; I was misinformed. The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) had five or six minutes of good points and it was good to hear them extended to 28 minutes. He is right to say that it is an old question. Arguably, it goes back to the treaty of Utrecht, which was in some ways an imperfect document, but it was of its time. Nevertheless, it creates anomalies that have yet to be rectified.

One of today's newspapers carries the obituary of a distinguished former Member of the House, Sir David Crouch. One of his earliest activities was arguing for the democratic rights of the people of Gibraltar against the Government of the right hon. Member for Old Bexley and Sidcup (Sir E. Heath). The matter has exercised hon. Members for many years.

It is an anomaly that Gibraltar is treated, uniquely, as a European Union territory that does not have access to the democratic structures of the European Union. The right hon. Member for North-West Cambridgeshire is right to draw a distinction between Gibraltar and the French départements and territoires d'outre-mer and the Spanish enclaves on the north African coast. He was perhaps disingenuous in not making clear how that anomaly came about. Those territories had democratic representation in their domestic Parliaments at the time of accession to the European Union, whereas Gibraltar has not had that right of representation, nor has it been accepted by this Government or previous ones that it should have that right. It is perhaps something that we should address. The hon. Member for Thurrock (Mr. Mackinlay) and I have been considering that carefully in the Foreign Affairs Select Committee when examining the affairs of our dependent territories, which are now the British overseas territories.

5.15 pm

There is also the argument, which I believe no

longer holds true, that Gibraltar is not fully part of the European Union territories, in that some parts of the acquis communautaire do not apply to the territory of Gibraltar. Indeed, there was an argument that the Government of Gibraltar had not implemented the parts of the acquis communautaire that did apply to it. Mr. Caruana and the present Government of Gibraltar have made considerable strides in bringing Gibraltar into line with its obligations. It is therefore clearly right and opportune that we consider citizenship and the extension of the franchise to Gibraltar.

I disagree with the hon. Member for Thurrock, because I believe that there are difficulties in law. Annexe 2 of the 1976 EC Act on Direct Elections is an impediment. It clearly forms part of the treaty; we have a treaty obligation. I would not be happy if we passed into domestic law something that was clearly not in line with our treaty obligations.

Sir Brian Mawhinney: I did not quite understand the hon. Gentleman's last point. My understanding, which was reinforced by the quotation from Baroness Symons that I read out earlier, is that such action is not outwith the law, and that the difficulty was the need for unanimity. Knowing Spain's attitude to Gibraltar, that would be a difficult task. Is he saying that there is a genuine legal impediment, as opposed to what I might call a handling problem?

Mr. Mackinlay: Test it.

Mr. Heath: I am grateful to the right hon. Gentleman. The hon. Member for Thurrock says that we should test it. It may need to be tested. I understand that the current advice of the Foreign Office—

Mr. Mackinlay: It is wrong.

Mr. Heath: It may well be wrong, but it is borne out by my reading of the annexe and the treaty. The treaty would have to be amended, and it is that, rather than the treaty's interpretation, which would require unanimity among member states. That advice is not cast solid. A letter from the Foreign and Commonwealth Office to the Foreign Affairs Committee on behalf of Baroness Symons offers to ask legal experts to look again at ways of getting around that apparent difficulty. That is right, but we cannot simply wish it away and say that there is no impediment.

I agree with the hon. Member for Thurrock that there is no clear impediment to representation of the people of Gibraltar here. That is a matter for the will of the British Parliament. The case of the European Parliament is clearly written into a treaty, and we have to find ways either of interpreting it differently from how it has been interpreted so far or of amending it, which would require unanimity.

My last point is a small difference with the right hon. Member North-West Cambridgeshire, who seeks to put Gibraltar into the London region. Those of us from the south-west of England have always felt that, if Gibraltar is to be anywhere, it should be in the south-west. It lies in the western approaches. Like the Scilly Isles, it is a natural extension of the south-west peninsula: keep going and one eventually arrives at Gibraltar. That view has been promoted by my friend the Member of the European Parliament for Cornwall and Plymouth, who sees Gibraltar as naturally part of his territory. We shall not fall out over whether Gibraltar, if it ever accedes, should be part of the south-west region or part of the London region, but it is necessary that I should make the case on behalf of my own region.

In short, if the Committee divides, I and my right hon. and hon. Friends will support the amendment. That is not because we believe that it is perfect—we do not; there is still much legal and diplomatic work to be carried out before its aims can be achieved—but to indicate our preference that the people of Gibraltar should have the democratic representation that every other citizen of the European Union has by right. If we can demonstrate that desire to the Government today, perhaps they will do as the right hon. Member for North–West Cambridgeshire suggested, look at the matter again and return with workable proposals to make that democratic representation a reality.

Mr. Christopher Gill (Ludlow): I support the three amendments in my name, and those tabled by my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney) and others.

In September of last year, I was privileged to visit Gibraltar with a delegation from the Commonwealth Parliamentary Association. Chief among the many points we noted during our visit was the people of Gibraltar's enthusiasm to remain British and to retain their British nationality. Not the least part of their claim is that they have played an important part in this nation's history and, as the hon. Member for Thurrock (Mr. Mackinlay) said, they continue to play an important part. The ships sent to the Gulf during the recent confrontation with Iraq were refuelled and, in some cases, restored and reprovisioned in Gibraltar.

The people of Gibraltar feel strongly that they accept many burdens as a result of their membership of the European Union, but do not necessarily get all the benefits. The subject under discussion this evening is one of the benefits that they are not getting.

I should clear up one misunderstanding—the common belief that the people living in Gibraltar are actually expatriate Spaniards. That is not true: the people living in Gibraltar are generally of Italian extraction, many of whom can trace their ancestry back to Genoa. They are, by any reckoning, European peoples, and they feel aggrieved about the current situation. The whole of the Commonwealth Parliamentary Association delegation recognised their concerns and understood them. I hope that tonight there will be cross-party support in the Lobby for the amendments. It is an issue on which the whole House can unite without fear of establishing any precedent, because Gibraltar is in a unique position.

One of the few redeeming features of the Bill—which, in other aspects, my colleagues and I will oppose—is that it gives the House an opportunity to address a wrong, or to correct what might have been an oversight 25 years ago. As my right hon. Friend the Member for North–West Cambridgeshire has pointed out, the Bill represents a new beginning, with new constituencies, new methods of election, a change in the candidate selection procedure, and opportunity to

[Mr. Christopher Gill]

include Gibraltar. I hope that the House will bear with me as I read an extract from a letter from the Chief Minister of Gibraltar, which was sent to me in November last year. It states:

"30,000 British Gibraltarians, and other EU Nationals resident in Gibraltar, are the only EU Nationals who have no right to vote at Euro-Elections. This is in stark contrast to citizens of Spanish territories in North Africa, and some French territories even further away, who do vote. The people of Gibraltar have long felt aggrieved by this serious democratic deficit. The position is now even more anomalous following extension of the co-decision procedure, which gives the European Parliament a far more extensive role in the process of legislation which Gibraltar is subsequently required to transpose into our own laws and to implement."

The Gibraltarians are the only European nationals who do not have the vote in European parliamentary elections, but there are other factors to be considered. Gibraltar is geographically part of Europe—that is indisputable; it is ethnically European, as I have already demonstrated; administratively, it has been linked either to this country, or, further back in history, to another European country; and currently, it is treaty-bound in membership of the European Union. Gibraltar's constitutional position within the European Union is defined by article 227(4) of the treaty of Rome—Amsterdam article 299.4, page 227, Cm 3780—which states:

"The provisions of this Treaty shall apply to the European territories for whose external relations a Member State is responsible."

The amendments do not propose that Gibraltar should be a new constituency. Many hon. Members recognise that if that were the proposal, it would be necessary to amend the 1976 EC Act on Direct Elections. The amendments simply propose that Gibraltarians should be added to the electoral rolls in the new London electoral region. Any other region could have been chosen, but it seems to me that, for practical and commonsense reasons, it would be more sensible for Gibraltar to be connected with the City of London. Most people travelling from Gibraltar to this country arrive in London, and most people travelling to Gibraltar start their journeys in London. There is therefore a good argument in favour of linking Gibraltar with London, although I acknowledge what the hon. Member for Somerton and Frome (Mr. Heath) said in that respect.

Following on from other remarks made by the hon. Gentleman, may I draw his attention to the opinion of Michael Llamas, who is an advocate resident in Paris? Mr. Llamas presented an opinion to the European Court in connection with the case of a Gibraltarian who went to the court on the precise issue of whether or not she was being denied her democratic rights by not being allowed to vote in European elections. It was the opinion of Mr. Llamas that:

"The United Kingdom can unilaterally extend the right of franchise to the European Parliament to Gibraltar if such an extension can be put into effect without the need to amend Annex II."

That confirms the point made by my right hon. Friend the Member for North-West Cambridgeshire. Mr. Llamas continues:

"the United Kingdom can unilaterally extend the right of franchise to the European Parliament to Gibraltar because:

(a) the Act on Direct Elections is applicable to Gibraltar by virtue of the operation of Article 227(4) EC Treaty;

(b) for EC purposes, Gibraltar is considered to be an integral part of the Member State, the United Kingdom."

In addition, Mr. Llamas argues that the right of franchise to the European Parliament for Gibraltar can be given effect in two further ways: either

"by the integration of the Gibraltarian vote in the vote of European Parliamentary constituency in the United Kingdom"—

which is what is proposed in the amendments; or

"by the grant of a European Parliamentary seat to the territory of Gibraltar."

He continues:

"in the former case, the United Kingdom can . . . act unilaterally whereas in the latter case it cannot do so."

I hope that that answers the question posed by the hon. Member for Somerton and Frome.

Mr. Llamas also states:

"it is possible for the Gibraltarian vote to be integrated into the vote of a European Parliamentary constituency in the United Kingdom. This solution would maintain the exclusion of the territory of Gibraltar from the Act on Direct Elections, as interpreted by the United Kingdom, but would allow the citizens of the European Union who reside in Gibraltar to exercise the rights protected under Article 3 of Protocol No. 1. Since this vote would be expressed in the context of a European Parliamentary constituency in the United Kingdom there is no need to amend Annex II. The problem would be solved internally and unilaterally by the United Kingdom."

I hope that the Minister will take that point on board and respond to it when she sums up the debate.

The Government profess their determination to create greater democracy—in fact, the whole United Kingdom constitution is being turned upside down on the pretext of securing greater democracy. This Bill is part of that process. Even in Committee this evening, the Government seem determined to resist giving 30,000 British subjects the right to vote. Those people are British nationals. The 1972 Act of Accession defined the term "nationals" in the context of Gibraltar as follows:

"Persons who are citizens of the United Kingdom and Colonies by birth or by registration or naturalisation in Gibraltar, or whose father was so born."

There is no doubt that those people are British nationals and that Gibraltar is a special case. There is no doubt, either, that Gibraltar is in a unique situation. The Minister need have absolutely no fear about creating any sort of precedent by agreeing to the amendments tonight. I hope that the Government will respond generously this evening. More to the point, I hope that the Government will take advantage of a unique opportunity to grant the people of Gibraltar their full democratic rights.

5.30 pm

Rev. Martin Smyth (Belfast, South): I support the hon. Member for Ludlow (Mr. Gill) and my right hon. Friend the Member for Strangford (Mr. Taylor), who have tabled amendment No. 7, for various reasons. I remember my first visit to Gibraltar, when the Chief Minister and Members of the Council were socialists. We are dealing with the full spectrum of political opinion in Gibraltar when we discuss this matter.

A few years later, in London, Mr. Bossano told me, "Remember that the mandarins in Madrid and in London have more in common with one another than they have with their political masters." He said that with a twinkle in his eye because he was transposing Madrid and Dublin in my case. The people of Northern Ireland have an

empathy with the people of Gibraltar. Several years ago, when some said that it would be difficult to fit 30,000 people into one United Kingdom constituency, I suggested that we might consider linking Gibraltar with North Antrim as a fair number of Gibraltarians were born around Ballymena—hence Ballymena house in Gibraltar.

I understand the views expressed by the hon. Member for Somerton and Frome (Mr. Heath). Gibraltar holds the Mediterranean approaches and the hon. Gentleman might consider that it should also hold the western approaches. On the other hand, I support the argument for linking Gibraltar with London. People often travel from Gibraltar to London, communication with London is easy, and Gibraltar has a fine office in London that keeps us informed about events.

I support my colleagues who have said that we are not dealing simply with an overseas territory or arguing the case for territories outwith Europe: we are dealing with an injustice that was done to Gibraltarians allegedly because we defended the concept of the treaty of Utrecht. We did not argue the case of Gibraltar as an individual entity within Europe sufficiently strongly when the annex was added. Without changing that pattern, it is now time to give the people of Gibraltar their democratic rights within the European Union.

I support the amendments, and I trust that the Government will move speedily to accept them in the interests of natural justice and democracy. The people of Gibraltar are part of us; they have been with us in good times and in bad. When we gave Gibraltar greater independence, it acceded to all our requests to reform its own political and banking systems in order to achieve the best British standard. We should support the people of Gibraltar now and grant them their proper place within Europe.

Mr. Damian Green (Ashford): I wish to put in an historical context the case for giving Gibraltar the rights that the amendments enshrine. It is significant that, in this short discussion, hon. Members representing four political parties have spoken in support of the amendments. That shows that this is one of the least divisive issues that Parliament has addressed in recent weeks. The Government would not lose face by accepting the amendments; there is widespread consensus in support of them, and I would welcome the Minister's acceptance of them when she winds up the debate.

It is important to consider the historical perspective, not least because the situation has changed a great deal since Britain's accession to the European Community—as it then was—in 1973. When Spain became a member some years later, there was a burst of optimism throughout Europe—particularly in this country and in Gibraltar—that, as Spain had been cemented as a member of the wider European democratic family, the centuries-old problem of conflict between Britain and Spain over Gibraltar might be resolved through reasonable debate and sensible negotiation between democracies that the European ideal is designed to promote. One of the great disappointments of the last couple of decades in the context of Gibraltar is that that has not occurred.

There has clearly been some relaxation of and significant improvements in the conditions that the Spanish Government apply to the people of Gibraltar, but I am sure that all hon. Members agree that the normalisation of relations between Gibraltar and Spain, which we hoped for when Spain acceded to the European Community, has not been realised. It is therefore appropriate for the British Government to say at this stage that we are prepared to stand up fully for the democratic rights of the people of Gibraltar. We have waited long enough for the problem to be resolved through negotiation. As that has not proved possible, the time is right for the British Government to make this significant gesture.

Since the accession of Britain—and therefore of Gibraltar—and Spain to the European Union, the concept of EU citizenship has been introduced. The European Union is presently running a Europe-wide advertising campaign pointing out that EU citizenship confers rights on the citizens of the Union. As it is explicitly a Union of democratic countries, every EU citizen can expect to have the basic right to vote and the basic right to representation, but all that is a charade if, in one small corner of the EU, those rights to do not apply.

The implications go wider. The problem of the democratic deficit clearly affects the European Union, and the European Parliament is meant to redress it. Nowhere is the democratic deficit more palpable than in Gibraltar, whose citizens have no democratic representation at all in European institutions. While we are addressing the democratic deficit, it is important that we start with the place for which this country has a direct responsibility and which is worst off in terms of democratic representation.

The suggestions in the amendments would be good not just for Gibraltar, but for the European Parliament. I am aware that some of my hon. Friends might greet with equanimity, to use the word of my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney), the fact that the European Parliament lacks a high public profile and is often regarded as a fifth wheel on the coach among European institutions.

That attitude is short-sighted. The institution exists and serves a purpose. It is gaining new powers as the years pass. It would be sensible for the Committee to give the European Parliament a useful and popular effect so that it can show itself to be capable of expanding democracy in European institutions.

As we have heard, Gibraltarians are not represented in a national Parliament, which would be this place. As they are citizens of the European Union and have not shown any great desire for representation in this place, the European Parliament would be the appropriate place for the democratic representation of such a British overseas territory.

I shall try to anticipate what the Minister will say in opposing these popular and sensible amendments. I imagine that the Government will say that the amendments would break the treaties and therefore be illegal. We have heard several learned comments on whether the Foreign Office legal advice is correct on that point. I always hesitate to enter a legal debate, but at the very least it is clear that there can be two coherent views as to the legality of the argument.

I am sure that, in their hearts, hon. Members on both sides of the Committee want to support the amendments, so let us test them. That is what we have a legal system and courts for. If the amendments are illegal, we can do something—we can start negotiating new treaties—but

[Mr. Damian Green]

saying supinely that we have received legal advice suggesting that they are illegal so we shall do nothing would not reflect well on the Committee or on the Government.

I dare say that the Minister will be tempted to say that the amendments would be bad for relations between Britain and Spain. None of us wants to disturb relations with one of our friendly colleagues in the European Union, but I suggest to the Government that, when in doubt about prospective negotiations in Europe, they should always ask themselves what the French would do in the same circumstances. They are able to reconcile their national interest with a positive attitude towards relations with the rest of the European Union. It is inconceivable that a French Government, faced with an equivalent problem to the one before us, would not instantly give democratic rights to their own citizens.

Mr. Nick Hawkins (Surrey Heath): My hon. Friend suggests that the Government might take note of what the French would do in such circumstances. I am sure that, like me, he has read the interesting debate on Gibraltar in another place on 26 November last year. Does he agree that the Government should also take careful note of the views expressed in that debate by their former colleague in this House, now Lord Janner of Braunstone? Does my hon. Friend agree also that the Government would be wise always to take note of their former senior Back Benchers?

Mr. Mackinlay: And existing Back Benchers, please.

Mr. Green: My hon. Friend makes an excellent point, as does the hon. Member for Thurrock (Mr. Mackinlay). Senior Back Benchers, both those who have gone to another place and those still in this place before elevation to another place, can make great sense on the issue.

Mr. William Cash (Stone): My hon. Friend made an interesting and important point about the French. Is it not the case that Martinique, Guadeloupe, Réunion and so on are already départements of France? They are seen to be part of France. From 1713, and later in the treaty of Paris, they were turned into colonies.

5.45 pm

Mr. Green: My hon. Friend is right. There is an exact equivalence, which is why the Committee should accept the amendments.

The Government have made a lot of noise about their presidency and what they will achieve in the six months. May I make the modest suggestion that an historic step forward, which would be popular in this country and extremely welcome in Gibraltar, would be the Government's using their presidency to accept the amendments and giving democratic rights to the people of Gibraltar.

The Minister of State, Home Office (Ms Joyce Quin): This has been an interesting debate, and I recognise the strength of feeling that has been evident in the speeches of many hon. Members, particularly the hon. Member for Ludlow (Mr. Gill), who raised this issue on Second Reading, and my hon. Friend the Member for Thurrock (Mr. Mackinlay), who has referred to the matter on various occasions.

I found the arguments of the right hon. Member for North–West Cambridgeshire (Sir B. Mawhinney) less convincing. I was grateful that he began by saying that he was not filibustering. That was good to hear. He also said that he would not try to widen the debate to a general debate on Gibraltar, although it has been widened somewhat.

The right hon. Gentleman spectacularly dodged the question, addressed to him by my hon. Friend the Member for Great Grimsby (Mr. Mitchell), why the previous Government had not sought to amend the legislation, or whether they would have included Gibraltar if they had introduced a Bill to change the voting system for the European Parliament as the right hon. Gentleman proposes. He was silent on the matter.

Sir Brian Mawhinney: May I help the hon. Lady by reminding her that I said that we recognised, as did her party, before the first direct elections and subsequently, that the form of direct elections that we had adopted—European constituencies based on parliamentary constituencies—made it difficult to accommodate the matter. That was the view of her party in opposition, which never sought to persuade us to take action on it. Having decided to change the system, the Government have now provided an opportunity to redress a wrong that should be put right.

Ms Quin: I find that even less convincing than when the right hon. Gentleman said it the first time round. The previous Government were in power for 18 years. At various points during that time, European constituency boundaries were changed. They never raised the matter.

The right hon. Gentleman thought that we would say that Spain would not like the proposed change, so we would not go ahead with it. I am not prepared to say that at all this evening, although I notice that the right hon. Gentleman's colleague in the other place said something similar on behalf of the Opposition there. He said:

"We—

meaning the Conservative Opposition—

"recognise the formidable practical difficulties in resolving this issue, in that any alteration to the status quo would require the agreement of all member states, including Spain."—[*Official Report, House of Lords*, 26 November 1997; Vol. 583, c. 1052.]

I suggest that the right hon. Gentleman seems not to be on message with his colleagues in another place. The Opposition must try to arrive at a consistent line.

Sir Brian Mawhinney: The Minister says that she will not say that Spain will not like it. What does she think Spain's reaction would be if the Government accepted the amendment?

Ms Quin: I said that I am not going to say that Spain would not like it as a reason for not accepting the amendments.

Sir Brian Mawhinney: I accept that that is the argument that the Minister is advancing, but what is the

answer to my question? What does she think Spain's attitude would be if the Government accepted the amendment?

Ms Quin: As that is not the argument that I am advancing, the hon. Gentleman's argument is hypothetical. It would seem that his question has been answered by his colleague in another place, Lord Moynihan.

Sir Brian Mawhinney: Will the Minister give way?

Ms Quin: I shall not keep on giving way to the right hon. Gentleman, but I shall do so on this occasion.

Sir Brian Mawhinney: I am grateful to the Minister. My noble Friend is not a Minister and I am not advancing any particular point of policy. I am merely asking the Minister a question, and a simple question. It may not be part of her argument but she is a Minister and it is a legitimate question for me to ask her. What is the Government's assessment of Spain's reaction if the Government accepted the amendment and tried to move things forward?

Ms Quin: As that is not central to my argument, it is not appropriate for me to make such an assessment. The issue that the right hon. Gentleman has raised is not a stumbling block when it comes to the proposed legislation before us.

The hon. Member for Somerton and Frome (Mr. Heath) referred to the real difficulties. I am grateful to him for what he said even though I reach a rather different conclusion. At least the hon. Gentleman addressed the real legal issues that are at stake.

Various hon. Members have referred to the départements d'outre mer and the territoires d'outre mer. Fortunately for the territories involved, they were covered by the appropriate legislation at the beginning. There is a different historical setting and the territories are counted as part of metropolitan France. They are, for example, able to vote in domestic elections. Opposition Members may envy the status of those areas, but they are not relevant to Gibraltar, to the terms of the amendment or to the Bill.

Mr. Gill: In the Minister's opinion, is there any legal bar to the people of Gibraltar being included in the electoral roll of an English region at the next European elections?

Ms Quin: I am coming to that point. The legal arguments are central to the point of view that the Government are taking.

Gibraltarians are unable to vote in European parliamentary elections by virtue of the second annex of the 1976 Act on direct elections to the European Parliament. The annex restricts the application of the Act to the United Kingdom of Great Britain and Northern Ireland only, to the exclusion of other UK territories such as Gibraltar, the Channel Islands and the Isle of Man, to which the EC treaties apply in part.

My hon. Friend the Member for Thurrock rightly referred to differences between the arrangements that affect Gibraltar and the Channel Islands or the Isle of Man, but those differences are not relevant to the Bill, which covers all those territories, including Gibraltar. That is the point.

Mr. Gill: The Minister is now addressing the nub of the question. The hon. Member for Thurrock (Mr. Mackinlay) and I maintain that there is no bar to Gibraltarians' being put on the electoral roll of one of the new regions in the United Kingdom. Does the hon. Lady accept that much of the new European law that is applied in Gibraltar has to be put on the statute book in Gibraltar and that that is done because of Gibraltar's relationship to the United Kingdom? However, it is not stated in directives that they apply to the United Kingdom and Gibraltar. It is assumed that Gibraltar is part of the United Kingdom for such purposes. What is sauce for the goose is sauce for the gander. It is—

The Chairman of Ways and Means (Sir Alan Haselhurst): Order. The hon. Gentleman must not make a second speech in an intervention.

Ms Quin: Our understanding of the legal situation is that Gibraltar cannot be included in the way that is suggested. That view seems to be shared by the Opposition spokesman in another place. We are not making a judgment hastily; we closely examined the evidence. It seems that it is not possible to include Gibraltar in the way the hon. Gentleman describes.

Mr. Mackinlay: My hon. Friend has referred to the inclusion of Gibraltar along with the Channel Islands and the Isle of Man. There is a substantive difference in law. The Isle of Man and the Channel Islands are not in the European Union. The treaties apply in part to those territories but they are not in the EU. People who live in the Channel Islands or the Isle of Man do not have EU citizenship, whereas the people of Gibraltar do. Gibraltarians are in the EU, although in a special category.

I wish sometimes that the occupants of the Treasury Bench would focus on what is being addressed to them through the Chair, because I wish to ask a question. If, for the purposes of this intervention, we accept that my hon. Friend's legal opinion is right—although I think that it is wrong—will she nevertheless be persuaded by the moral argument that the people of Gibraltar are exclusively denied? The Government should therefore examine the proposition advanced by the shadow Home Secretary and reflect upon it again. They should bear it in mind that the fundamental treaties of the European Union state that everyone should be enfranchised. The UK could go on the offensive in the European courts by saying that we are fulfilling the principle of the treaties, only to find that there are democratic institutions that have not prevailed.

Ms Quin: As I have said, there are differences between the status of Gibraltar in the European Union and, for example, the status of the Channel Islands and the Isle of Man. However, for the purposes of the EU parliamentary elections, it is clear that they have the same status. That is the legal position. If that position were to be changed, it would require a proposal from the European Parliament, and a unanimous decision in Council followed by ratification by all member states. I am sure that the formidable political obstacles that would be encountered by that course of action are more than evident to the Committee.

[Ms Quin]

The fact that Gibraltarians are unable to vote in elections to the European Parliament does not mean that Gibraltarian views are not expressed in the European Parliament. Having been a member of the European Parliament for 10 years, I know that that is the case. I know that Gibraltar's interests have often been articulated there. I think, for example, of the time when the EU had a scheme to help shipyards, which was called RENAVAL. The scheme involved money that was used in the United Kingdom and in the shipyard at Gibraltar to help deal with the rundown in the Ministry of Defence in that area.

Sir Brian Mawhinney *rose—*

Ms Quin: I shall give way to the right hon. Gentleman for the last time.

Sir Brian Mawhinney: We are in Committee.

I am sure that the hon. Lady was conscientious in terms of Gibraltar when she was a Member of the European Parliament. I say that generously. However, by the token of her argument, would she be content if 18,000 voters in Gateshead, East and Washington, West did not have the opportunity to vote, but she could soothe them by saying, "Of course, I move among you, drink in your pubs and visit the schools in the area, so don't worry; the fact that you cannot vote for me is not that important because I know what you are thinking"? Surely that is not an argument that the hon. Lady would advance in her own constituency.

Ms Quin: I certainly would not make that argument, but Gateshead, East and Washington, West is covered by the legislation in a way that Gibraltar is not. I am simply saying that there are mechanisms for raising Gibraltar issues, which is done regularly by the UK Government. It is also done by various Members of the European Parliament. That is the only argument that I am making.

Mr. Mitchell: This is the argument of virtual representation, which was advanced about the rotten boroughs in the 18th century. It was said that Manchester was virtually represented because those people might speak for it. My hon. Friend the Minister is arguing—I am not a lawyer, so I cannot check on it—that there is no legal basis for including Gibraltar. I should have thought that where there is a will there is a way. As my hon. Friend accepts the need for representation, will she work to secure representation for the people of Gibraltar in the European Parliament, which they deserve in a democratic institution?

Ms Quin: I do not think that my hon. Friend was here when I began my speech.

Mr. Mitchell: I watched it on the television.

6 pm

Ms Quin: My hon. Friend must have been away from the television in order to get to the Chamber. He will therefore not have heard my legal arguments that deal with those points.

I hope that the right hon. Member for North-West Cambridgeshire recognises that the amendments alone will not and cannot confer on Gibraltar the right to vote in European Parliament elections. I hope that he will reflect on that and withdraw the amendment.

Sir Brian Mawhinney: I am grateful to you, Sir Alan, for allowing me to catch your eye, because I want to reflect on a few of the points that have been made in this debate.

The hon. Member for Somerton and Frome (Mr. Heath) directed the Committee's attention to the legal problem that is at the heart of this debate. He did so off the back of a brave declaration of rectitude by the hon. Member for Thurrock (Mr. Mackinlay), whose legal view was that the Foreign Office was simply wrong. That view is unique neither to the hon. Gentleman nor to the Committee. What was interesting about the speech of the hon. Member for Somerton and Frome was the part of the letter from Baroness Symons, which said, if my memory serves me right, that, if the Foreign Affairs Committee felt strongly about this issue, she was prepared to seek further advice.

Mr. David Heath: So that we can be absolutely clear, the exact words are that the Secretary of State

"has asked legal experts to look at the points again"

and is still awaiting their advice.

Sir Brian Mawhinney: I am grateful to the hon. Gentleman.

Had the Committee heard the Minister say that legal experts had been asked to look at the position again and that she would report back to the House on Report, her speech would have commanded a more convincing response from those who heard it. If she will now come to the Dispatch Box and confirm that legal experts have, as her hon. Friend says, been asked to look at this matter again and that she will undertake to ask them to report so that she can bring their expertise back to the House on Report, I should be happy to withdraw the amendment now and bring it back on Report. I am happy to give way to the hon. Lady if she wishes to do that. I see that the Home Secretary is telling her that she must not do so, so I assume that she will not.

Mr. Hawkins: Does my right hon. Friend share my disappointment that what the Government have really said is, "This is not possible and we are not prepared to try or to consider it"? Does not that undermine what the Chief Minister of Gibraltar, Peter Caruana, said in his recent address to the fourth conference of the United Nations—that time cannot stand still for Gibraltar, and that we must make progress?

Sir Brian Mawhinney: My hon. Friend accurately sums up what we have been told this afternoon, although he did not accurately sum up what the Foreign Affairs Committee has been told. We thus have a Minister at the other end of the Corridor saying something different from a Minister at this end of the Corridor. It is interesting that the Minister at the other end of the Corridor is from the Foreign Office, which is dead against this proposal anyway, while at this end

of the Corridor the Minister who is taking a hard line is from the Home Office, which is supposed to defend the democratic process. I am confused.

The hon. Member for Somerton and Frome has done us a service by drawing that letter to our attention, and I hope that, after the Division, he will encourage the Chairman of the Foreign Affairs Committee to press Baroness Symons to report back on that legal advice as quickly as possible, preferably before the Bill's Report stage, so that we can form a judgment on the possibility of making progress on this legal point.

My hon. Friend the Member for Ashford (Mr. Green) made an important point and underlined what several hon. Members said about the importance of letting Gibraltar have the vote. He also raised in my mind the question what the rest of the world will think about Gibraltar, given that its 30,000 people are the only people in 400 million who do not have the vote. What is the rest of the world supposed to make of that part of the European Union? What conclusions will it draw? Are not its conclusions likely to be detrimental to Gibraltar? Is it not strange that our Government should help to generate circumstances in which Gibraltar is damaged in that public way?

The hon. Member for Thurrock made an important point when he reminded the Committee that British citizens all over the world can vote in those elections thanks to the legislation introduced by the previous Government—indeed, they can do so for 20 years after leaving these shores—but the people of Gibraltar cannot.

We all understood the point made by the hon. Member for Belfast, South (Rev. Martin Smyth), whose commitment to the democratic principle in circumstances that are much more difficult than most right hon. and hon. Members—fortunately—will ever have to face or understand, is a continuing sense of pride, and justifiably so, not only to the hon. Gentleman but to his right hon. and hon. Friends.

I now come to the Minister's disappointing speech. She flatly refused to tell us what assessment the Government had made of the possibility of moving this issue forward, were they minded to do so. I understand why she refused to answer my question. Had she been willing to answer it, she would have had to admit either that the Government had seriously considered accepting this or a similar amendment, but had balked at the fence or, even worse, that they had not even bothered to consider this option. In other words, she would have had to admit that they had not even bothered to see whether there was any chance of success. It all hung on a legal point.

The hon. Lady said that, because of that legal point, 18,000 people have to be deprived of the right to vote so as to help to determine the legislation that governs their lives. Conservative Members will remember her statement throughout this Parliament. Given the Government's centralising, controlling instincts, that was a quintessential new Labour emphasis. We shall not forget it.

I listened to the hon. Lady carefully. She said that, if the law were to be changed, every country would have to agree to and ratify a proposal. That is not a legal obstacle: I agree with her that it is a challenging political agenda. I hope that the hon. Member for Somerton and Frome has noted that point.

If there is no legal obstacle, merely a difficult political hand to be played, the hon. Lady could have said, "It will be difficult to give them the right to vote, but our commitment to the democratic process is such that we are willing to try. However, we can't do so on the back of the Opposition amendment. At best, we can give an undertaking to use the presidency and all our efforts thereafter to try to change the position. When we succeed, we will introduce the necessary primary legislation." If she had said that, hon. Members from all parties would have said to her, "Thank you. We recognise that this is a difficult task that will take time to complete, but you have given us an undertaking and have assured us that your democratic instincts are strong."

In those circumstances, we would have withdrawn the amendment. However, urged on by the Home Secretary, the hon. Lady said exactly the opposite and left us with the clear impression that, when it comes to 18,000 voters in Gibraltar, the Government do not much care. That is a terrible indictment of the hon. Lady. I am glad that the Government Deputy Chief Whip has just joined us. By nodding his head, he has assented to my proposition that the Government have taken a heartless position.

The hon. Lady has hidden behind an abstruse and indefensible point of law to deprive 18,000 Gibraltarians of the right to vote. It is a flag up the masthead and Conservative Members will remember for a considerable time what she and the Home Office have done. She asked me to withdraw the amendment in the light of her wholly unconvincing argument. A number of hon. Members from various parties want to tell the people of Gibraltar, "We believe that you should have a vote." If the hon. Lady and her right hon. and hon. Friends go into the Lobby to tell the people of Gibraltar, "We don't think that you are important enough to have a vote," they must live with that on their consciences.

I shall press the amendment to a vote.

Question put, That the amendment be made:—

The Committee divided: Ayes 183, Noes 315.

Division No. 178] **[6.13 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Curry, Rt Hon David
Dafis, Cynog
Davies, Quentin *(Grantham)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Ewing, Mrs Margaret
Fabricant, Michael

Fallon, Michael
Fearn, Ronnie
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
Mackinlay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Mitchell, Austin
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swinney, John
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Rt Hon John D *(Strangford)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willetts, David
Willis, Phil
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. Stephen Day.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon
(Dunfermline E)
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fatchett, Derek
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)

Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Mrs Helen
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McLeish, Henry
McNamara, Kevin
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Greg Pope and
Mr. Robert Ainsworth.

Question accordingly negatived.

Mr. John Greenway (Ryedale): I beg to move amendment No. 48, in page 1, line 12, leave out 'nine' and insert 'eighteen'.

The Chairman: With this, it will be convenient to discuss the following amendments: No. 49, in page 1, line 13, after 'Scotland', insert

'shall be divided into two electoral regions—

(3A)'.

No. 71, in page 1, line 17, leave out '71' and insert '70'.

No. 72, in page 1, line 18, leave out '8' and insert '9'.

No. 50, in page 1, leave out lines 21 to 23 and insert—

'(5) The Boundary Commissions for England and Scotland shall prepare reports dividing England into eighteen regions (of which three shall cover London), and Scotland into two regions.

(6) The Secretary of State shall—

(a) lay any report of a Boundary Commission under subsection (5) before Parliament;

(b) consider the report; and

(c) not earlier than four months after the last such report has been laid, make an Order dividing England into eighteen regions (of which three shall cover London), and Scotland into two regions.

(7) No order shall be made under subsection (6)(c) above unless a draft thereof has been laid before and approved by a resolution of each House of Parliament.'.

No. 68, in schedule 1, page 5, leave out lines 7 to 18.

No. 54, in page 5, line 20, leave out 'Secretary of State' and insert 'Boundary Commission for England'.

No. 55, in page 5, line 23, leave out 'he considers' and insert 'they consider'.

No. 56, in page 5, line 27, leave out 'Secretary of State' and insert 'Boundary Commission for England'.

No. 58, in page 5, leave out lines 45 to 47.

No. 69, in page 6, line 3, leave out from beginning to end of line 47 on page 7.

No. 74, in page 6, line 25, leave out '10' and insert '9'.

Mr. Greenway: Amendment No. 48 would replace the proposed nine electoral regions for England with 18. In Scotland, the proposed single electoral region would be replaced by two.

One of the Conservative party's principal objections to the Bill is the breaking of the constituency link between a Member of the European Parliament and his or her electors. While it is doubtful whether any system of proportional representation could fully overcome that concern, there is a case for saying that doubling the number of electoral regions would create a greater opportunity for MEPs to identify with the areas that they serve.

[Mr. Greenway]

Some may be tempted to suggest that many voters do not know the identity of their MEPs now, but surely the scheme set out in the Bill will make matters infinitely worse. As they stand, the electoral regions provide for as many as 11 MEPs to represent a region. That is bound to confuse people about who are their representatives in the European Parliament, thus reinforcing public scepticism about the value and relevance of the Parliament itself.

The proposed electoral regions have never been subject to public consultation. I shall refer to that in more detail later. The practical consequence is that no one in the House or outside can be confident that the regions set out in the Bill reflect the public's view of their true regional identity. Such a broad-brush approach means that communities have been forced into regions with which they have little cause to identify. Even the most cursory examination of the regional map demonstrates the futility of trying to weld together vast areas of England that have little in common, have wholly different problems or have markedly separate local or regional identities.

Mr. A. J. Beith (Berwick-upon-Tweed): Before the hon. Gentleman becomes too excited about the superior qualities of the present system, let me tell him something. I had occasion to look up the office address of an MEP who represents Eyemouth, a fishing village on the Scottish coast just north of where I live. His office is in Ayr, on the west coast, which is part of the same constituency under the existing system.

Mr. Greenway: I am not entirely sure what that has to do with the size of electoral regions. It is up to every MEP to make arrangements to publicise where he can be contacted. I have no doubt that, at elections, electors can make their own judgment on their respective MEP's performance. If we have seven, eight or even 11 MEPs in one electoral region, that will make it even more difficult for electors to have any opportunity to hold to account the people who have been elected to represent them in Brussels and Strasbourg.

The regional map completely disregards the commercial, cultural and geographical links of significant parts of the country, which are economic entities in themselves. Central southern England is a case in point.

Mr. Mitchell: If the hon. Gentleman's argument is that we should redraw the regional map to some design of his own, and his further argument is that those regions are too big to allow MEPs to have a genuinely representative role, why does he not support the original formulation, where we had 63 electoral regions?

6.30 pm

Mr. Greenway: We entirely agree with the hon. Gentleman, but, sadly, because of the weight of numbers against us—although the force of argument was on our side—we lost the vote. That matter was put to rest in this House at Second Reading, but we believe that the proposals that I am outlining—I am sure that the hon. Gentleman will listen to the details—will provide a better solution than that in the Bill.

Many regional entities exist in all respects, but are not recognised as regions by the respective Government offices or by the Bill. Central southern England is effectively divided in half by the Bill. Local media coverage and transport links, rather than lines on a map, are the major factors which determine where people feel that they belong.

What do the residents of Northampton, which is linked with the west coast main line, have in common with the rural and east coast communities of Lincolnshire? The area that the hon. Member for Great Grimsby (Mr. Mitchell) represents—if he will listen—is not in the east midlands region, but the coastal towns to the south are; for European elections, they are in the same constituency as the suburbs of Northampton and its commuter area.

How does it make sense to link the commuter belt of Hertfordshire and Bedfordshire with Norfolk? The proposed south-east electoral region is a ridiculous amalgam. In terms of regional issues, let alone local ones, what do people in Buckingham and Oxford share with those in the Kent channel ports? Arguably, Dover has more in common with Calais than with Milton Keynes.

In the south-west electoral region, does it make sense to link Gloucestershire, Wiltshire and Bristol with Devon and Cornwall? We note the lack of interest from the Liberal Democrat Benches on that matter. In central southern England, Bournemouth is in the south-west region, but neighbouring Southampton is in the south-east region, which seems nonsense, given the transport and economic links.

Why cannot people in the Birmingham conurbation, one of Europe's largest cities, have exclusive representation in the European Parliament, instead of being joined with the huge rural communities around the conurbation? People in the north-west know that Merseyside and Greater Manchester are wholly different communities. I shudder to think what north-west MEPs will do when the referee fails to award Liverpool a clear penalty at Old Trafford. Perhaps some early-day motions will be tabled about that.

Having buried Humberside, the east of the Pennines—the area that I represent—is still stuck with Yorkshire and the Humber. Yorkshire's strong regional identity is not reflected by a region that replicates even the traditional county boundary, as Middlesbrough and Redcar are in the north-east region and parts of north Lincolnshire are still in the same region as Yorkshire and the Humber. Many people living in the North York moors in the northern part of my constituency, with which I know you are familiar, Sir Alan, are more likely to regard Middlesbrough as their regional centre than Leeds.

Those inconsistencies have never been subjected to any independent assessment. That said, the proposed north-east electoral region, with just four MEPs, seems much more logical than some of the huge regional constituencies that are proposed elsewhere. That is the area which the Minister of State, Home Office, the hon. Member for Gateshead, East and Washington, West (Ms Quin) represents. The question that the Committee must ask is why, if four is a satisfactory number for the north-east, an average of four—because that is what 18 electoral regions, rather than nine, would mean—is not satisfactory for the rest of the country.

With 80 per cent. of Britain living in urban areas, the urban vote will dominate the outcome of elections. That is why it makes sense for Scotland to be divided into two regions, although I say to the hon. Member for Moray (Mrs. Ewing), who I am sure will catch your eye later, Sir Alan, that we do not agree with the suggestion that there should be an extra seat for Scotland at London's expense. What we do say is that the rural voice, about which Conservative Members are so concerned, will be diluted, diminished and downgraded as a consequence of the proposals.

Apart from the geographical distortions that the proposed regional list creates, the degeneration and erosion of the quality of local representation and the undermining of the value of local contacts should be of most concern to the Committee and will be of concern to the country as a whole.

Mr. John Bercow (Buckingham): In the context of the quality of representation and of the consideration of these crucial amendments, does my hon. Friend not think it extremely unfortunate that, in the midst of his speech, only one Liberal Democrat Member is in the Committee?

Mr. Greenway: It is unfortunate, but not surprising—that is the only point I can make.

What will MEPs' power base be if there is no meaningful constituency link? Who will have heard of them, seen them or, for that matter, heard them speak? What contact will people have with them? Where will MEPs hold their surgeries or base their offices? How will voters get in touch with them? No thought appears to have been given to the serious practical and logistical difficulties of MEPs covering such huge areas.

The danger is that extended regional lists will open the door to partisan representation. The Labour voter will go to the Labour MEP and Conservative voters to their Tory representative. I shudder to think what policy successes Liberal Democrat Members will claim in the cause of advancing their political interests—you can bet your life they will claim them, Sir Alan.

How people voted is irrelevant when we, as constituency Members of Parliament, help and represent our communities. That is the fundamental principle of universal representation, which the Bill would undermine. The fact that we represent all the people in our communities enables us to form a wider picture of local experience. Partisan representation will undoubtedly destroy that.

The size of the electoral regions will also lead to inevitable competition between different areas within a region for European Union structural funds or other support or special interest from Brussels. I know that from my own experience. My right hon. Friend the Member for Skipton and Ripon (Mr. Curry) was a Minister in the Department of the Environment when we were bidding for objective 5b funds for North Yorkshire. He will recall that the initial steer we got from the Commission was that the Pennine chain was in, but the North York moors, Scarborough and Whitby were out. If the whole of Yorkshire and the Humber had been represented by the same MEPs, answerable to the same electorate, I cannot imagine that we would have had the sort of lobbying that happened on that occasion to ensure that the North York moors were included in the objective 5b structural fund arrangements.

The size of the proposed electoral regions would mean that MEPs could easily find themselves compromised. In London, for example, it does not take much imagination to see the potential conflict in seeking support for EU funds when the whole of the Greater London area is regarded as one electoral region. A better solution would be for it to be divided into three constituent parts, so that voters would have a stronger identity with their representatives in Brussels and Strasbourg.

A good example of what might happen is that, if funds were available from Brussels for a new rail link or some transport infrastructure, some people might want those in the north-west of London and others in the south-east, to link with Kent. If MEPs are to represent the whole of London in the same way, it will not be a case of cosily working to achieve the objective. As politicians in the real world, we know that we have to lobby for the interests of our constituents. MEPs would be compromised by the scale of what is proposed.

Mr. Beith: The hon. Gentleman has not admitted at any stage that the main reason for multi-Member constituencies is proportionality. He has also failed to tell us how the rest of Europe manages, having had, in most cases since the start of the Parliament, MEPs with lists based on much larger systems than those proposed in the Bill.

Mr. Greenway: I dealt with the first point when I said that the proposed electoral region for the north-east, which covers the right hon. Member's constituency, has four representatives. If four is good enough for the north-east, surely four ought to be good enough for the rest of the country.

Frankly, I am not particularly interested in what the rest of Europe does. I am interested in ensuring proper representation in Brussels and Strasbourg for the people in this country. It may interest the right hon. Member to know that I have done some sums. Mathematics was not my best subject, although I got an O-level. However, I am prepared to put this hypothesis up to scrutiny. It is based on the formula in the Bill. We wait to hear whether the Government have changed their mind and want to rethink all that—that will come later in Committee.

By my calculations, if a third party gets a smidgen more than 20 per cent. of the votes cast in a four-Member electoral region, it must, as a natural consequence, get the third or fourth seat. I am happy to distribute the arithmetic. If a party is unable to get 20.001 per cent. of the votes cast by a million or so voters, it does not have much of a claim for saying that proportionality arrangements do not work to its advantage, and it does not deserve representation.

Mr. Peter Bottomley (Worthing, West): Is my hon. Friend telling the Committee that, for a very minor improvement in proportionality, we will end up with most of the country—in particular, most of England—having MEPs whom no one has voted for by name?

[Mr. Peter Bottomley]

Will we end up with people who, if we copy the continental habit, could be swapped in and out by their parties without regard for what the electorate wants? Is that what other parties seriously want? My constituents do not want it. They would prefer to vote for people. They do not mind some mild proportionality, but they want their MEPs to have some link with the local area.

6.45 pm

Mr. Greenway: All that my hon. Friend says is correct. In the amendments, we are seeking to bring some small improvement to what can only be described as a rotten system—one which the public will rightly regard with derision at the election next year.

Mr. Ian Cawsey (Brigg and Goole): The hon. Gentleman said—unless I am misquoting him—that, if a party could not get 20 per cent. of the vote, it was not worthy of representation. I am interested to know what percentage of the electorate he is willing to write off and say should not have representation.

The Chairman: Order. Before the hon. Member for Ryedale (Mr. Greenway) resumes, it might be helpful to the Committee if I remind him that this group of amendments deals with electoral regions. Another group deals with voting systems.

Mr. Greenway: Obviously, I will heed your strictures, Sir Alan, but I was not attempting to discuss electoral systems.

The Chairman: I agree. I think that the hon. Gentleman was being goaded, but I hope that he will take my point.

Mr. Greenway: As we are in Committee and not in a normal debate of the whole House, I was simply having the courtesy to give way to all hon. Members who wished to intervene.

My right hon. and hon. Friends and I believe that, as things stand, the Government's solution—this is the point that my hon. Friend the Member for Worthing, West (Mr. Bottomley) was making—will have an adverse impact on popular respect for the European Parliament.

Brussels is already regarded with a fair degree of suspicion and even hostility. The Parliament itself is seen by many as pointless, wasteful and remote. The extensive regional lists proposed in the Bill seem likely to accentuate that feeling and create further alienation at a time when the European Parliament wants to improve public acceptance and trust and has been given wider responsibilities. It could be argued that the immense scale of the electoral regions would undermine the democratic fabric of the Parliament.

Mr. Nicholas Winterton (Macclesfield): My hon. Friend mentioned the democratic process. That means people. Am I right in believing that this hotch-potch of a Bill, which I strongly oppose, will mean that people will be voting for parties, not people? Under the regional electoral system, not people but a party will be involved. That will remove from the European Parliament any true democratic independence, which is essential for any successful democracy.

Mr. Greenway: As one would expect, my hon. Friend—for whom I have a high regard, as he represents the town where my mother was born—makes his own point, with which I agree, in an extremely robust and telling way. My right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney) was coaxing me to reply to my hon. Friend's intervention by saying, "For the first time." There is some truth in that, because, if the Bill is passed unamended, elections will be held on that unsustainable basis for the first and the last time.

Ministers are deluded if they believe that any sense of regional or local identity is properly reflected in their preferred regional structure. Perhaps the Minister will tell us what other institutions or organisations—outside Government, and in which contact with the general public is such a crucial element of what they do—operate at that level?

Mr. Martin Bell (Tatton): I wonder whether the hon. Gentleman agrees that the proposals would do credit to the rule book of the Bulgarian communist party? We might be ending up as delegates in the great hall of the people. When will we get back to democracy? If I have to be the candidate of a closed list of one, I will be—but is it democratic?

Mr. Greenway: We really are having some childhood reminiscences, because the hon. Gentleman represents the place where I—not my mother—was born. For that reason, if for no other, I have been very charitable to him since his election to the House. I agree with his sentiments. The proposals will make it extremely difficult for anyone to take an independent-minded view of any issue. That applies as much to independent candidates, as he was, as to candidates who belong to a party but wish to hold a different view. I sense, Sir Alan, that, because of another intervention, I have been prompted to stray again.

We all know that Ministers, in proposing that regional structure, have an eye to their plan of imposing unnecessary and burdensome regional government in England. However, an imposed regional map—whether for regional government or for regional representation in the European Parliament—that does not command popular support, reflect local identity or in the creation of which people have had no say will not stand the test of time.

The Government could and should have handled the matter differently. They might have published a White Paper—

Mr. Cawsey: There was: our manifesto.

Mr. Greenway: I am coming to that.

In November, the Library—as always—produced an extremely informative paper suggesting that Lord Plant, with Michael Steed, had argued for a White Paper. My understanding is that Lord Plant's views have had a substantial impact on Labour's policy documents.

Mr. David Drew (Stroud) *indicated assent.*

Mr. Greenway: I am glad to have the hon. Gentleman's confirmation.

In autumn 1997, Lord Steed argued for a White Paper on options for establishing boundaries. However, instead of a White Paper, we got the hotch-potch in the Bill.

The Government should have asked the boundary commission, in the normal way, to examine and consider all the issues and to make representations. The recommendations would then have been subject to proper local consultation in public meetings, and people would have been given a chance to have their say.

Our amendments would provide for that consultation and would allow the boundary commission to develop a solution that is both more sensitive to local wishes and more practical in the delivery of local and regional representation. To allow for a wider consultative process, our amendments would provide a four-month period after the boundary commission's reports had been laid and before implementation of the regional structure—which would itself be subject to affirmative resolution by each House. Amendments Nos. 68 and 69, which relate to schedule 1, are consequential to that proposal.

The future allocation of seats should be decided by the boundary commission rather than by the Secretary of State, as proposed in the Bill. Amendment Nos. 54 to 56 provide for that. The considered view has always been that it is simply not acceptable for the Secretary of State to hold such power over the redistribution of elected representatives.

When the House most recently amended European constituency boundaries, in 1993, the boundary commission's role was thought sufficiently important for the Labour Opposition to table a reasoned amendment, which was moved by the present Prime Minister who was then the shadow Home Secretary. The amendment stated:

"this House declines to give a Second Reading to the European Parliamentary Elections Bill . . . which does not provide for the Boundary Commission to establish new boundaries with the power to hold public inquiries and proper consultation".

One or two quotations in his speech go to the heart of the proposals in our amendments. He said:

"it will not be the Boundary Commission but a sub-committee appointed by the Home Secretary that will draw up the new boundaries; . . . there will not be the full process of public inquiry that is normally associated with boundary changes. . . it must be done on a proper basis. The reason for having the Boundary Commission draw up the boundaries is obvious—it is independent, it is respected and it has the expertise."—[*Official Report*, 30 June 1993; Vol. 227, c. 996.]

It is remarkable how things that seemed so important such a short while ago are flagrantly disregarded by the Government when it suits them. However, it is no longer remarkable to find the Prime Minister and the Home Secretary holding seemingly conflicting views on the same issue at the same time.

The Home Secretary's opposition to proportional representation is well known. Earlier in the debate, he had an exchange on the issue with my right hon. Friend the Member for North-West Cambridgeshire. As we saw only three weeks ago, at the most recent Home Office Question Time, the Home Secretary rather takes pride in his difference with the Prime Minister on the matter.

It is very refreshing that the Home Secretary makes it clear that he does not agree with proportional representation. On more than one occasion, the Prime Minister has let it be known that he would prefer not to destroy the constituency link by introducing PR in any Westminster election. The House and the country should ask whether those views can be trusted when the Prime Minister and the Home Secretary are content for the constituency link to be destroyed in elections to the European Parliament. It is a case of "read my lips."

Our European partners' demand for proportional representation in Euro-elections, or their predilection for a Europe—

The Chairman: Order. The hon. Gentleman is palpably straying into the matter of voting systems, which is the subject of the next group of amendments. He must confine his remarks to the matter of electoral regions.

Mr. Greenway: I thought that I was confining my remarks to the boundary commission—which the Prime Minister clearly thought was so important, but which has been disregarded in the Bill, and is the subject of our amendments.

The imposed solution of regional electoral boundaries has no basis in the United Kingdom. There has been no expression of popular support for that solution that is worthy of the name. I believe that the public will express a view on the electoral regions when they discover just what the Bill would impose on them in regional representation in Europe.

I do not mind if, as a consequence, voters take a dim view of the Government—the Government will deserve all the bad press and unpopularity that the regional lists will generate—but the Committee should have a concern that these vast electoral regions, established not by the boundary commission but by Government diktat in a way that rides roughshod over long-established democratic procedures, will have an adverse impact on popular support for the European Parliament.

The regional structure fails the electorate. It will undermine voters' confidence in the Parliament and in their representatives, because the voters will not have a sufficiently local identification with their MEPs to feel that their views really matter. It is but one further step for electors to conclude that it is pointless even going to the polls.

Mr. Nicholas Winterton: In his excellent speech, my hon. Friend has mentioned the north-west region, in which my constituency is located. Can he say to whom constituents of mine should appeal or make representations in respect of a matter relating to the competence of the European Parliament? Should they choose one of the elected Members and make contact with some office and then go there, although it might be 50, 60, 70 or 80 miles away, or should they expect the European assembly Member to come to them?

7 pm

Mr. Greenway: I suspect that they will go to my hon. Friend, as they do already.

In conclusion, the arrangements for the representation of the United Kingdom—

Mr. Vernon Coaker (Gedling): The hon. Gentleman said that he was going to conclude, so I thought that I had better quickly ask the question to which my hon. Friends and I have been awaiting the answer. If the hon.

[Mr. Vernon Coaker]

Gentleman is so opposed to regions, how has he arrived at the figure 18? Is it simply two times nine, an attempt to prove that he can do arithmetic or something?

Mr. Greenway: I could equally ask the hon. Gentleman where the figure nine comes from. The regional rationale is something in which the Government believe, but it is not something which the people of this country have been asked to vote on or say whether they believe in. If the Government were so convinced—

Mr. Cawsey *rose—*

Mr. Greenway: I shall deal with one intervention at a time.

If the Government are so convinced that this is such a good idea, why not have it put to the boundary commission? What is the rush to do everything in advance of the election next year? Is it because the Government are really seeking a cosy deal with the Liberal Democrats, and are stringing them along so that the Prime Minister can attempt to have the best of both worlds at the next general election?

Ms Quin: The hon. Gentleman just asked where the figure nine comes from. It is the number of Government office regions established by the previous Government.

Mr. Greenway: I am glad that the Minister intervened, because it enables me to point out that those regions were established for entirely different reasons. They were established, as I understand it, to put regional offices closer to the people; they were not established with the idea that they would suddenly become part of some federal system of which the Bill is a precursor. That is why it is so important that we have the matter out now.

Mr. Cawsey: We are still waiting for an answer to my hon. Friend the Member for Gedling (Mr. Coaker), who asked about the figure 18. I know that the hon. Gentleman said that sums were not his best subject, but it seems that the best he can come up with is that 18 is nine multiplied by two. Why does the amendment suggest 18 rather than nine, which is the number of regions that the previous Government came up with? Is he seriously saying in response to the Minister that the public can keep in contact with an office in a region but not with several MEPs? That is a nonsensical argument.

Mr. Greenway: With respect, the hon. Gentleman is wrong. The public do not keep in contact with the regional office. Members of Parliament and local authorities certainly do, but the idea that members of the public have the slightest idea about what goes on in their regional Government office beggars belief.

As for the figure of 18, I said earlier that four was the number considered suitable for the north-east, and if we take four as an average, we end up with 18. However, our argument is that we should not be in this position in the first place.

There should have been a White Paper, consultation and an opportunity to discuss what would be a suitable number to balance the needs of having a proportional system, if that is what the Government intend, and of giving smaller parties as well as independent candidates a reasonable chance of winning seats, with the fact that we have always based our democracy on constituency representation, which means local people represented locally by their Members of Parliament.

The arrangements for the representation of the United Kingdom in the European Parliament should not be about carving up the map of Britain to satisfy European sensibilities over voting systems. They should be about satisfying the interests of the British people by ensuring identifiable and accountable local representation in an increasingly important institution. The amendments at least provide an opportunity to take this botched job back to the drawing board and to find a better solution. The interests of our democratic processes demand that we should do so. I commend the amendments to the Committee.

Mrs. Margaret Ewing (Moray): I shall speak to amendments Nos. 71, 72 and 74 which stand in my name and those of my colleagues, but I wish to comment first on the speech by the hon. Member for Ryedale (Mr. Greenway) because I found some of his remarks very strange and quite incomprehensible.

Part of the House's problem in examining European issues has been the dominance of Euroscepticism in recent years and a lack of commitment to try to make Europe work for the people of this country. If the Conservative party had done more to promote the European Parliament and other European institutions, there would not be so much cynicism among the voters. It ill behoves the Conservative party to treat the electorate as if they were stupid, because the electorate realise the importance of Europe.

The activities of Members of the European Parliament are every bit as important as a commitment to the European ideal. I draw the attention of hon. Members to a Charter 88 briefing, which refers to a later group of amendments, but which also shows that the work of a Member of the European Parliament does make an impact on local people. I must point out that the highest percentage scored by any MEP was that won by my mother-in-law who represents the Highlands and Islands constituency. That constituency is the size of Belgium. I heard the hon. Member for Macclesfield (Mr. Winterton) complaining about people having to travel 80 miles, but to me that seems like just down the road.

The Highlands and Islands constituency stretches from Muckle Flugga in the north of Shetland down to the Mull of Kintyre in Argyll. The MEP has contact with every constituency Member of Parliament, irrespective of political persuasion, and she holds regular meetings in all the Westminster constituencies. We should encourage such people to stand for the European Parliament to ensure that the message that European institutions are important is disseminated.

Mr. Gill: Why does the hon. Lady criticise my hon. Friend the Member for Ryedale (Mr. Greenway), who is defending the status quo in which Members of the European Parliament relate to a geographical area? Does she not understand that that will disappear under the new system?

Mrs. Ewing: The hon. Member for Ryedale said that Scotland should consist of two regions, but he did not

define them or say how that would work. The Conservative party cannot even muster the 20 per cent. of the vote that he referred to—it is very much a minority party in Scotland—so I suspect that he would draw a line through the middle of Scotland and divide us into the highlands and lowlands. A community's identity with its MEP is a two-way street. Communication depends on the commitment of individuals and parties.

Mr. Greenway: The amendments would ensure that the boundary commission decided how Scotland would be divided. I know the hon. Lady's constituency, so I hope that she agrees—I repeat this point—that there is a world of difference between representing the main conurbations and representing the more rural parts of the country.

Mrs. Ewing: I assume, therefore, that the hon. Gentleman will recommend to the boundary commission that the borders and the highlands and islands belong together, with the central belt as the separate region.

As Members of Parliament, we all know the local problems that arise every time there is a boundary commission review. At the general election, I lost a substantial chunk of the Moray constituency, although the area remains within my local authority boundaries. That causes huge confusion; people are upset, because they have formed a particular identity.

The hon. Member for Ryedale said that the link between representatives and the people they represent can arise only through a regional identity, but I do not believe that that is so. He has not taken into account the information that the European institutions provide to communities to ensure that MEPs are more accessible.

We live in a world of information technology but, even in living memory, headlines used to read, "MP to visit constituency"; pipe bands would welcome a Member of Parliament off the train. A former Labour Whip tells the story of a particular hon. Member in the 1960s. The Whip often thought that the Member was in his constituency, while the constituents thought that he was at Westminster; of course, he was in neither place.

Mr. Beith: Was it a Glasgow Member?

Mrs. Ewing: I will not mention names.

Many pompous words are spoken about the link between Members of Parliament and their constituents. Members of Parliament are responsible for building those links when they are elected, through offices, information technology and e-mail or any other method that is open to them. Political parties are responsible for ensuring that top-quality people, who are committed to the European ideal, are selected and put on the list.

Mr. Bercow: Will the hon. Lady give way?

Mrs. Ewing: No. I meant to speak briefly and I have not yet even mentioned the amendments. I apologise, Mr. Martin; as you see, I have become impassioned as a result of some of the remarks made earlier.

Amendments Nos. 71, 72 and 74 are simple; they would require the transfer of an additional seat to Scotland. In 1993, the Labour party voted against the European Parliamentary Elections Bill on Second Reading; the reasoned amendment was tabled by the right hon. Gentleman who is now Prime Minister. Labour Members argued at the time that Scotland should be given one of the six additional seats that were being allotted to the United Kingdom.

Amendments Nos. 71, 72 and 74 are a continuation of the Labour party's 1993 argument. We believe that, because of the nature of Scotland's geography and needs, there should be an additional seat. If one were to cut from an Ordnance Survey map the Westminster constituency of Inverness, East, Nairn and Lochaber and place it over a map of Greater London, one would see that that one Scottish constituency is larger than the whole of London.

In an independent Scotland—which I want—we would be entitled to 16 seats in the European Parliament, but, in my modest way, I am asking only for one additional seat. I hope that the Government will consider the amendments favourably.

7.15 pm

Mr. David Curry (Skipton and Ripon): In determining the correct boundaries in which MEPs should operate, the Committee should consider what their functions are. We should accept that MEPs are not simply different forms of Members of Parliament. Their work is radically different and they should not receive constituents who are concerned with social security, housing or planning—the three staples of the surgery work of Members of Parliament. Generally, MEPs deal with business, education, local authorities and public bodies. A large part of their work is in representing corporate, rather than personal, interests.

The European Parliament is increasingly lobbied by business organisations because of the volume of its regulation and the creation of the single market. Since the days when the Minister and I were MEPs, the volume of work has multiplied enormously. I found that the educational institutions were very anxious to participate in the various educational programmes, which would also be relevant to the constituencies that we are considering. Local authorities and other public bodies were also keen to participate in the European programmes that were available to them.

MEPs do not have to have a Westminster-type constituency to carry out their functions, but they have to employ many of the same methods as Westminster Members of Parliament to be effective. They have to build up links with individual businesses and people. Their clients—if I may use that expression—are often the same people, who come time and again. MEPs need to find out how they tick, and they need to find out how their MEPs operate.

Moreover, when MEPs are lobbying on behalf of those people in Brussels—which, despite all the mythology, is no more than a big county council—and in the other European institutions, they need to be identified with a particular interest; others need to know that they can produce a brief or an argument that is concise and to the point, and has a definitive aim.

Mr. Richard Allan (Sheffield, Hallam): The right hon. Gentleman seems to be making the case for the regions from which MEPs are to be elected to be conterminous with the regions in which the regional development

[Mr. Richard Allan]

agencies will be located. That is precisely what the Bill will do. The business matters to which the right hon. Gentleman refers operate at a regional level.

Mr. Curry: The hon. Gentleman would have a point if it were not for the fact that, under the proposed system, MEPs will have to compete for the affections of the RDAs—I shall come to that point in a moment.

Current European constituencies are large and—let us be honest—slightly incoherent. Some MEPs represent counties, which have an historical identity, whereas others represent areas carved from different counties, which lack that identity. The hon. Member for Moray (Mrs. Ewing) represents a vast chunk of Scotland, but I suspect that her constituency has a cultural coherence. *[Interruption.]* I appreciate her anxiety to have an extra seat for Scotland—no doubt for Sean Connery.

Mrs. Ewing: I did not respond immediately because my constituency is divided by the highland line and there is very much an eastern philosophy and a western philosophy. There is coherence, however, and much of it has resulted from local government reorganisation.

Mr. Curry: I can understand the hon. Lady's point of view, as my constituency is divided by the Pennines into Craven and the area east of the Pennines. So, to all intents and purposes, I have to manage two constituencies which are radically different in character. Woe betide any MEP who thinks that my constituency can be treated as one unit.

I now turn to the region that I share with my hon. Friend the Member for Ryedale (Mr. Greenway)—Yorkshire and The Humber—which will be represented by seven MEPs. I start at the top left-hand corner of my constituency, on the Cumbrian border at the Ribblehead viaduct. One could not get much more remote. The area is characterised by the occasional train and millions of sheep. It is right in the heart of the Pennine chain. I am strongly in favour of the trains and the sheep, and I have campaigned hard to keep them. Given the present Government's policies, the train has a marginally better chance of surviving than the sheep.

My constituency continues down the Pennine chain, along the Lancashire border to the border of the Bradford city council area and the outskirts of Keighley. I have described half my Westminster constituency. It continues across the Pennines into the Vale of York, effectively to the line of the A1, and circles around Harrogate and through part of the suburbs of Leeds.

I have described just one Westminster constituency. It is difficult enough to represent such a constituency even though it is well defined and Craven has a strong sense of identity. We have to multiply that by seven or more to imagine a multiplicity of MEPs representing an extremely diverse region.

The region would comprise a vast upland area, the old West Riding and South Yorkshire—a textile area and the traditional heartland of Yorkshire, where enormous regeneration programmes have been put in place. It continues across the M62 virtually to the suburbs of Manchester, through South Yorkshire and along to the Humber ports. The region will be represented by a single clutch of MEPs. It is colossally diverse. That is bad enough, but the situation is even worse in the south-west.

I know from experience that Devon and Cornwall are rarely on speaking terms. Cornwall regards itself as wholly distinct from Devon. In a few years' time, the River Tamar may be the only frontier in Europe where passports will still be needed.

Devon and Cornwall have very little in common with Bristol. As has been pointed out consistently, Bristol is closer to London than to the principal points in Cornwall, yet Bristol and Cornwall will both be part of a great region which is very heterogeneous. Devon and Cornwall are lumped together for EU purposes—for example, in terms of getting aid from the European Union—but they are very different. Cornwall has wholly different problems from Exeter. They are much more serious and there is high unemployment. Many people forget that Cornwall is an old industrial county which certainly deserves to stand alone for the reworking of objective 2 assistance in two or three years' time. However, it is proposed to be part of a single constituency.

The prize-winning example is that people who live in Oxford, Gillingham, Canterbury or Southampton, and anyone who lives in or goes on holiday to the Isle of Wight, will be represented by the same clutch of MEPs. That enormous great arc will be deemed part of the same constituency.

The problem is very simple. Who will identify with what, and how will they go about it? If seven MEPs are elected to represent Yorkshire and The Humber, will they sit down and say, "You take this bit, Fred, and I will take that bit. I know the farmers, so I will take the Pennine chain, and as you want an industrial bit, you had better take South Yorkshire"? Will it be a colonial carve-up, with the appointment of divisional governorships of various parts of the region?

Mrs. Anne Campbell (Cambridge): Does the right hon. Gentleman agree that the very heterogeneity that he has described is a strength, because it allows the elected representative to take a much more balanced view than somebody who represents a minority interest? He has just told us that his own constituency is divided by the Pennines—an area with which I am familiar from my childhood. Most of us represent constituencies with diverse parts, but that enables us to take a more balanced view. I do not see how, by describing the area, the right hon. Gentleman is making a case for his amendment.

Mr. Curry: It all depends on what the hon. Lady means by a balanced view. We are elected to represent people, to take their interests to governing bodies and to lobby on their behalf. We lobby in competition with representatives of different regions.

We shall have a heterogeneous set of MEPs because of the way in which things are organised. In most regions, the three principal political parties are likely to be represented. The Labour party will have chosen its candidates at head office, so we know that 80 per cent. of the election will be over for Labour candidates as soon as the apparatchiks have decided on the list. We and the Liberal Democrats have a reasonably democratic means of selection, but if there is a closed list, the election will be over for those at the top and the bottom of the list as

soon as the list if published. Only the chap who is fourth on the list will consider it worth while to fight the election. We shall therefore have a heterogeneous team.

A constituent will be able to approach the Labour candidate, the Conservative and the Liberal Democrat and see who does better. That may be good from the point of view of the constituent, but we should consider the poor chap in Brussels who is trying to be helpful. He has to see on succeeding days different delegations of MEPs—or even MEPs from the same delegation—all trying their luck. His patience will soon run out, and the quality of representations will have no credibility.

Mr. Andrew Lansley (South Cambridgeshire): My hon. Friend the Member for Ryedale (Mr. Greenway) made the point about people going to the MEP for whom they voted. However, businesses, public bodies and educational institutions cannot do that, as, for them, party allegiance is not the essence of the matter. How will they determine which MEP to approach?

Mr. Curry: They will be very confused indeed. There is a long tradition in Britain of seeking redress from an individual. The representative puts an individual's case before the men in peaked caps. That is the traditional role of the Member of Parliament.

Mr. Coaker: May I ask the right hon. Gentleman about the problem that he thinks will be generated by a number of MEPs representing one region? In local authorities, wards are often represented by three or four councillors, who may be from different political parties, but it does not seem to be a problem. Many people in those wards see that as an improvement.

Mr. Curry: As the hon. Gentleman will know, representatives on local authorities with multi-member wards are elected individually in annual elections. If that is not the case, it is difficult to see why the Labour party is so enthusiastic in its consultation paper about reorganising, revitalising or reinventing local government about having annual elections in order to exercise some democratic control over local government.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. The right hon. Gentleman is now addressing the next set of amendments. We are discussing the size of the regions, not the system of voting. If the right hon. Gentleman sticks to the amendments before us, perhaps we can dispose of them and move on to the next subject.

Mr. Curry: I was overcome by the spirit of generosity in trying to reply accurately to the question from the other side of the Committee. The parallel that was put to me is not precise. In local government, one votes for a named person. Under the proposals for the European Parliament, the electorate will be invited to vote for a list. Before the first member of the public casts the first vote on election day, we shall know the names of 80 per cent. of those who will turn up in the European Parliament.

7.30 pm

Mr. Bercow: Does my right hon. Friend agree that the hon. Member for Gedling (Mr. Coaker) displays his lack of understanding by seeking to equate a local government ward, in which two or three named representatives are elected to cover perhaps 8,000 or 10,000 voters, with a new European electoral region with up to 11 MEPs representing up to 5 million people? There is no comparison.

Mr. Curry: That is the point.

Mr. Coaker: The principle is the same.

Mr. Curry: There is no point in telling the electorate, "I am sorry. I cannot do this. What really matters is the principle." The voters are interested in one's ability to deliver. That is what Members of Parliament exist for. That is even more true in the European Parliament, which is a consultative body with a powerful legislative role. There is a more consensual principle in the European Parliament—we can argue about whether that is a good idea—where the two principal groups tend to vote together to get a majority more frequently than here. With the political dividing lines being less strong than here, the role of the individual is more important.

Mr. Richard Burden (Birmingham, Northfield): If the principle is what counts, would a facility to vote for individual candidates remove the right hon. Gentleman's objections to the electoral regions?

Mr. Curry: If I were stuck with a bad system and wanted to make the best of it, I would infinitely prefer to be able to cast a vote for a named candidate. When we come to that point, I hope that the Home Secretary, whose heart is not in the Bill—any more than his body is at the moment—will agree that it would be sensible to move towards such a system. You will get irritated with both of us, Mr. Martin, if we persist on that, so I shall move on.

It has been suggested that the proposals are sensible because the Government offices for the regions and the regional development agencies cover those areas. However, they do so by different processes. The Government offices were put in the regions because they had been based in London with a series of disparate outposts in the regions before. They were consolidated there to create a greater coherence so that bodies that needed to deal with them had a one-stop shop and could go to one person to deal with a range of problems. That system has been successful, but the argument cannot be extrapolated to the European Parliament.

We are now to have regional development agencies conterminous with the Government regions. The Minister for the Regions, Regeneration and Planning has said that there will have to be a sub-structure in the regions so that Devon and Cornwall, for example, feel that they have their say. We finished the Committee stage of the Regional Development Agencies Bill today, so I am fairly au fait with the issue. The Minister has implicitly acknowledged that we cannot put people under a great millennium-type tent and assume that everyone will find their corner in it. There is no argument for duplicating the situation for MEPs.

We shall eventually have regional assemblies, although that agenda has been heavily postponed. The Deputy Prime Minister was keen on them to start with, but he has retreated on the idea now. They are promised for a future Parliament. All the local councils busily packed their bags and waited, rather like commuters standing on the station only to be told that the train has been cancelled.

[Mr. Curry]

Who will represent whom? Will the MEPs carve the area up by geography? Will they carve it up by function, with one taking industrial issues, another taking agricultural issues and others—there are bound to be plenty from the education establishment—taking responsibility for education and training matters? The electorate will not have been consulted on any of that.

Mr. Drew: I am pleased that the right hon. Gentleman has gone on to education. He has already mentioned business. Does he accept that it is not just the Government who work on a regional level? There are regional branches of the Confederation of British Industry and the Trades Union Congress. Higher education establishments are looking for a regional role. It is a myth to pretend that only the Government have a regional emphasis. The proposals will link in directly with those organisations.

Mr. Curry: The hon. Gentleman has missed the fact that being a Member of Parliament or a Member of the European Parliament is like being a doctor, a vet or a parson—we are never off duty. We have to be accessible. People come to us and ask us to do something for them. Accessibility and identity are crucial to being able to deliver what constituents want. A group of MEPs without a local base, possibly competing with each other and ordered by the party rather than the voters—unless the mechanism is changed—will not have the accessibility that I believe is necessary. There is also a danger of inefficient lobbying, with a multiplicity of MEPs falling over themselves and creating the impression—or reflecting the reality—of incoherence.

The examples of other member states do not give us a great clue. I remember dining with my Irish colleagues in the European Parliament. I did not get the impression that there was a surplus of charity when we discussed colleagues with whom they shared a constituency. They found it a bothersome business. Given the chance to get away from the situation, they would have done so. The great problem in Belgium was the linguistic divide, which was a touchstone for many issues.

No one would want the French national list system commended to him. Each faction of each party is reflected on the list. Those who are above No. 17 are home and dry and those who are below No. 23 have no chance. They can all go off to the Bahamas during the election campaign. Only the handful in the middle fight the election. The system is open to massive abuse and is regularly so abused because all the great and the good of the parties stand at the head of their list, get into the European Parliament and then resign a couple of weeks later so that someone else can take their place. Offering oneself for election with the specific intention of standing down for someone else is an abuse of the electorate. That is not the democracy that we have practised in the United Kingdom.

I do not take the view that all forms of proportionality are, by some biblical truth, wrong. We should consider different forms of representation. However, let us be honest. We have two Governments: one here and another—although we do not call them a Government—in Brussels. There is dual sovereignty. Access for the ordinary elector to that other Government, from whom many of the decisions that affect our lives flow, should be as ready as access to the national Government.

The institutions are not necessarily formidable. I have described the European Commission as like a big county council, but more open. The European Parliament is increasingly used by those who want to lobby. The various other European institutions are also surprisingly open. It is a mistake to think of the institutions as an alien power which is entirely closed.

The risk is that we shall make access more difficult, make the institutions more impenetrable, remove the electors from their representatives and remove the representatives from a means of effectively representing those who have elected them. That is why the proposed system is wrong. I support the amendment as a modest attempt to make it a little better.

Mr. Beith: At least the word "proportionality" passed the lips of the right hon. Member for Skipton and Ripon (Mr. Curry). It barely passed the lips of the hon. Member for Ryedale (Mr. Greenway), whose heart is not in his amendments. He talked about the Home Secretary's heart not being in the Bill, but the hon. Gentleman really wants to go back to the present system, with a closed list of one and no proportionality.

One knows what the outcome of the election will be in a large number of constituencies—in which parties can place their people—because the system relies on the scale of the party vote. Many of the constituencies are in areas where, such is the distribution of votes, the outcome could be pretty well known from the start. Who gets the nomination gets the seat. It is a closed list of one. The electorate cannot interfere with that without voting against the party.

The hon. Member for Ryedale is seeking to go halfway back to such a system by halving the size of constituencies. The consequence would be to reduce drastically the potential for a proportional result. The hon. Gentleman has gone on and on about poor voters who cannot decide which of the selection of Members of the European Parliament from different parties to go to. Electors are being given a choice. To the hon. Gentleman, the poor elector being unable to decide that matter is far worse than the elector discovering that the votes that he and many tens of thousands of other people cast counted for nothing because nobody was elected as a result of those votes.

The present system produces a result in which vast numbers of people are disfranchised either because their party nationally has no seats, despite getting 10 or 15 per cent. of the vote, or because it has no seats in a whole area or a whole part of the country. The Conservative party now finds itself in the latter position in Scotland under the Westminster system.

Several hon. Members *rose—*

Mr. Beith: I hope that Conservative Members will keep fairly quiet, because their party leader has been making a speech across the road, evincing a new and more open-minded approach to constitutional issues. By the time they read their speeches tomorrow, they might have to rethink some of the things that they said. Perhaps, however, the Leader of the Opposition has exempted from his new constitutional approach any assessment of the

rights of voters to have the way in which they voted represented in the results of elections in which they have taken part. That is denied under the present system.

Mr. John Gummer (Suffolk, Coastal): The right hon. Gentleman and I have a similar attitude towards our constituencies and our concern to represent them, and—I think—have a reputation for doing so. Is it not at least conceivable that a kind of disfranchisement arises in a very large constituency in which candidates are very much directed by the list, which can be controlled by a party?

The right hon. Gentleman referred to a person being put into a constituency. I do not know what happens in the Liberal Democrat party, but if a Conservative were put into a constituency in such a way, he would soon be at the bottom of the list that was selected. Can the right hon. Gentleman not see that there is disfranchisement in huge constituencies?

Mr. Beith: The current European Parliament constituencies are huge; that is their nature. I cited the example of the Scotland South constituency. A few miles up the road from where I live is the fishing town of Eyemouth on the east coast of Scotland. The MEP for Eyemouth is also the MEP for Ayr on the west coast of Scotland. The constituency is vast. There is no way in which one can conceive of it as one does a Westminster constituency. It is simply not a natural grouping. It is the result of trying to put together numbers sufficient to fit the system with a single-Member constituency.

To change from that system to one in which electors' votes can be fairly reflected in the outcome with a range of Scottish representatives—to which they should have been able to contribute through the open list system, allowing them to influence the order—would lead to the votes that they have cast, whether as Liberal Democrats in the borders, Scottish nationalists, Labour supporters or Conservative supporters, securing proportional representation within the European Parliament's Scottish representation. That is a prize worth having.

Mr. Bercow: Does the right hon. Gentleman accept that it is unsatisfactory for him to suggest that the existing system is bad and relatively unrepresentative when, as we point out, the proposed system would be a great deal worse? My MEP is a perfectly estimable individual, but how will he be able formally to represent 5 million people as effectively as he does now when he is responsible simply for the representation of 500,000 people?

Mr. Beith: I want to develop the way in which I think that Members work in multi-Member constituencies. On not one occasion during the past 18 years—I have been in the House throughout—has the Conservative party sought to remove the multi-Member constituency in Northern Ireland that elects by the single transferable vote. The Conservative party takes the view that it is perfectly reasonable for three Northern Ireland MEPs, representing three different sets of views in the community, to represent Northern Irish urban and rural issues—Belfast and the rural areas have very different issues—in the European Parliament. Not once have I seen an amendment from the Conservatives to change that system.

Nor in the experience of the Republic of Ireland, or, for that matter, in some of the other European countries, have MEPs found it impossible to represent key groups and interests in those countries. We would hardly have to work out ways of lobbying more effectively if we thought that MEPs throughout the rest of Europe were crippled by proportional representation systems and rendered unable to represent various parts of their country effectively. It is absolute nonsense to make that claim. We know that they are capable of using the European Parliament effectively to represent various interests in their countries.

Mr. Greenway: The right hon. Gentleman is making a good point with which in many respects I do not disagree, but Northern Ireland has slightly fewer than 1.2 million voters and three MEPs. That suggests that our proposal for 18 regions in which there would be an average of four Members ought to be supported.

7.45 pm

Mr. Beith: The hon. Gentleman ought to know that, if a constituency set an average of four Members, a disproportionate result would be produced. An even more disproportionate result could be achieved by having single-Member constituencies—the present system demonstrates that.

The choice of a regional level for constituencies is appropriate because, by and large, it produces big enough constituencies to secure proportionality, and the constituencies relate to other activities and institutions which also operate at a regional level. Most of the institutions with which we deal—not just Government institutions—from the CBI to the Churches operate on a regional basis. They know that they have to do so particularly at European level. Indeed, in dealing with Europe, regional representation has been most extensively developed outside government by organisations which see it as necessary in order to put their case in Europe.

Mr. Lansley: To bring the right hon. Gentleman back to his own region, under the Government's proposal, the north-east would have four MEPs. Is he saying that he does not regard that as sufficiently proportional? What does he propose should be done for the north-east of England?

Mr. Beith: I do not think that the outcome is satisfactory, but it is the direct result of using Government office regions. It is not satisfactory from the standpoint of proportionality. If it were repeated across the country, there would be a very disproportional result—but it is not repeated across the country. I am rather intrigued that Conservative Members should keep quoting the north-east as an example of an ideal size of constituency, when they have tabled an amendment that would change it by incorporating Cumbria and making it a five-Member constituency. From a proportional point of view, that would have advantages, but I see the Government's logic in attaching parliamentary constituencies to the regions which exist for so many other purposes.

Right hon. and hon. Members who try to treat European constituencies just like a Westminster constituency do not understand either how the European Parliament works or the need to secure proportionality in the result. The one Member who came closest to an understanding of the

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European Parliament was the one with some experience of it, the right hon. Member for Skipton and Ripon. He made some quite sensible comments about how that body functions and what can be achieved through it.

In assembling the list that parties first put before the electorate—bearing in mind the fact that the electorate should be able to influence it—they will need to secure candidates from various parts of the region, or they will deprive themselves of votes. If they ignore the scale of the region in which the election takes place, they will cut off their noses to spite their faces and undermine their ability to win votes.

The idea that, in a larger region, MEPs either cannot work together or will be destroyed by competition comes strangely from the lips of Conservative Members. I thought that Tories were in favour of competition and of people realising that they had to test their ability to do things against what others were doing. People who think that, in the House, there are not tensions and disagreements and competition between hon. Members must be unaware of what is going on around them.

Members can and will co-operate and work together. Members will go in joint deputations on behalf of a region. There will also be an element of competition in wanting to show voters that they are doing the best possible job and ought to get extra support when the next election comes along, and win personal votes in the system that I shall advocate in the debate on the next group of amendments.

Can that be unhealthy? What could be more unhealthy than the present system, where Members believe, under the closed list of one, that the only determinant of whether they get re-elected is whether they get the party nomination for a seat at the next election? If that is the only determinant, there is no pressure to produce the best possible performance for the electorate or to show independence of mind from time to time. Multi-Member constituencies where there is an element of competition increase the likelihood of Members exercising some independence.

The hon. Member for Moray (Mrs. Ewing) talked about the prospects of an additional seat for Scotland. Her argument has often been advanced generally and inapplicably, as if Scotland consisted wholly of its remote and thinly populated areas, which have a very particular case for representation. Under the present Westminster system, that has led to the over-representation of densely populated urban areas, such as much of Glasgow. Scotland's case must be examined in a more sophisticated way. The hon. Lady has a fair point. The appropriate way to consider it—here I come to other Conservative amendments—is through a subsequent boundary commission. It would be much better, after the next European elections, for a boundary commission to review the boundaries between seats.

I am not happy with the idea that the representation of Scotland and Wales should be permanently fixed. Wales could be disadvantaged by that. If anything, there is a possibility that the number of Welsh seats will be reduced and the number of Scottish seats increased by one. The appropriate body to deal with that is a boundary commission rather than the Secretary of State.

There is an overriding reason why the Government were right to make provision in the Bill for the next elections. If they had not, they would have put at risk the ability to offer a fair system of voting at the next European elections. It is reasonable to use an accelerated process to secure that, but I recommend that subsequently, instead of the Secretary of State reviewing such matters, we should have a boundary commission able to review not only the boundaries of English constituencies but the number of seats for Scotland and Wales.

Mr. Lansley: I am grateful for the opportunity to add briefly to an interesting debate which has illustrated some of the problems that will arise in relation to the very large regions. The provisions are another example of the principle whereby if any institution, particularly an institution of government, that is created for one purpose is applied to another, a law of unintended consequences comes into force. In this case, that will be to the detriment of accountability and of the representation of the electorate of the European Parliament.

I will not labour the points made by my right hon. and hon. Friends. I take the points made about the character of Members of the European Parliament. I have not been one, but it is clear from my visits to the European Parliament that its Members do not deal with quite the same range of interests day by day with which we deal in this place, which often arise from constituency concerns. They are often representatives who, in addition to their geographical representation, have a functional specialisation in the European Parliament. However, as representatives of a European constituency, it is of continuing importance that they should be available to an elector on the basis of that elector's particular interest.

It will serve Members badly if electors find that, when they ask Members to take up a case, they are told only that their Member's functional specialism is different. Electors will argue that they elected the Member to be their representative to the European Parliament, and want their line of argument to be followed.

Mr. Gummer: Does my hon. Friend agree that this is an argument between politicians who favour believing that people want proportionality and the people, who want access to their local Member of Parliament? My experience is that even a person who had voted Conservative would prefer to go to a Member of Parliament of a different party who was locally available than be proportionally represented. Most people regard that as a distant concept.

Mr. Lansley: I agree with my right hon. Friend. That is a worrying potential development which arises from the Bill's structure. I hope that—I know that this is so of me and my neighbours in Cambridgeshire—we have always taken it as axiomatic that, although we were elected as representatives of a political party, we sit as representatives of the whole electorate. We therefore would not expect people to come to us on the basis of party allegiance or, notwithstanding the customs of the House which would preclude it, go to another party's representative in another constituency. We would all deprecate that, but that could be the outcome of the Bill.

People will tend to regard someone from their party as their representative rather than the person elected to the European Parliament to serve a whole area.

Mrs. Anne Campbell: Will the hon. Gentleman give way?

Mr. Lansley: I am glad to give way to my neighbour in Cambridgeshire.

Mrs. Campbell: Does the hon. Gentleman accept that I get many letters from his constituents, who write to me because I am a Labour Member? I presume that he gets quite a large number from my constituents who write to him because he is a Conservative Member. People feel allegiance to the party for which they have voted. Our system does not allow us to overcome that. I normally send such letters to him if people want problems solved, but if they ask my opinion, I freely give it. I assume that he does that, too.

The First Deputy Chairman: Order. Perhaps we can get back to the amendments, which concern the size of the region rather than party allegiance.

Mr. Lansley: The size of the region has some bearing on all this. There is a media relationship involved. The hon. Lady and I inhabit, as it were, the same media. Inevitably, when she says one thing and I say another, people will respond to one of us. That is fine in respect of opinions, but the convention by which we operate in the House—that we should deal with people in our constituencies and not deal with cases from constituents of other Members—serves well in dealing with public bodies and in determining who has the responsibility to pursue a constituency case through to its conclusion. There is no sense in which any of us can wash our hands of that.

Mr. Allan: Is the hon. Gentleman not guilty of confusing the role of MPs with that of MEPs? MEPs principally represent wider interests in Europe, rather than taking up individual constituency cases as we do.

Mr. Lansley: The hon. Gentleman makes an important point, which brings me to my next point. I recognise that there is a difference. In Cambridgeshire, we are well served by our Member of the European Parliament.

Mrs. Anne Campbell: We never see him.

Mr. Lansley: To pursue the point that I was making—

Mrs. Campbell: Will the hon. Gentleman give way?

Mr. Lansley: The hon. Lady is presuming a little in asking me to give way a second time. Before I do, I want to make this point clearly.

Members of the European Parliament are different in that they often adopt a functional specialism alongside their responsibility as geographical representatives. The Member of the European Parliament for Cambridgeshire pursues his role as spokesman on agriculture for his group, the European People's party, in the European Parliament. For the county that he represents, there is a good fit between his functional specialism and his geographical role as an MEP.

Mr. Bercow: Unless I misunderstood or misheard the hon. Member for Cambridge (Mrs. Campbell)—if I did, no doubt she will correct me—when my hon. Friend was speaking about the great merits of his local MEP, she exclaimed from a sedentary position, "We never see him." Is that or is that not an ironic commentary? Under these massive, unwieldy and unsuitable electoral regions, will she not see even less of that excellent MEP in future than in the past?

Mr. Lansley: I am going to give way to the hon. Lady, but, before I do so, I should say that, if that is indeed the point that she is going to make, it is wholly unjustified. Notwithstanding my hon. Friend's point, I believe that, given that my local MEP is representing a large area—larger than Greater London—with a population of half a million, he does extraordinarily well at being seen around the county. However, I shall happily give way to the hon. Lady if she wants to dispute that.

8 pm

Mrs. Anne Campbell: It is enormously valuable to have all those points made in speculation of what I am going to say, but I have to say that the current MEP representing Cambridgeshire is not seen frequently in the constituency, unlike some of the neighbouring MEPs who are frequently seen in their constituencies. I suspect that that is partly because he has a farm in Yorkshire and spends most of his time there and not in Cambridgeshire.

The First Deputy Chairman: Order. We are definitely going wide of the amendments.

Mr. Lansley: The hon. Lady and I are bound to disagree on that matter, but I am sure that I could present an enormous amount of testimony to the effect that the MEP for Cambridgeshire is often seen in his constituency and is much appreciated for what he does there.

A point made by my hon. Friend the Member for Ryedale (Mr. Greenway) bears emphasising. Several Labour Members appeared not to understand why the amendments are structured so as to increase to 18 the number of electoral regions, but the reason is quite straightforward, although it is not simply a case of taking nine regions and doubling their number.

If it is acceptable, as has been illustrated in debate, for proportionality to be achieved in Northern Ireland by reference to three MEPs and in the north-east by reference to four MEPs, it is perfectly possible for proportionality to be more readily achieved across the country with, on average, four MEPs per constituency. It has been amply shown in the debate that, when one reaches the point of having eight MEPs for the eastern region, or 10 in the north-west, or 11 in the south-east, one sees that, in pursuit of very marginal increments in proportionality, one has dramatically increased the distance and lack of shared representational factors within the electoral regions one has constructed.

We are simply trying to balance, on the one hand, the desire to have electoral regions that have a degree of commonality of interests and purpose, against, on the

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other hand, the principle of the Bill established on Second Reading, that there should be proportionality. We are not trying, by way of amendment, to undermine the whole purpose of the Bill and go back to single-Member constituencies; we are trying to strike that balance. To have eight or more MEPs representing the south-east, or London, or the north-west or the eastern region—with the idea that such areas have a commonality of interests that are susceptible to coherent representation in the European Parliament—is to create areas that are too big.

We have to strike the balance at a lower level and I subscribe to the view expressed in the amendments, that the balance is better struck at the level of three, four or possibly five MEPs per constituency. Five should be the maximum number of MEPs—for example, in Wales, although there may be those who say that it would be difficult to represent in the European Parliament the commonality of interests between south and north Wales.

One then comes to the question of how to structure the electoral regions. If not on the basis of the Government office for the region, on what basis should it be done? As my hon. Friend the Member for Ryedale made clear, it is determined by the boundary commission and is built up from local authority areas and so on, but, in a sense, that illustrates the relationship between the size of electoral regions and the impact on the politics of those who are elected.

If, starting with a blank sheet of paper, we were to design electoral regions that would make sense for the purposes of European Parliament elections, we would probably do that on the basis of media maps, rather than administrative maps, because, come the elections, we would be looking for candidates who could represent themselves and make an impact on a large electorate. The extent to which administrative regions cohere with the media map is rather limited in certain areas of the country. It would be difficult to correlate Meridian's television broadcasting area with the administrative regions when considering its impact in the south-east and south-west. It might be easier to do that in respect of Anglia Television, which covers East Anglia, but harder in respect of Central Independent Television or Yorkshire Television.

Those media maps are significant because, if we are trying to achieve a more effective system of electoral representation, having a geographical structure that matches the context within which the campaign will be fought—through the media, as that is the best way to communicate personalities, ideas and issues—would be an advantage. It would make more sense to relate the geographical structure to the media map than to the administrative convenience of Government Departments or standard statistical regions which are not created for electoral purposes. The Government are displaying a lack of imagination, because in pursuit of administrative convenience they may have missed the point if what they are trying to achieve is not only proportionality but a sense of involvement in, and understanding of, the European Parliament.

When creating large electoral regions, one changes the character of the opportunity for minority parties and independents. Notwithstanding the speech by the hon. Member for Tatton (Mr. Bell) earlier in the debate, I believe that there is a balance to be struck when creating large electoral regions which will offer opportunities for minority party representation. The point can be reached where one is contemplating some extremely narrow interests being represented in the European Parliament.

In the south-east, if someone were able to make an impact through the national media and acquire just 10 per cent. of the votes cast—remember that, on past precedent, turnout has been only 36 or 37 per cent., so I am talking about only 3 or 4 per cent. of the total electorate—that person might have sufficient votes to win a seat in the European Parliament. That might give some people cause for concern.

Mr. Drew: I am slightly confused—perhaps the hon. Gentleman will elucidate. My understanding is that all the minority parties are in favour of the regional list system: not only parties represented in this place, but others—in particular, the Green party. Is the hon. Gentleman saying that he is against that, and so in favour of those parties being excluded for ever, or is he saying that he feels that they will be excluded because of the system that we will have? The minority parties do not think that they will be excluded; they think that they will have a better chance.

Mr. Lansley: I am sure that the minority parties do feel that they will have a better chance. My point is that, if one is going to have proportionality, one has to do it through multi-Member constituencies that give minority parties that can gain the support of a substantial minority—

The First Deputy Chairman: Order. I do not enjoy interrupting hon. Members, but we are drifting into a discussion about the system of voting, rather than talking about the size of the regions, which is the subject of the amendments.

Mr. Lansley: I am grateful to you, Mr. Martin, but I hope that you will let me explain my point.

The size of the regions is relevant in this respect only: the larger the region, the smaller the proportion of the electorate that can justify the election of a minority party or, indeed, an independent with a particular appeal. Unfortunately—I wish that it were otherwise—we are talking about elections where the turnout may be as low as 40 per cent. or less. For example, 4 per cent. of the electorate in London may elect a Member to the European Parliament. I do not dispute what the hon. Member for Stroud (Mr. Drew) has said: minority parties may be in favour of that system. However, from a public policy point of view, there is a limit to how far we should go in that direction.

Everything points to striking a balance. The current balance is not correct in some very large regions, although it may be all right in some of the smaller regions. If we were to pursue the amendments, we could certainly strike a better balance.

Mr. Robert Syms (Poole): I shall be brief, as many of my hon. Friends wish to contribute to the debate.

The amendment tabled by the hon. Member for Moray (Mrs. Ewing) is interesting, in that it proposes taking a seat from London and giving it to Scotland. Under the first-past-the-post system, it is possible to take account of remote geographical regions. The distribution of boundaries under the current system allows Scotland to have quite large seats but a lower quota.

The relationship between the respective countries in the Union is relevant when considering this amendment. According to the Library, England represents 83.3 per cent. of the electorate; Scotland, 9 per cent.; Wales, 5 per cent.; and Northern Ireland, 2.7 per cent. The Scottish nationalists are trying to pinch a seat from England. A 71-seat allocation gives England 81.6 per cent. of the electorate, which means that we are under-represented. Seventy-two seats gives England 82.75 per cent. of the electorate, which means that we are still under-represented—but at least we would be approaching quota. England would be over-represented if we had 73 seats.

Mrs. Ewing: Under the 1993 settlement for the European parliamentary elections, the average Scottish electorate comprised 491,000 people. The figure for England was 512,000. Without the highlands and islands, the figure for Scottish electorates is 511,000. There is not the huge difference that the hon. Gentleman suggests.

Mr. Syms: "Proportionality" is a word which seems to fall from many people's lips. We are discussing the relationship between the countries of the Union and how seats in the European Parliament are allocated. This Bill is based on the principle of proportionality. England is currently allocated 71 seats but, on the basis of electoral size, it should be allocated 72 seats. We may even have a claim to 73 seats. Therefore, the Scottish Nationalists' proposal to take a seat north of the border, thereby creating further under-representation in England, is not exactly fair.

I return to my original point. The first-past-the-post system allows for sparsity to some extent. However, under a proportional system, we must allocate seats in terms of electoral size. We should begin not by subtracting a seat from England and giving it to the Scots, but by reconsidering the allocation of seats and adding one to England to ensure that it is properly represented.

Turning to the amendments tabled by my hon. Friend the Member for Ryedale (Mr. Greenway), the key point is that there are quite large differentiations in the regional lists at present. That creates great unfairness. There is a 25 per cent. quota for Wales but only a 10 per cent. or 11 per cent. quota to win in the south east. That will skew the nature of political competition. Someone like Sir James Goldsmith would not stand for election in Wales because there is no chance of receiving 25 per cent. of the vote. However, someone like him might stand in the south-east or north-west of England where the quota level and breakthrough point is much lower.

8.15 pm

If we are to have fairness in politics, there must be a relationship between the regions in terms of size—otherwise we will skew the nature of nominations. All the odds and sods will congregate principally in the north-west and the south-east of England where their prospects of victory are good, and none will stand for election in Wales. As the amendments tabled by my hon. Friend the Member for Ryedale suggest, the boundary commission could address that problem. Size is important under the proportional system.

I draw the attention of the Committee to the situation in southern Ireland, where the Government draw the boundaries. Some gerrymandering occurs under that system. Extra seats may be determined by whether there are three, five or seven-member wards. There is an old Irish tradition that the party in government—it does not matter whether it is Fine Gael, the Labour party or another major party—always rejigs the boundaries in terms of numbers in order to give that party a slight advantage.

Under this Bill, the Home Secretary retains the power to rejig the system. I have no doubt that the present Home Secretary is an honourable man who will act fairly. However, I am not sure about future Home Secretaries.

Mr. Cawsey: Not former Home Secretaries.

Mr. Syms: That is an interesting point.

The advantage of the boundary commission is that it examines issues independently. It will receive representations from communities, local authorities and other bodies and allows for the exercise of some logic.

At the sharp end of such inquiries—numbers always come into play—there is always concern that things might not gel. However, the system is logical, and I do not think that these boundaries have been drawn logically. My hon. Friend the Member for Ryedale mentioned having regions of four. I believe that we could have regions of three or five, depending on the circumstances. The boundary commission could examine the matter sensibly and rationally. The European elections are some way off and it is not beyond the wit of the boundary commission to examine the arrangements before then.

Mr. Gummer: If we do not have a boundary commission, the boundaries are based on the Government regions. In the south-east, it was expected that bodies and organisations could travel from any part of that area to London. In the context of elections, we are talking about people. I hope that people are not expected to travel across the south-east to London. As it is extremely difficult to travel across the south-east—and there are similar difficulties in the eastern region—it will be very difficult for ordinary people. Does my hon. Friend agree that the boundary commission should consider that matter because it will be concerned with people rather than parties? This Bill appears to be concerned with parties rather than people.

Mr. Syms: My right hon. Friend makes a good point: the boundary commission can take a broader view and consider local interests. One of the strengths of the current system—although the seats are too large—is that an elected member of the European Parliament can deal with local authorities and other organisations. The boundary commission would allow a range of bodies, from trade unions to businesses, to make representations.

Mr. Bercow: Further to what my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) said a moment ago, does my hon. Friend not think that it is significant that, in the course of our discussion, no Labour, Liberal Democrat or Scottish National party Members have countered the original point made by my hon. Friend the Member for Ryedale (Mr. Greenway) in his opening speech: that there is no obvious common interest between the constituent parts of many new electoral regions? If there is such a commonality of interest, why have hon. Members failed in the past 90 minutes to identify what it is?

Mr. Syms: My hon. Friend makes a good point. I am sure that, if the Government conceded the principle of the

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boundary commission, people could express their views about which regions they should be in and how representation should be provided. In politics one must be seen to be doing the right thing. Keeping the matter within the Home Office is not seen to be playing the game in British politics. It is sensible for the task to be carried out independently by an organisation set up for that purpose, which can listen to representations and set out a logical framework for the distribution of regions across the United Kingdom.

I hope that the Minister will listen to the Opposition arguments on this important point. When the principal Opposition party and other Opposition parties support the principle of an independent boundary commission, it would be a serious matter for the Government to turn their back against the proposal and say that the Home Office knows best, and that everything is set and sealed.

My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) made a good argument about the media areas throughout the country. We all know, especially MEPs who tend to be a little more remote, that it is important to be able to go to a local radio or television station to get people to know us. Most boundaries for television areas do not correspond with constituency boundaries.

There are further practical problems. It is difficult to get across many of the regions. MEPs will come back from Brussels and have to be in Penzance one day, in Poole the next day, and then perhaps in Stroud. I thought that we did not want MEPs to be driving around and spending a great deal. We will have extremely peripatetic Members of the European Parliament running around vast areas and trying to have an impact.

We all understand the point about geographical size. I have a relatively compact constituency. Some hon. Members with constituencies of 200 or 300 square miles find difficulty in getting around.

Mrs. Ewing: That is very small.

Mr. Syms: The hon. Lady says from a sedentary position that 200 or 300 square miles is small. Perhaps it is, compared with the highlands.

Mr. Gill: Does my hon. Friend agree that the new MEPs will not chase round those huge constituencies? They will not be accountable to the people because they will be able to make so many excuses about having to be somewhere else. A further problem is that there is no means of getting rid of a bad MEP under the system proposed by the Government. Is that not the final indictment of it?

Mr. Syms: I agree with my hon. Friend, but the key point is that, if we can reduce the number of MEPs for the regions from 11s and 10s to threes, fours or fives, we would have a definable area where an MEP could have a fixed office. With that number of MEPs, people might even know the name of the MEP who represents them, or be able to find a Member of Parliament or a local council that knows the name of the representative.

If we look at the size of some of the proposed regions and add up the number of local authorities in them, it is clear that that will cause problems. Local authorities have considerable dealings with MEPs.

The hon. Member for Stroud (Mr. Drew) stressed the importance of regions. There is indeed a regional role, but local authorities are also important. MEPs may be dealing with 20 or 30 different local authorities, which may have different priorities and may want the MEP to turn up to support a particular project. Tremendous problems are bound to arise.

To summarise, I do not believe that the regions are drawn in a sensible and logical way. I support my hon. Friends' amendments calling for an independent boundary commission to examine them. If we must have a proportional system, although I dislike it, I think that constituencies with three, four or five MEPs would be more acceptable and would at least be an attempt to maintain a geographical relationship between MEPs and their constituents. That would be a great improvement.

As I argued earlier, I believe that England is under-represented in the proposals. If proportionality is supposed to be the flavour of the month, is it not a little rum that we are starting off by allocating 71 seats to England, rather than 72?

Mr. Peter Viggers (Gosport): I support my hon. Friends' amendments to reduce the size of Euro-constituencies and to task the boundary commission with the duty of allocating the electoral regions.

We should all be worried about the lack of identification of the people of the United Kingdom with the rest of Europe. Other continental countries do have an identification with the ideal of Europe. France, Belgium, Luxembourg and the Netherlands, marched over three times in the past 130 years, look to Europe as a guarantor of their democracy. Spain can still remember Franco, Portugal can still remember Salazar, Germany is conscious of its aggressive history, and Italy has its own problems. All those countries look to Europe as a guarantor of their democracy and their prosperity.

At the critical moment in our history, we did not regard Europe as our guarantor. In 1940 we stood alone, and we tend to identify still with the United States and Canada. The problem is still one of identification with Europe.

Representation in the European Assembly was originally by Members of Parliament and Members of the other place. Direct elections changed that, and Members of the European Parliament made considerable efforts to establish links with their own areas. I accept that most members of the public do not know the name of their MEP, but those who do need to know it can find out. They will find that their MEP has a geographical responsibility—a duty of care.

In Wight and South Hampshire we have a sense of unity of purpose. The coastal belt, the M3, the A3, the M27 roads, access to ports at Portsmouth and Southampton, Solent, Spithead, the Isle of Wight—we have a sense of identity in that Euro-constituency and with a larger area, but that would not be the case with an area that stretched from Kent to Milton Keynes, to Oxfordshire, West Sussex and the Isle of Wight. That would take in far too large an area.

In addition to their functional roles, MEPs have a geographical responsibility. That is one of their strengths and one of the advantages that gives us a sense of identification with the European Parliament. With proportional representation in large constituencies, a constituent might apply to an MEP in his own party or,

more dangerously, he might apply to different MEPs from different parties, playing one off against the other and trying to find one who will assist his cause if others will not.

Mr. Gummer: Does my hon. Friend agree that the position is worse than that? No individual MEP would be responsible for that constituent. Once we move away from the single-member system, that problem arises. Constituencies must at least be small enough for people to know when MEPs do not do their job properly. With eight, nine, 10 or 11 MEPs, several will be unavailable to anybody. We must know to whom they are available, in order to know to whom they are responsible.

Mr. Viggers: Indeed. In very large Euro areas such as the south-east, where there will be 11 MEPs, I expect that the older and grander MEPs will seek to delegate responsibility for looking after such minor parochial matters to MEPs further down the list. The only thing that will matter will be to get themselves well up on the list to start with.

The practical implications of choosing European candidates has not been discussed. Despite the stories that we have heard about the large Euro-constituencies in Scotland, in the south and south-east of England the Euro-constituencies tend to be sufficiently close to each other for people to know one another at constituency chairman and constituency officer level. There can be a commonality of purpose in choosing a candidate.

Let us consider the problems of choosing the candidates for the south-east where there will be 11 seats. In the south-east area, the Conservative party is trying anxiously to fulfil the aims of true democracy and one person, one vote. There is to be a large meeting in docklands in the east end of London, which as far as my constituents in Gosport are concerned, might well be on the dark side of the moon.

As has been pointed out by my excellent constituency chairman, Commander Geoff Bartlett, he and his officers are deeply concerned that the candidacy of our excellent and exceptionally able MEP, Roy Perry, is unfairly penalised in what cannot be a level playing field, when the remote associations such as Gosport and the Isle of Wight will not be proportionally represented by having ready access to the open meeting in docklands. He says that it is unreasonable to expect constituents from Gosport to travel by bus, coach or train to docklands to take part in a selection procedure over, perhaps, a 15-hour day, involving reading the CVs of many candidates and then deciding among them. It would be physically impossible for constituents to know the candidates.

8.30 pm

Mr. Tim Collins (Westmorland and Lonsdale): My hon. Friend is making a point that is directly relevant to the size of the electoral regions. At least in the Conservative party we are trying to introduce an element of one-member, one-vote democracy. The Labour party wishes to entrench on the statute book a system that works only with Stalinist centralism—*[Interruption.]*

Mr. Viggers: My hon. Friend is right. Once this constitutional Pandora's box is opened, we do not know where things will lead.

The constitutional measure before us is based on the Labour party's wish to reshape its representation within the European Parliament. It is imposing a duty upon the rest of us for its own narrow party purposes. I greatly regret that.

Mr. Gerald Bermingham (St. Helens, South): Will the hon. Gentleman give way?

Mr. Viggers: I believe that the hon. Gentleman has only recently entered the Chamber, but I shall give way.

Mr. Bermingham: I have been listening quietly to the hon. Gentleman. If he were so kind as to listen to me, he might find that I am with him.

Surely a better approach than the Stalinist argument is to question what Milton Keynes has in common with Gosport. The answer is nothing. We have the same problems in the north-west. What does St. Helens have in common with Cumbria? The problems of the two areas are entirely different. Given the proposed system, those are the problems that we should be addressing.

Mr. Viggers: The hon. Gentleman makes a fair point.

Mr. Bercow *rose—*

Mr. Viggers: I am reluctant to take any further interventions. I wish to make a brief speech.

I move on to the difficulty of continuing identification with the cause of Europe if we enlarge the Euro constituencies to the extent that is proposed. We shall alienate more people from the concept of Europe. Indeed, the proposal will prevent identification. I therefore urge my colleagues to support the amendments.

Mr. Peter Brooke (Cities of London and Westminster): I am delighted to have the opportunity to take up the remarks of my hon. Friend the Member for Gosport (Mr. Viggers). I shall return to the specific point which underlay the whole of his speech when I come to my concluding remarks.

I shall confine my remarks to London, especially at this hour. Dr. Johnson was a constituent of one of my predecessors, and I continue to enjoy the observation that, if a man is tired of London, he is tired of life. With a Londoner's pride, though in a manner less lapidary than Dr. Johnson, I say that, if something will not work in London, it will not work in the rest of the country.

I spoke last year of a Londoner's sense of locality. London is an agglomeration of villages which have come to pass. The great success of "Passport to Pimlico", which was filmed in my constituency, derived from the fact that Londoners feel a strong sense of local loyalty. To go outside my constituency, I do not believe that the authors of the Bill have recently read "The Napoleon of Notting Hill".

The Minister, like the Secretary of State on Second Reading, based her argument for the constituencies on the contention that they match the regions which were introduced by the previous Government, of whom I was a member. I would not dream of offending against the Official Secrets Acts by revealing what others said in Government when we discussed the concept of regionalisation. I assume, however, that I am allowed to

[Mr. Peter Brooke]

reveal my own views, which were that I was deeply sceptical of the concept. I can say with certainty that we did not at that stage discuss using the regions as a basis for Euro-constituencies. Had we done so, it would have armed me with a powerful argument that was not available to me at the time.

The right hon. Member for Berwick-upon-Tweed (Mr. Beith) spoke of how well the other countries in the European Union have made the proposed system work. For better or for worse, I served longer continuously on the European Budget Council than any other British Minister since 1972. I first met my right hon. Friend the Member for Skipton and Ripon (Mr. Curry), who made a most distinguished contribution to the debate, in that capacity, when he was a Member of the European Parliament.

When I recall the closing stages of the negotiations on the European Community budget, between the Budget Council and the European Parliament, I would not commend the manner in which the European Parliament was elected as conferring flexibility in negotiations.

The Parliament on the budget was an instrument of adamantine inflexibility. The only resolution of that came not from the Parliament but from myself as holding the presidency of the Budget Council, in inventing a comparatively un-Tory instrument in the negative reserve that had the extreme pragmatic virtue of resolving the problem. I pay tribute to my right hon. Friend the Member for Skipton and Ripon for the fact that, on having been elected to the European Parliament by a method other than that applicable to the rest of Europe, he helped me to persuade the rest of the Parliament to adopt my proposal.

My next point turns on the amendments that relate to the boundary commission as against the Secretary of State. I am not a man to wear wounds on my sleeve, but proposals brought forward by successive Secretaries of State have given me an employed day-time population in my constituency that is 20 times that of the average constituency throughout the nation. In London alone, 22 per cent. of the population of greater London work in my constituency. My 73 parliamentary colleagues—I see some on the Government Benches—are good enough to look after the other 78 per cent., or a little more than 1 per cent. each. I do not have to serve individual commuters but, on the ancient principle of no taxation without representation, I have to represent any business or employer who comes to me on any matter that pertains to that business or employment.

This absurd disproportion militates against my ability to serve the entire constituency properly. To be fair, the boundary commission has always been sympathetic to my argument at public inquiry that there should be some shading to reflect the employment population. I am seeking, Mr. Martin, to remain within the rules of order.

London seems to be the loser in the circumstances that I have outlined, especially if 22 per cent. of London's working population, who come to work in my constituency, have by their feet indicated that they recognise the strategic significance of the constituency. However, the boundary commission can do nothing about my problem, which is why I would rather it address the origins of the problem instead of the Secretary of State, who created it.

Under the present system, the member of the European Parliament who represents my constituency and other areas is a good man whom I know and like. He is a former Member of the House of Commons, but not a member of my party. He has no hesitation in taking up domestic issues that occur within my constituency, but he has to be pushed and prompted—not least by myself—to take up matters that powerfully affect the constituency but which specifically have a European dimension. I give the art market as an example, which classically has a European dimension.

I fear that shifting this problem into the much larger constituencies that the Bill envisages will make it a great deal worse.

Finally, with a Government who pride themselves on European enthusiasms, decentralisation and referendums, I regret that on the issue before us the Government have not consulted. If by being doctrinaire—I return to the speech of my hon. Friend the Member for Gosport—the Government remove us further from an enthusiasm for Europe in this process, they will in my view at least, have served ill the European cause and ideal that they claim to espouse. They will have shown themselves separately to be self-contradictory on the principle of decentralisation.

Mr. Collins: We have had an excellent debate, which has included some notable speeches. I shall direct my remarks to two in particular. First, in a superb speech, my hon. Friend the Member for Poole (Mr. Syms) lacerated these ludicrous provisions, although a couple of his comments were—uncharacteristically—excessively generous.

My hon. Friend was right to stress the importance of the boundary commission, as an independent, non-political and non-partisan body, taking decisions about the proposed electoral regions. I noted that he did not observe that we have a Government who take the view that politicians' taking a view about food safety is excessively political but their taking decisions about electoral boundaries is not. That is a curious stance for the Government to take.

My hon. Friend drew attention to the absurdity of Members of the European Parliament having to jump around vast and difficult-to-traverse electoral regions. One must bear in mind, however, that we are dealing with MEPs who, under the present arrangements, are expected, even when they are on continental Europe, to travel between Strasbourg, Brussels and Luxembourg in the course of their parliamentary duties—before returning to the United Kingdom where they will have to zoom around vast electoral regions.

Movement will be a constant process. The majority of UK MEPs will simply represent the air, because they will be airborne much more than they will have their feet on the ground. That will not be their fault; it will be the fault of the system.

Mr. Bercow: In the case of Labour MEPs, might not that be thought to minimise the potential for damaging action?

Mr. Collins: My hon. Friend may be right. In the case of Liberal Democrat MEPs, it may be appropriate that their feet will be in the air, because their heads are always in the clouds.

The other speech on which I want to comment is that of the right hon. Member for Berwick-upon-Tweed (Mr. Beith). He said that, under the new system, it will be possible for MEPs to represent interest groups and promote certain issues. That may be true, but the Conservative party is interested in elected politicians representing individuals, not just groups. He also said that he hoped that voters will see a fairer system. The Conservative party is interested in whether voters will ever see the people they elect. Given the vastness of the electoral regions, I seriously doubt whether voters will ever see the person they have elected.

Sir Brian Mawhinney: My hon. Friend is making an important point, but I hope that he will not argue that the people are to blame. It would be understandable if ordinary MEPs, faced with regions of that magnitude, felt at the end of a hard week that the task was so big and threatening that their inclination was simply to go home.

Mr. Collins: I entirely agree with my right hon. Friend. The problem that I have highlighted is in the nature of the system. It does not relate to the electorate, who will be unable to identify with their MEP; and it relates still less to those who are elected to the European Parliament.

Mr. Gummer: Does my hon. Friend agree that, if MEPs decide to go home, they will have a problem deciding which home to go to? If an MEP represents an area from Milton Keynes to Gosport, his selection committee must meet in the docklands. Where could he place himself so as to be available to his electorate? That is a fundamental argument. Moreover, for the right hon. Member for Berwick–upon–Tweed (Mr. Beith) to say that the Church is run on that basis suggests a view of the Church that is unbeknown to anyone I have ever come across.

Mr. Collins: I am grateful to my right hon. Friend for correcting the religious and other references in the speech of the right hon. Member for Berwick–upon–Tweed. As the right hon. Gentleman is having such a hard time of it, I shall omit some of the other matters that he mentioned and build on what my right hon. Friend said. He is right: hon. Members on both sides of the House will recognise that, increasingly, our electorates expect us to be in our constituencies when we are not in this place and to be resident in our constituencies.

To use an analogy that is close to my home, if an MEP represents a region that stretches all the way from the Scottish border to Cheshire, how is he supposed to find a home that his electorate considers places him within the community that he seeks to represent? Would he live geographically halfway up or down, which might place him in Manchester? My constituents in rural Cumbria would deeply resent the idea that someone living in the urban heartland of Manchester represented their community. Should the MEP place himself at one extremity or the other? That would be difficult, because people in Chester would not feel that someone living in Cumbria understood their concerns, and vice versa. It would be absurd.

Mr. Bercow: Let us not be coy about this. There is not only an absence of common interest and identity within many electoral regions; it is worse than that. Many residents of those electoral regions have never been to, and in many cases are unaware of the existence of, large parts of the region. For instance, many noble people in Gosport have never been to Buckingham, and many noble people in Buckingham have never been to Gosport. They are none the worse for it.

8.45 pm

Mr. Collins: My hon. Friend is a great reminder of the importance of not being coy in these matters, and I shall not seek to be coy. He points out that I have been understating my case, and I shall seek not to do so in the remainder of my remarks.

In addition to the geographical problems is the problem of the sheer size of the electorate. Electorates for some regions will be about 4 million, 5 million or even 6 million people. It is simply not possible for one person to feel a link with that many people.

Let us take a practical illustration, which hon. Members on both sides of the Committee will recall—the period, less than a year ago, before the general election, when everyone who succeeded in being elected to this House, of all parties and of none in the case of the hon. Member for Tatton (Mr. Bell), who was with us earlier, will have spent a large portion of their time knocking on doors, speaking to individual voters, replying to letters, telephone canvassing and pursuing other methods of contacting individuals. How on earth will someone seeking election by an electorate of 4 million, 5 million or 6 million people knock on that many doors or make that many connections with the electorate?

Mr. Cawsey: The hon. Gentleman said that it is wrong to expect one person to represent a constituency of that size. The Bill does not expect one person to represent a constituency of that size. Does the amendment suggest that it does? If so, that is a good reason for rejecting it. [*Interruption.*]

Mr. Collins: I am delighted, because, as my hon. Friend the Member for Hertsmere (Mr. Clappison) is pointing out from a sedentary position, that intervention means that the hon. Gentleman has committed himself to voting for our next amendment, which will establish precisely what he suggests. As the Bill stands, 11 people will be elected in the south-eastern region. Each will have a duty to represent all the people in that area. Does the hon. Gentleman suggest that, under the Bill as drafted, those 11 representatives can split the region between them? The Bill does not provide for them to do that. The whole of that electorate of 5 million or 6 million people will regard their MEP as someone to whom they must look.

Mr. Paul Burstow (Sutton and Cheam): The hon. Gentleman's argument seems to be that it is impossible for someone to represent a constituency of more than 4 million or 5 million electors. Can he explain how the Conservative party supports a directly elected mayor for London, who will represent more than 4 million or 5 million electors?

Mr. Collins: This is an entirely different point. The mayor of London is not expected to spend most of his

[Mr. Collins]

time travelling between Brussels, Strasbourg and Luxembourg, but can spend all his time in London. He will not have to shuttle back and forth across a vast area, so it is simply not a parallel argument.

The practicalities of the Bill are clear: they simply do not work. One must therefore look behind the matter and try to work out what could be the motivation for choosing a system with this size of electoral region and this provision for the boundaries of the electoral regions. We know why the Liberal Democrats support such a system: they want a system that puts proportionality first. The right hon. Member for Berwick-upon-Tweed was entirely open about that. He wants a system that is rigged in favour of the Liberal Democrats. It is not a noble aspiration, but it is clear. But why do the Government favour it?

The Home Secretary made it clear, even today, that he remains against proportional representation for this place; why, then, is he in favour of it for the European Parliament? We must conclude that he does not take the European Parliament seriously. He thinks that the European Parliament should be used to do deals with the Liberal Democrats to influence the outcome of the next general election and to test run little experiments before the Jenkins commission reports. That is not the way to treat the European Parliament, which has serious powers over the people of this country. That approach is frivolous, so I support the amendment.

Mr. Green: Two events, one of which was a careful study of the map accompanying the helpful Library research paper, have inspired me to speak. The map, which shows Britain divided into regions, illustrates better than the eloquent remarks of my right hon. and hon. Friends the absurdity of the Government's proposal. Amendment No. 48 would have an ameliorative effect.

I declare a constituency interest. Many hon. Members have pointed out how absurd the regional boundaries are. The Government feebly defend the current system by saying that they accord with those of regional development agencies, but east Kent is already part of a European region. We have many economic ties with Europe because of the channel tunnel and links with Nord Pas-de-Calais and part of Wallonia.

Existing economic regions could sensibly be used for European elections, because businesses, local authorities and public bodies are used to working together. We could sell that idea to the people of Ashford and other parts of east Kent, but we will not be able to sell the idea that they have anything in common with the constituents of my hon. Friends the Members for Gosport (Mr. Viggers) and for Buckingham (Mr. Bercow). Those places are like the dark side of the moon to people who live in the blessed country of east Kent.

Mr. Gummer: Is my hon. Friend aware that the situation is worse than that? Bedfordshire will be associated with east Kent, even though Bedford decides whether roads in East Anglia should be repaired. It is extremely difficult to understand how Bedfordshire and Kent could, by any stretch of the imagination, have the same economic, political or, as the right hon. Member for Berwick-upon-Tweed (Mr. Beith) suggested, religious connections. I can count at least 30 Anglican and Roman Catholic diocese within one regional electorate. Surely it is nonsense to link Bedfordshire and Kent.

Mr. Green: I agree with my right hon. Friend. I take his point about the ecclesiastical nonsense that is attached to the political nonsense. I feel particularly strongly about that, as the home of the Bishop of Maidstone is in the village in which I live. He has made the point that, although the Church of England may be run from Canterbury, the Church in Kent is run from the village of Charing.

The Government's assertion that the regions accord with reality is self-evidently nonsense. They make the wider point that other countries do well under this system, but the tradition of parliamentary representation in other member states of the European Union is different at every level. New Zealand's use of the German additional member system of proportional representation does not work, because the New Zealand electorate treat their representatives as do the British electorate: they want them on call and they want to know who and where they are. The system works perfectly well in Germany, but not in New Zealand. It is invalid to argue that, because a system works elsewhere in the European Union, it will work in this country.

My second inspiration was the speech of the hon. Member for Moray (Mrs. Ewing). She seemed to think that the amendment expressed a deep-seated dislike of the European Parliament and would damage it. The opposite is the truth. The amendment would strengthen the European Parliament and would be less damaging than the Government's proposal because there would be more chance of MEPs being identified with their constituencies.

It would be better if the boundary commission took all sensitive decisions. It would be bad if politicians were seen to be interfering with the structure of a Parliament that is deeply embedded in the public's affections—or, indeed, disaffections.

Mr. Bermingham: I declare an interest. I was the instructing solicitor in Foot *v.* the boundary commission in 1982, which is the lead case in this matter.

I agree with the hon. Gentleman entirely. Allegations of political interference are deeply damaging to democracy, which was the case with allegations made in the late 1960s about the Home Secretary interfering with parliamentary boundary commissions. That is why the Americans, for example, have taken the matter out of the hands of politicians and put it, bluntly, into the hands of computers. We should examine the matter carefully if we are to exclude the boundary commission, which considers parity and community of interest rather than size and numbers. Perhaps my hon. Friend the Minister would be so kind as to listen to words of wisdom from people experienced in these matters who know the dangers of ignoring the commission.

Mr. Green: The hon. Gentleman is right. I hope that the Minister will give weight to his words about damage to democracy. The situation is as bad as that, and the Government must address that point.

The European Parliament has largely excited apathy in this country. The election turnout has always been low. If the general public think that there is a whiff of

gerrymandering about the election for the European Parliament, they are even less likely to hold the institution in high regard. The European Parliament is an important democratic institution, and it is the duty of the House to try to strengthen it, but the Government, for all their pro-European rhetoric, are heading in the wrong direction.

The amendment would improve the Government's proposals. Why have they chosen a particularly damaging proportional system using large regions? As has been said several times, the Home Secretary's hostility to proportional representation is so deeply embedded that he proposes its most damaging form for these elections in the hope that the system will be discredited in the eyes of the Jenkins commission and will not be adopted for any Parliament about which he cares more than he does about the European Parliament.

Ms Quin: I at least agree with the hon. Member for Ashford (Mr. Green) that the European Parliament is an important institution. We do not believe that its role will be undermined by the Bill.

Perhaps predictably, the amendments led to a wide-ranging debate, which at some points seemed to veer into what we shall discuss shortly—the subject of voting systems—and at others included references to the internal procedures of the Conservative party, which were raised by the hon. Member for Gosport (Mr. Viggers). There were even references to the difficulties in this Parliament faced by the right hon. Member for Cities of London and Westminster (Mr. Brooke) in his daily duties.

The hon. Member for Ryedale (Mr. Greenway) moved the amendment, with which were taken others relating to, in particular, the size of constituencies. It struck me as bizarre to introduce sub-regional divisions that seemed to have no coherence, and no historical or current justification. The hon. Gentleman referred several times to the constituency link, but nothing he said dissuaded me from the belief that what we propose for the regions is far better than the bizarre concoctions that he suggests.

9 pm

It is certainly possible to secure representation of valid interests within a regional framework. As the right hon. Member for Berwick-upon-Tweed (Mr. Beith) reminded us, that happens in other countries. Listening to some of what was said earlier, I reflected on my own experiences in the European Parliament. The issues that I pursued most vigorously in my early years of membership—issues such as shipbuilding, the fishing industry and European funds—relate to a regional dimension, and could be satisfactorily fitted into a regional framework.

Mr. Bercow: Will the Minister give way?

Ms Quin: I know that hon. Members are keen for us to make progress, and I have been keen to listen to all the views that have been expressed so far; if the hon. Gentleman will forgive me, I will continue with my speech.

The right hon. Member for Skipton and Ripon (Mr. Curry) referred to corporate and business interests that often lobby MEPs. I believe that it was the hon. Member for Sheffield, Hallam (Mr. Allan) who mentioned the regional development agencies that we are setting up, and the business role that they will have. That relates very clearly and easily to the regional boundaries proposed in the Bill.

At one point, the hon. Member for Ryedale stated categorically that Dover had more in common with Calais than with Milton Keynes, but then ruined that apparently knowledgeable assertion by saying that he did not know or care about what happened in the rest of Europe, which presumably includes Calais.

Mr. Bercow: Will the Minister give way?

Ms Quin: I will give way once, but I am anxious to make progress.

Mr. Bercow: As I did not speak in the debate, it does not seem unreasonable of me to intervene.

I was a little worried by the Minister's definition of valid interests. I am not sure why she thinks that it is for her to determine what constitutes valid interests, in the context of parliamentary representation in the European Parliament. *[Interruption.]* It is no good laughing at the point; I hope that the Minister will seek to answer it.

Ms Quin: I certainly will. By "valid interests" I meant issues that come within the European Union's ambit and relate to the work of MEPs. Those are not interests that I have decided; they are interests that are governed by directives and other action at European level.

For example, I referred to the fishing industry in connection with regional interests. The fishing industry is greatly affected by directives, and by a host of European rules and regulations. That is not my judgment; it arises naturally in the course of work in the European institutions and the European Parliament. That is what I mean by valid interests. There are a great many with which MEPs deal now, and they will be able to deal with them very satisfactorily in the framework proposed in the Bill.

Opposition Members' speeches featured many inconsistencies in regard to size. They criticised considerations relating to size, and then proposed the division of Scotland into two in a rather arbitrary way—as the hon. Member for Moray (Mrs. Ewing) pointed out. Indeed, the right hon. Member for Berwick–upon–Tweed rightly drew attention to some of the geographical absurdities in the present arrangement, and—again rightly, in my view—said that they could be better addressed in the proposed regional framework.

I believe that a strong and democratic case can be made out for the regional divisions proposed in the Bill. I think that they make a great deal of sense in European terms, and that they will deal with the issues that the European Parliament will have to handle.

Let me now refer to some of the other amendments in the group, to which other hon. Members spoke—referring, in particular, to the role of the boundary commission. I see no need to involve the commission in this instance, when England is following regional boundaries that—as we know—were established by the previous Government, and have been widely accepted.

The situation is not the same as that in 1993, when we discussed amendments to the old European election system. The boundary commission had a well-established

[Ms Quin]

role then, as it does in terms of House of Commons constituencies. However, that does not apply in terms of the regional boundaries for these European elections.

Sir Brian Mawhinney: Is the hon. Lady telling the Committee that she foresees no further role for the boundary commission in the whole context of European elections?

Ms Quin: Given these particular boundaries, such a role would not seem likely, but, of course, after elections, we all discuss what has happened and what may happen. However, given the system we have—given that these are established boundaries—there is no need for the boundary commission to exercise the role that has been established and works well in terms of the House of Commons.

The Conservative Front-Bench team has been completely inconsistent, because, in 1993, when dealing with a system where nearly all of us agreed the boundary commission did have a role to play, the Conservatives tried to push forward changes without the commission. I remind them of that fact.

In choosing the regions, we have mathematically made sure that the ratio of registered electors to MEPs is, as near as possible, the same in every electoral region in England. We believe that that is a satisfactory way in which to deal with the matter. The amendments of the hon. Member for Ryedale would simply delay the Bill and postpone its implementation. I understand why he would want to do that, but that is their only effect; they would not make any real contribution to the question of boundaries.

I agreed with many of the comments made by the hon. Member for Moray, particularly her description of the work of MEPs and of the European Parliament, but I cannot accept her amendment. Each English MEP currently represents an average of 518,000 electors; by contrast, Scottish MEPs represent, on average, 498,000 electors. If Scotland were given an extra MEP, each English MEP would represent an average of 526,000 electors, while their Scottish counterparts would represent an average of only 443,000 electors. In London—it is a London seat that would be jeopardised under the arrangements—the ratio would be one MEP for every 559,000 electors.

As the hon. Member will know, we are introducing a new system and we believe that the arrangements of the parties—her own, as well as mine and others—will provide for effective representation of Scotland as a whole. Therefore, there is no justification for additional representation, as her amendment proposes, and I urge her not to press it.

We have proposed a satisfactory deal. It certainly meets the democratic test and allows a system for representation in the European Parliament that can closely relate to the concerns of electors and to the issues which, as we know, form the bulk of the work of the European Parliament and the European Union.

Mr. Greenway: In the past three hours, we have had an important debate. Attendance in the Chamber now, in the prelude to what will undoubtedly be a Division, is greater than it was for some of that important debate. However, it would be a disservice to the Committee and the people of this country to rush precipitately into a Division without dealing with some of the points raised.

First, I must assure the hon. Member for Moray (Mrs. Ewing) that we see nothing in our proposal for two MEPs for the Scottish region with which she should wish to differ. We are not adopting a Eurosceptic stance in the amendments. On the contrary, our proposal for smaller electoral regions results from our concern that the already low public esteem for the European Parliament in this country will be undermined still further by the scale of the regions.

Mrs. Ewing: Does the hon. Gentleman recognise that, with the establishment of a Scottish Parliament, which will work in close conjunction with MEPs from Scotland, there seems little point in having two distinct regions in Scotland?

Mr. Greenway: We do not agree. We believe, and we thought that she would agree, that the interests of the rural communities in the highlands and islands are different from those of the large urban conurbations in central Scotland. We do not propose where the boundary should be drawn. A central tenet of our proposals is that the boundary commission should have decided those matters, independently of any political interference.

My right hon. Friend the Member for Skipton and Ripon brought his practical experience of life in the European Parliament to the attention of the Committee. He, of all Conservative Members, cannot be regarded as a Eurosceptic, yet he agreed totally with the suggestion that the proposed regions are far too large and would undermine the effectiveness and accountability of MEPs.

The right hon. Member for Berwick-upon-Tweed (Mr. Beith) made an extraordinary speech. On the one hand, he made it absolutely clear that proportionality first was the order of the day with the Liberal Democrats—no great surprise in that—but he went on to argue that, somehow, because the Member of the European Parliament for Scotland South had to cover an area from Eyemouth to Ayr, it was a bad thing, and that it was all right to have MEPs covering the whole of Scotland. His argument did not seem to justify the conclusion that he drew from it.

My hon. Friend the Member for South Cambridgeshire (Mr. Lansley) made the important point that the Bill would have unintended consequences, which would be to the detriment of accountability and representation in the European Parliament. Party allegiance with voters would determine to whom businesses and communities turned with problems that needed to be addressed. More than anyone else in the debate, he put his finger on what we are about with this group of amendments. For the marginal increase in proportionality that would result from the nine electoral regions, as opposed to the 18 that we propose, we are asked to accept a disproportionate extension of distance and remoteness of MEPs from their electors.

My hon. Friend the Member for Poole (Mr. Syms) pointed to the large differentiation in electoral regions. He, of all people, should know that what the Minister said about drumming up bizarre sub-regions with no historical justification is complete nonsense, because, not that long ago, the area around what is now east Dorset was in Hampshire. The Opposition believe that there is a need for the boundary commission to re-examine all those matters.

In an intervention, my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) told the House why the south-east region is so large; it was established for a wholly different reason from that which the Committee is being asked to consider. He said that the south-east region was established to conform with a Department's perspective on how to cover a region in which communities were already relatively close to London. It was not established as a basis on which we should form electoral regions for the European Parliament.

9.15 pm

My hon. Friend the Member for Gosport (Mr. Viggers) said that the proposals ill-serve the cause of the United Kingdom's identification with Europe. He also mentioned the extreme practical difficulties for political parties in giving 11 seats to the south-east region.

My right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) said that it was never intended that the geographical boundaries of the regions—with which he was involved as a Minister—should be used as the basis for European electoral regions. There is a need to reflect further on the demands of those representing central London. The boundary commission, not Ministers, should have reflected on those demands. The Bill's 10-Member London electoral region will make matters much worse. The Government have not consulted, and their doctrinaire attitude undermines the European cause.

My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) said that electoral regional boundaries were never intended to become electoral regions for the European Parliament. The regions have been adopted by the Home Secretary purely for convenience, so that, in this Parliament, proportional representation will have a test run, showing Ministers how the public might respond.

Opposition Members believe that we have a pretty shrewd idea of how the public will respond to those electoral regions. There will also be unforeseen consequences, because the regions will undermine the credibility not only of the European Parliament and of the European elections but of the Government.

I have a high regard for the Minister—our constituencies are not that far apart—but her reply to the issues raised in this debate was pretty poor. She has not addressed any of the important issues, including one on which there was cross-party consensus.

Whatever the House decides on the issue of electoral regions, we believe that this group of amendments includes important constitutional amendments relating to the boundary commission and to who should determine future changes in electoral arrangements. We think that it is fundamentally wrong for the Secretary of State to determine electoral regions. Even more important, we think that it is entirely wrong and unconstitutional for him to determine future electoral arrangements, electoral regions and proportionality.

The Committee should reflect on the fact that the Prime Minister, when he was shadow Home Secretary, criticised the previous Government for failing to consult the boundary commission on the possibility of increasing the number of European seats. The Minister said that that was a valid criticism. That may be so, but, given the way in which the extra seats came about, there was no time for consultation. That cannot be said of future changes.

If the Prime Minister believed when he was shadow Home Secretary that the independence of the boundary commission should be paramount, the Committee has a right to expect the Government to honour that belief now by accepting amendments Nos. 54 to 56 so that it is not the Secretary of State but the boundary commission that is involved with these matters in future. There must be no question of the gerrymandering of boundaries in the European elections.

It was right to have a debate of this length to expose the Government's hypocrisy. They say that they are in favour of democratic representation, but the Bill's arrangements are a botched job. At the European elections next year, the country will decide that the Government got it wrong; we are giving the Committee the chance to show tonight that the Government got it wrong.

Question put, That the amendment be made:—

The Committee divided: Ayes 128, Noes 345.

Division No. 179] **[9.21 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*

Ruffley, David
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Trend, Michael
Trimble, Rt Hon David
Tyrie, Andrew
Viggers, Peter
Waller, Robert
Wardle, Charles
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. Nigel Waterson.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Breed, Colin
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Cunningham, Ms Roseanna *(Perth)*
Dafis, Cynog
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobson, Rt Hon Frank
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Kilfoyle, Peter
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Mrs Helen
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn

Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Wallace, James
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Clive Betts and
Mr. David Drew.

Question accordingly negatived.

Mr. Nicholas Soames (Mid–Sussex): On a point of order, Mr. Lord. I should like to raise a matter relating to the rights of the House. This evening at 6 o'clock in Committee Room 14, there was a meeting of the Conservative Back-Bench agriculture committee, to which a lady called Ms Kate Ashbrook, representing the Ramblers Association, came to speak. In her papers she had an advance copy of a Government document to be made available tomorrow, which has not yet been made available to Members of Parliament. We have checked in the Vote Office that the paper is not available. Would you be good enough to investigate and ensure that Ministers understand that documents that are issued in advance to fringe lobby groups should be issued first to Members of Parliament?

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): I do not know the precise details of the document to which the hon. Gentleman refers. The Committee—no doubt those on the Government Front Bench in particular—will have heard what he has said.

Mr. Soames: Further to that point of order, Mr. Lord. I should have made it clear that the document concerned was the statement that I understand is to be made tomorrow on the right to roam legislation.

The Second Deputy Chairman: I have dealt with that point of order.

Mr. David Trimble (Upper Bann): I beg to move amendment No. 26, in page 1, line 24, leave out from 'region' to 'shall' in line 29 on page 2.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 9, in page 1, line 25, leave out from 'be' to end of line 26 and insert

'an open regional list system.

3A. An open regional list system is a system which complies with the following requirements, namely—

(a) each electoral region shall be divided into a number of constituencies equal to the number of MEPs to be elected for that region in accordance with subsection 2(4) above and Schedule 1;

(b) each candidate shall nominate on the ballot paper one constituency in the relevant region which he will represent, if elected;

(c) in the event of the same constituency being nominated by more than one successful candidate, the candidate elected first shall represent his nominated constituency;

(d) successful candidates unable to represent their nominated constituency for the reason given in sub-paragraph (c) shall, in the order of their election, choose another constituency to represent, and;

(e) if an elected candidate has nominated a constituency which no candidate elected before him has nominated, he shall represent that constituency even if a candidate elected before him, whose own nominated constituency has been taken, seeks to choose it.'.

No. 1, in page 2, line 1, leave out from 'cast' to end of line 2 and insert

'in one of the following ways:

(a) for a registered party;

(b) for a candidate listed as a member of a registered party; or

(c) for an individual candidate not listed as a member of a registered party.'.

No. 51, in page 2, line 2, after 'candidate,', insert

'whether or not the candidate is a member of a registered party,'.

No. 2, in page 2, line 4, after 'candidate', insert

'not listed as a member of a registered party'.

No. 3, in page 2, line 4, after 'votes' insert

', with votes for candidates listed as members of a registered party counting towards the total vote of that party.'.

No. 4, in page 2, line 8, leave out from 'number' to end and insert 'shown below.

Number of seats already allocated	*Divisor*
2	3
3	5
4	7
5	9
6	11
7	13
8	15
9	17
10	19.'

[Mr. David Trimble]

No. 5, in page 2, line 16, leave out from 'filled' to end of line 18 and insert 'as follows—

(a) a quota shall be determined which is equal to the total number of votes polled for all the parties, divided by the number of seats to be allocated, plus one.

(b) votes cast for the candidate at the top of the party list shall be compared with the number of votes cast for the registered party to which that candidate belongs.

(c) where the candidate has fewer votes than the quota, the votes for that candidate will then be topped up to reach the quota using votes from the party vote, reducing the number of votes won by the party accordingly.

(d) this process continues for each candidate on the list until the party votes have been exhausted, except where there are insufficient votes in the party vote to top up a candidate, in which case those votes are allocated to the next person on the list with sufficient votes, who moves one place up the list.'.

No. 6, in page 2, line 20, at end insert—

'(7A) The style of the front of the ballot papers to be used shall be in the form set out in Schedule (*European Parliament Ballot Paper*).

No. 10, in page 2, leave out lines 22 to 24.

No. 11, in page 2, leave out lines 25 to 28.

New clause 4—*Evaluation by Secretary of State of open list system and method of allocating seats*—

'.—After section 7 of the European Parliamentary Elections Act 1978, there shall be inserted the following section—

"Evaluation by Secretary of State of open list system and method of allocating seats

7A.—(1) As soon as is reasonably practicable after the first election held under the regional list system set out in section 3 of this Act, the Secretary of State shall lay a report before Parliament, setting out what appear to him to be the principal advantages and disadvantages of conducting subsequent such elections by an open list system.

(2) A report under subsection (1) above may also contain proposals for changing the arrangements for the allocation of seats set out in this Act.

(3) In this section, 'open list system' means an electoral system in which the names of those candidates on a party's list are listed on the ballot paper and each voter can choose whether to cast his vote either—

(a) for a registered party, or

(b) for an individual candidate, whether or not that candidate is on a party's list of candidates."'.

Amendment No. 27, in schedule 2, schedule 2, page 8, leave out lines 19 to 25.

New schedule 1—

'EUROPEAN PARLIAMENT BALLOT PAPER

EASTERN ENGLAND CONSTITUENCY

ELECTION OF EIGHT MEMBERS OF PARLIAMENT

You may vote in one of two ways:

EITHER Put 'X' in one of these boxes to indicate the party of your choice	☐ Conservative Party	☐ Green Party	☐ Labour Party	☐ Liberal Democrats	
OR Put 'X' in one of these boxes to indicate the candidate of your choice	Conservative Party	Green Party	Labour Party	Liberal Democrats	Others
	☐ FORBES Annabel	☐ SKYLARK Daniel	☐ CLARKE Winston	☐ HOLDER Maureen	☐ THWAITE Norman SOCIALIST LABOUR
	☐ SMYTHE Sir Alan	☐ ANDREWS Melanie	☐ BLACK Michael	☐ CHAUDHRI Ajit	☐ KENT Anthony PRO-CANING
	☐ PARSONS Giles	☐ VALERIAN Jennifer	☐ PETERS Angela	☐ HUSSEIN Rupal	☐ McINTYRE Lord NATURAL LAW PARTY
	☐ SIDCUP Lady Anne		☐ SVENSON Bob	☐ ELLERTON Sir Paul	☐ MUIR Seymour INDEP'NT
	☐ BIRCH Dominic		☐ BELL Celia	☐ BEDFORD Baroness (Anne)	☐ SMEDLEY Jemima MARXIST

☐ PRESSMAN Marlene	☐ UL-HAQ Tariq	☐ MEADOWS Simon
☐ LANCASTER Sir Alfonse	☐ POTTER Amelia	☐ GOLDSTEIN Samuel
☐ TRUSTFUL Derek	☐ CHAPLIN Nazalia	☐ HUNTER Sarah

Mr. Trimble: I will address myself primarily to amendments Nos. 26 and 27, which stand in my name and that of my hon. Friend the Member for Belfast, South (Rev. Martin Smyth). The amendments relate to the electoral system that should be used for the election of Members of the European Parliament. During the previous debate—of which I heard bits, but not all—hon. Members anticipated this debate several times, and commented on the proposed regional party list system. I was interested to hear some of those comments.

One Conservative Member referred to the party list system as Stalinist. Another hon. Member from another party—I am not identifying them by name, because I do not want to embarrass them—said that the procedure resembled something that might emanate from the central committee of the Bulgarian Communist party. I was surprised by those comments, because the regional list system is not new—not even to the United Kingdom. It was proposed and enacted by a Conservative Government in 1996.

Mr. Mitchell: They are Stalinists.

Mr. Trimble: The hon. Gentleman is also, by implication, making a comment about his Front-Bench colleagues, on which he may wish to elaborate later.

I was not going to make that point. I was saying that those who applied such a label to the regional list system were wrong. I am sure that the Conservative party would not have proposed a Stalinist system and the Labour party would not have supported it. Labour supported the regional list system when it was voted through the House in 1996. My party pointed out some of the disadvantages.

It is amazing to hear debates about various proportional representation systems with no reference being made to the experience that we have had of operating them. We in Northern Ireland have experience of two proportional systems—the regional list system and the single transferable vote system. We have operated the latter longer—since 1973—and had quite a bit of experience of it. We used the regional list system on just the one occasion, but we have a basis for comparison. It is from that experience and on that basis that we come to the Committee with the amendment.

Criticisms of the regional list system are somewhat misplaced. It is a proportional system with its own particular characteristics, but to try to dismiss it with the sort of blanket criticism that we have heard is not appropriate. There is nothing necessarily undemocratic about a party list system. It depends to a large extent on the procedures of the party that operates it. We all have different selection procedures for the Westminster elections under the first-past-the-post system. A party presents the electorate with a candidate. The electorate do not have any choice of candidate, and they support him or not. We do not regard that as undemocratic, providing that the party has internal democratic procedures. There have been occasions on which people have criticised parties for operating selection procedures that are too narrow, but the trend is very much in the direction of one member one vote.

We in the Ulster Unionist party used to pride ourselves on the democratic nature of our selection procedures. While other parties were selecting by small committees, our selection was by large groupings of delegates who represented a very wide cross-section of the community. Meetings of several hundred delegates would regularly make the choice. We have been overtaken by parties that have moved to a one member, one vote system. I applaud those moves. It is probably about time that we caught up. Having had an excellent system for many decades—in fact, throughout the century—we do not want to end the century having been overtaken by everyone else. But that is by the way.

When we had the regional list system and had to draw up party lists, we simply used our normal internal party procedures. The very same delegates who would have been involved in selecting a candidate for the Westminster election were involved in the selection of people for the list. The point that arises is that the position on the regional list is crucial. The power to rank people on the list becomes vital.

Sir Brian Mawhinney: Does the right hon. Gentleman agree that the strength of selection on a one man, one vote basis, or a delegate basis, as in the Ulster Unionist party over many years, was that it produced an identifiable man or woman to whom the electorate could be asked to relate? That was one of the inherent strengths of the system, which is much less obviously true of a list system.

Mr. Trimble: I understand the right hon. Gentleman's point. It is true and applicable to any such comparison between a first-past-the-post system of electing Members in a single constituency and any proportional system that has multiple Members. That criticism is not unique to a regional list system.

I was making the point that the ranking on the list is crucial, and gives rise to power that could be abused. Conscious of that, we decided, when we operated the system in 1996, that we would ask our delegates to undergo two exercises at selection meetings. We first asked them to undergo procedures to identify the number of candidates to fill our list. We were dealing with five members for each list. After they had selected five members, we asked them to vote again to determine the ranking of members on the list.

The crucial ranking was done, therefore, not by party apparatchiks, and certainly not by the leadership, but by delegates. We felt that that was essential both for the maintenance of some degree of internal democracy in the party and for the credibility of the system from the

[Mr. Trimble]

electorate's point of view. While we have operated the system only once, my impression—my hon. Friends may wish to comment on their experience of it—was that it was regarded as satisfactory.

There is one curiosity about the list system, and I have seen nothing in the Bill that relates to it. I shall be interested in what the Home Secretary has to say about the question of the removal of names from the list. It is a party list. A person on it, even if elected, is elected not in his own right but as a member of a party. Should he or she cease to be a member of the party, he or she automatically comes off the list. People cannot cross the Floor in a list system.

9.45 pm

A provision under the Northern Ireland (Entry to Negotiations, etc) Act 1996 gives the party leaders in Northern Ireland, as individuals, a power to remove people from the list. In the Northern Ireland Forum, which was elected in 1996 under that legislation, all the individual party leaders in Northern Ireland possess the power to dismiss people from an elected body with the stroke of a pen. It has not happened. None of my colleagues has used the power. The chief whip of our forum party tells me that I should occasionally threaten to use it. He says that it would have a marvellous effect on discipline if I threatened to write a letter saying, "Mr. Bloggs is no longer a member of the forum." I have not done it because it is a bit of a nuclear deterrent. One would never dare to do it unless one was confident that one would survive the resulting furore. If there is to be criticism of the list system, it should focus on that.

Analogous procedures exist for all list systems to enable parties to dismiss their members. I may have missed that point in the debate, but I should be interested to know what the Government propose.

Mr. Straw: We are proposing nothing different in this Bill from that which obtains for a Member elected to this House or to any other democratic institution under our constitution. If someone is elected under one party banner, but decides to cross the Floor, for the period for which they were elected it is a matter between that person and his or her electors, and no one else. There is no difference in principle. Any of us, having been elected under one party banner, can change allegiance. Some of us think that that is fairly reprehensible; others sometimes take a different view. The same system would obtain in respect of the party list system, as we propose it in the Bill.

Mr. Trimble: I am interested in that reply. I understand why the Home Secretary said that, but it introduces a tremendous contradiction into the proposals. If we operate a party list system, my point follows. That may be an uncomfortable conclusion, but under this system, people will vote not for individuals but for a party. If the votes of the people in one of the electoral regions are sufficient to elect three or four members of that party, the electorate, having voted for a party not a person, must surely be entitled to have that number of party representatives representing them in that area for the session. Anything else is a denial of the democratic system.

Mr. Drew: Does that not depend on whether it is an open or a closed list system, which we shall debate later?

Mr. Trimble: I take that point. The argument that we are exploring is relevant to our amendment and to the system that we propose. Noting the implications of a party list system in a sense prepares the ground for the points that I will make later. The hon. Gentleman should not assume that I approve of the system that I am currently exploring. I am merely pointing out the logical consequences of the system and the deep contradiction in the Home Secretary's actions. In having proposed a party list system, but then undermining it by not following through its implications, he has given rise to a legitimate complaint on the part of the electorate about the logic and principles of the system.

I am not here simply to praise the party list system, because it has disadvantages. In Northern Ireland in 1996, we did not find that the party list system was satisfactory. In fact, we ended that election feeling that it was quite unsatisfactory and flawed in comparison with the other proportional representation system with which we are familiar—the single transferable vote—although it is a nice point whether those flaws are greater with a five-member system or with a larger one.

The flaw that we perceived was that a party list system encouraged the creation of parties. We have far too many parties in Northern Ireland as it is, but under that system, the number increased significantly—indeed, about half a dozen were created specifically for the 1996 election, so we were faced with quite an array. Each of those parties, even the silliest, attracted some votes, albeit not many. Under the party list system, those votes for small parties are wasted votes. They simply disappear and are not counted—well, they are counted, but they have no effect on the outcome of the election, so they become wasted.

Under the STV system, with which we have been familiar since 1973, votes are transferred and consequently a more proportional result is achieved. Looking at the outcome of the 1996 elections and comparing that to what the outcome would have been under an STV system, we saw quite a difference. We felt that the electoral system cost us five seats in a 90-member body. We estimated that, had an STV system been used, we would have got an additional five seats. The same was true for other large parties.

The curious consequence of the disregard of the votes cast for small parties is that the larger parties tend to lose in comparison with those that are not quite so big. I would need to go through all 18 of our regional list elections and compare the outcomes with those that would have been achieved under an STV system before I could make that point with absolute certainty, but I believe that I can make and sustain it without much difficulty now.

We found that there was that disadvantage; so, having read the Bill and seen that it proposed a regional list system for Great Britain and the STV system for Northern Ireland, and having a strong view that there should be a uniform system throughout the United Kingdom, we had to decide among ourselves whether to press for the adoption of the regional list system in Northern Ireland so

as to have a uniform system or to go for STV. I consulted colleagues in the party and, after much discussion, we reached the overwhelming view that the STV system would be better, and to a large extent the reason was the transferability of votes.

To have votes that are transferable means that one does not then suffer the penalty that flows from a multiplicity of parties. If many parties stand in an election, as will inevitably happen, the electorate will want to be able not only to cast a vote for the party that reflects their views, but to cast a vote that is effective and can secure the election of their representatives. A transferable vote system allows that.

Some other benefits will flow from extending the STV system to the United Kingdom as a whole. The most obvious is that it will allow the electorate to make a choice between individual candidates. Although an open list system, such as that proposed by the Liberal Democrats, gives an element of choice, it is cumbersome. Telling the electorate to choose between a party vote and a personal vote confuses the issue. The attribution of the party vote to individuals could have a capricious element. One should choose between voting either for parties or for persons. The open list system has an untidy and unhappy compromise feel about it. I had understood until recently that the single transferable vote was the preferred system of the Liberal Democrats.

Mr. Allan: The STV system is still preferred by the Liberal Democrats. Our amendments seek to improve existing provisions in the Bill, but we have not abandoned our commitment to STV as a matter of principle.

Mr. Trimble: I am delighted to hear that the Liberal Democrats still believe that STV is best. When my colleagues and I tabled our amendment on STV, we said, "Well, we are bound to gather support from the Liberal Democrats, because they have been advocates of that system for many years." It was with deep chagrin and disappointment that, as the days and weeks went by, we saw no sign of support from the Liberal Democrats. We were left to wonder what possible reason they could have for abandoning the system that they had supported for many decades. If the Liberal Democrats still believe it to be the best, perhaps we shall give them the opportunity to vote for the single transferable vote system when the time comes on Thursday.

Mr. Mitchell: Although the right hon. Gentleman praises the open list system with faint damns, does he agree that it is much preferable to a closed list system?

Mr. Trimble: I thank the hon. Gentleman for his comments. I did not think that I was praising the open list system. I had intended to criticise it rather gently—perhaps I was too gentle, and did not give the Committee the correct impression. Even if we concede that an open list system is preferable to a closed list system, we should go one step further and move to a system that is clearly and unambiguously a vote for persons. That is what the single transferable vote system is.

The STV system compels the electorate to vote for a person. It compels every elector to think about the persons who are standing for election, and it compels every elector to think about how he or she will vote. When STV was introduced in Northern Ireland, concerns were expressed that it was unnecessarily complex and that people would have difficulty with it. At one of the first elections under the STV system—it was not the first: there was a local government election in May and then the assembly election in June 1973—there were 18 or 19 candidates in the constituency where I resided and was foolishly persuaded to stand as a candidate. I should remember the number of candidates as, when it came to the count, I was at the bottom of the poll and came 18th or 19th.

My experience on that occasion was that the people thought carefully about their vote. They examined the election material from the various parties and looked through the potted biographies of the candidates. They came to the polling booth with the lists of candidates that they wanted to support, and they voted accordingly. Consequently, the voters took an interest in the elections. The electorate will not take the same interest in individuals standing under a party list system—whether it is closed or open—and the people will obviously take less interest in a closed list than in an open list system.

We are moving to larger regions—which were rightly criticised in the previous discussion—with more people and an electoral system that discourages paying any attention to the personalities involved. That degrades the system.

Mr. Cash: The right hon. Gentleman has related his own experience with respect to the STV system. Does he agree that the first-past-the-post system, which he has not addressed, is the best, because it gives a clear choice and a connection between the local area and the decisions that are taken at the ballot box by individuals who know exactly for whom they are voting? Does the right hon. Gentleman agree that the problem with the regional list system is that it can result in the tyranny of the party leadership, and the STV system has the grave disadvantage that people lose the ability to make a clear choice when their vote is shuffled through the system?

Mr. Trimble: I shall deal later with the relative merits of first past the post, as there are some comments that I should make with regard to it. In his other comment, the hon. Gentleman gives expression to a misconception about the system. The vote is transferable, but it transfers in accordance with the choices and preferences indicated by the elector—

It being Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—*[Jane Kennedy.]*

Committee report progress; to sit again tomorrow.

Farmers' Incomes

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

10 pm

Miss Ann Widdecombe (Maidstone and The Weald): The issue which I am about to raise is of concern not just to farmers, on whose incomes I shall comment shortly, but to the economic health of the countryside as a whole. [*Interruption.*]

Mr. Deputy Speaker (Mr. Michael Lord): Order. Would hon. Members leave the Chamber quickly and quietly, if they are going?

Miss Widdecombe: It is not insignificant that a point of order was raised with you earlier, Mr. Deputy Speaker, about the fact that an important statement affecting farmers has apparently been made available in advance to a pressure group whose principal aim is to make farmers' lives difficult, yet it has not been made available to Parliament. That sets the background for the way in which the Government look at the problems confronting farmers.

It is true that farmers have faced problems in the past. The main source of their current difficulty is the strong pound. Of course, this is not the first time in our economic history that we have had a very strong pound, but on this occasion there are other factors, not just in one or another section of the industry, but across farming as a whole. Those factors, taken together with the strength of the pound, are making life so difficult that we should be concerned for the future of farming if matters are not sorted out.

Mr. Christopher Gill (Ludlow): Does my right hon. Friend recognise that the problem is not so much the strength of the pound as the weakness of the other continental currencies, as European Union member states pursue their convergence criteria, with all the resulting damage to their economies?

Miss Widdecombe: Yes indeed, but that weakness leads to the comparative strength of the pound, so what I am saying is a summary of the rather complex model that my hon. Friend was introducing.

I shall deal with specific parts of the farming industry. Fruit farmers not only experience the difficulty of exporting in the face of the strong pound, but are confronted with all the results of frost in May. I could be cynical and say that I believe that frost in May greeted the arrival of a Labour Government, but I could say rather more realistically that frost in May has not happened for an extremely long time. No serious help has been given to fruit farmers, who make up a large percentage of the farmers in my constituency. No real help has been given to them, or much hope held out.

Cereals are facing an expanding world market in which additional supplies are coming from many quarters at the same time as a reduction in livestock has reduced demand, and once again the pound is strong. I hardly need to refer to the problems that are confronting beef farmers, which have not been helped by the Government's decision to ban beef on the bone. Finally, although this is not an exhaustive list, there is the problem of sheep farmers, who are also suffering from a strong pound and from the increasing difficulties of live exports.

Mr. Lembit Öpik (Montgomeryshire): Is the right hon. Lady aware that in areas such as mid-Wales, including Montgomeryshire, we are facing a fully fledged recession on account of what has happened to sheep and beef farming?

Miss Widdecombe: I am indeed aware of that. Hon. Members must forgive me if I do not go into an exhaustive description of all that is wrong in farming. The number of hon. Members on both sides of the Chamber at this hour of the night is a sign of the concern that is felt in the House. I hope that the Government will take on board that concern and respond positively.

My debate has made special reference to the south-east, and that is because, notwithstanding the fact that there are obvious problems in other parts of the country, we have special factors. For example, huge capital investment followed the 1987 storm. There was the decimation of the hop market—it was more than decimation, of course, because that would have left 90 per cent.; that market was almost destroyed. There are higher labour costs in the south-east. There are also difficulties in transferring to something like beet because of the distance involved in haulage and processing. Also, in the south-east, we have a very mixed economy; there has not been, for example, the situation which until recently appertained in East Anglia, where there was extremely strong cereal farming, accounting for most of that economy.

At the same time, there has been a decline in the percentage of retail prices enjoyed by farmers. For example—these are only examples—in November 1995 a beef farmer received £2.35 per kg deadweight, which represented about 39 per cent. of the butcher's price. That farmer now receives only £1.78 per kg, which is slightly more than 30 per cent. of the butcher's price.

I could quote similar examples for milk, where there has been a reduction in the farmer's share of the end price from 72.5 per cent. to slightly less than 65 per cent. Lamb prices are now £2.16 per kg, which is only a 36 per cent. share of the butcher's price, which has increased from £5.37 to just under £6. Similarly, I could draw on the examples of pork and of cereals.

We have a strong pound and individual factors are affecting many sectors. We have a decline in percentage retail prices. In addition, we have a rise in the costs of regulation, which the Government want to pass on to the industry. The Government have proposed a food agency. I do not intend to argue the merits of such an agency, but I severely question the wisdom of making the industry pay for it. There are costs involved also in the traceability of individual animals.

All this is happening when others of the Government's policies are posing enormous threats to the countryside. For example, there is the proposal to build on the green belt—that proposal is now being somewhat softened, but it still remains, having been announced without, apparently, very much feeling for the farmers. There is a proposal to tax car parking. Who uses car parks? Who are the people who use cars to get to work? The answer is that cars are used by people who are coming in from the country, who do not have alternative forms of transport.

There was also the iniquitous right to roam. There has been quite a U-turn on the roam towards that. Nevertheless, the proposals were made, and earlier tonight we were presented with an example of how closely the Government were co-operating, apparently, with one of the pressure groups involved in the right to roam.

Will the Government comment on their attitude to the rural White Paper? The previous Government's rural White Paper was widely respected by all sections of the countryside. It was welcomed, and its implementation was monitored. Is that monitoring to continue at the same level and in the same depth as in the past?

Low income from farming does not just affect farmers but has many knock-on effects on ancillary trades—on those who supply farm machinery, feed suppliers, dealers and hauliers and on the small trades or enterprises that depend on a healthy rural economy for their survival. There are various measures that the Government could take and I do not propose a complete prescription for solving the problem, but the use of agrimonetary compensation has been inadequate. I appreciate that this would be the responsibility of the Chancellor of the Exchequer rather than the Minister of State, but the Government could consider a longer period of tax averaging. Above all, they could try to reassure farmers that there is not a huge amount of ignorance involved in ministerial decision taking. The feeling of those in the countryside is that, although Ministers may understand the theory, they are not clued in to the practice of what goes on.

On Monday morning I was in Maidstone market, where I studied the last three years' auction catalogues and heard at first hand from farmers how sharply prices have declined. The Ministry's figures show that, across farming as a whole, total income from farming has fallen by 35 per cent., but farming income alone—that of farmers and their spouses—has fallen by an overwhelming 45 per cent., which means that nearly half the income has gone. The value of output has declined by 11 per cent., yet output itself has risen. Despite the fact that more is being produced, there is still a net decline in the receipts taken.

I hope that the Minister will acknowledge that I have painted a dangerous picture and will not suggest that farmers are just being a bit awkward. I have quoted the factors chapter and verse. Farmers and those who depend on farming prosperity are entitled to know how the Government intend to deal with those serious issues.

10.12 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. Jeff Rooker): I congratulate the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on securing this important debate. She is right to seek to raise the issues. Hon. Members on both sides of the House accept the picture she paints, although they may not agree with all her florid language. She has described, on behalf of her constituents, the problems in respect of farmers' incomes. We have freely admitted that—we have made no secret about it in terms of the information that we have published—and she is right to bring the matter to the attention of the House, as other hon. Members have done recently.

In view of the nature of the hon. Lady's constituency, I was not certain whether her speech would go much wider. The subject of farmers' incomes is as long as a piece of string. I suspected that she would raise the difficulty that growers in Kent suffered last May because of the onset of an unusually hard frost. That has been the subject of parliamentary questions and correspondence with the Ministry ever since. The answer is the same as it has always been: we cannot and will not legislate for the weather. What happened was most unfortunate. Recently, farmers in Spain, Portugal and Italy suffered droughts, earthquakes and floods, but no aid has been given especially because of those unique weather conditions.

Miss Widdecombe: Does the Minister acknowledge that the Conservative Government compensated farmers after the 1987 hurricane, to the extent of £2 per tree? We were able to do that, so why cannot he?

Mr. Rooker: I do not remember compensation being paid, but I remember the events of 1987. People who watch Michael Fish's weather forecasts are constantly reminded of them, as I was last weekend in Kew by the mural of the devastation caused by the hurricane. I do not have the details of any compensation to hand, and I cannot deal with that matter tonight.

The Government are aware that agriculture is going through a difficult time: we have made that abundantly clear. There is no doubt that the past year has been a bad one for farm incomes generally and, as the right hon. Lady said, for the livestock industry in particular. There are various definitions of total income from farming, but there is no argument about the figures she gave. Farm income fell by 37 per cent. in real terms in 1997. Some sectors—

Mr. Paul Tyler (North Cornwall): Will the Minister give way?

Mr. Rooker: I must say a little more. I have a fair bit of time—rather more than I had in my previous Adjournment debate.

Some sectors have fared better than others, but averages can be misleading. The 25 per cent. fall in incomes for the general cropping sector is much less than the 51 per cent. fall for mixed farms, while that in the lowland sheep and cattle sector is 63 per cent. There is no question but that the principal cause of the across-the-board fall in incomes is the lower prices attracted by major commodities. As the right hon. Lady rightly said, the relative strength of sterling throughout 1997 has also had a major effect on prices attainable in the United Kingdom.

While sterling remains at its current high level, and there are structural surpluses in most agricultural sectors caused by over-production within the European Union, prospects for increased commodity prices, and therefore improved incomes in the short term, are not good. Everyone knows—I claim no special privilege—that Barclays bank has reviewed the prospects of agriculture. Its report notes the cyclical nature of farm incomes over the past 30 to 40 years. While agreeing with our short-term prognosis, and with the reasons behind it, Barclays predicts an upturn in the industry's fortunes in 1999.

I recognise the impact of the fall in farm incomes. The decline has been dramatic, particularly last year, and prospects are not good for this year. Although the decline has attracted the headlines and the difficulties are real, we must retain a sense of perspective when considering the damage to the industry as a whole.

[Mr. Rooker]

Incomes fell dramatically last year, but that fall followed several good years; some were very good. Incomes rose steadily from 1990, peaking in 1995. At columns *91-92* of yesterday's *Hansard*, there is a written answer to my hon. Friend the Member for East Carmarthen and Dinefwr (Mr. Williams)—I apologise for my pronunciation. For example, in one farming sector, general cropping, net incomes in real terms at 1997 prices, deflated by the retail prices index, varied a great deal. The figures are: roughly £43,000 in 1989–90; £34,000 in 1990–91; £30,000 in 1991–92; £31,000 in 1992–93; £38,000 in 1993–94; £60,000 in 1994–95; £72,000 in 1995–96; £37,000 in 1996–97; and, provisionally, £28,000 in 1997–98.

There has been a great deal of variation in real terms. Some years were very good, others were modest, and there was a fall last year.

Mr. Tyler: The Minister will agree that farmers have long memories, and that they do not think that everything went wrong from 2 May. I hope that he is not saying that all sectors of the industry enjoyed the same profitability, as those figures imply. As a direct result of the previous Administration's cuts in support, livestock hill farmers have suffered incredible losses for several years. The cumulative effect is damaging. Barclays may be right to say that there will be an upturn in 1999, but some farmers will not make it to 1999.

Mr. Rooker: Hon. Members can look at *Hansard*. I gave information relating to dairy farms, cattle and sheep in less favoured areas, cattle and sheep in the lowlands, cereals, general cropping, pigs and poultry, mixed farming and all types of farming, excluding horticulture.

I chose the example I gave—in fact, I had marked it before the right hon. Member for Maidstone and The Weald spoke—because I thought it more relevant, in general, to farms in the Kent area. It would be unfair for me to quote upland and less-favoured-area prices, which are worse. Nevertheless, the fluctuation is there.

There will be business failures in agriculture, just as there are in every other sector of commercial activity. Such failures, wherever they take place, are regrettable, but they are part and parcel of business life. It is not current income levels that determine whether an individual farm stays in business; that will vary according to individual circumstances, and what happens to the farm will relate more to indebtedness than to current income.

According to much of the information that is available, because of the number of good years that there have been recently, the level of indebtedness in agriculture is much lower than that in most other industries. There will always be examples in particular cases, but indebtedness—which is more likely to lead to bankruptcies than one year's low income—is much lower in agriculture than it is in industry as a whole. We must take a rational, long-term view.

Mr. William Cash (Stone): May I ask the Minister to answer a question that has not been addressed in this important debate? Does he not agree with my point about the reform of the common agricultural policy? In practice, the real problem is that we are dealing with an artificial framework that is in need of reform. Whether the pound is strong or weak, the bottom line is that the framework requires significant reform. Will the Minister be good enough to address that?

Mr. Rooker: Yes. Indeed, I intend to do so a couple of paragraphs later in my speech. The hon. Gentleman is right: we are not in a completely free and open market, and the rules that would apply in such circumstances do not apply here. No one claims that they do. The Government, however, cannot change the rules on their own. We are members of a single market; we are a member of the European Union; we are constrained enormously by the disparity between what we can do and what we want to do.

We were elected on a platform that made it clear that one of our key aims was to seek reform of the common agricultural policy. The CAP is a disaster, in terms of its effect on the British economy and food prices in Britain. It has almost been designed to stop, for example, our dairy industry competing in the world market, because of the quota system. We are opposed to quotas: we want them to be lifted. We have modest proposals for change on the table in the form of agenda 2000. They are all that is on the table, and, although they do not go far enough, they are what we must adopt and proceed with.

There is no common view—if I may use that term—in the member states of the European Union in favour of reform of the CAP. The United Kingdom and Sweden stand out as beacons in their support of sensible reform of the policy. Many other EU economies that are on the leading edge of competitive markets, science and high technology do not want change in the CAP. That constrains us in seeking an agreement with our partners in the European Union, and we cannot deal with the matter alone.

There is no time to go into the matter in detail, but parts of the industry differ. I did not say this earlier, but pigs and poultry are quite different from sheep and cattle, in that they are in a much freer and more open market. I invite hon. Members to read the written answer to which I referred earlier. If they do so, they will see that, by and large, over the period between 1989–90 and the present year—in real terms—in areas where there were no subsidies, incomes were much higher than in areas where there were subsidies. It is not all one-way traffic in respect of the CAP. The CAP is a problem, however. It is a constraint within which we have to work, and the hon. Member for Stone (Mr. Cash) was right to mention it.

Because of that problem, as shown by my right hon. Friend's statement of 3 December 1997, we must secure permission to make the payments that we wish to make to our farmers—not so much from our own Chancellor of the Exchequer, which would be right, as from Brussels. As everyone knows, Brussels did not accept the way in which we wanted to proceed as announced on 3 December. We kept the total package the same—£85 million of support. I accept that that was only to cattle and sheep farmers, and it probably will not affect much of the right hon. Lady's constituency, but the pattern changed between the two announcements. That was because of the need to get the agreement of Brussels.

The right hon. Lady raised other issues, which I would love to deal with if there were more time. She did not quite attack the proposed food standards agency, but

Conservative Members will make up their minds when the legislation comes before the House, either when it is here in draft form, as we intend, or later. The agency must be paid for. It will be paid for—as everything is—by the consumer, one way or the other. The item in the White Paper, on which there is still consultation, was only an example. We said that, if the 600,000 food establishments in this country, which did not include farms, paid a levy of £100, it would bring in £60 million of new resources to assist with the agency's operation. One cannot argue that £60 million is a small sum—and I would not do so—but I would argue that £100 is a fairly small and modest sum.

If the right hon. Lady is arguing that using traceability to protect our food supply is not the future, she is wrong. *[Interruption.]* It appears that she does not argue that, so we agree that traceability must be the order of the day. In the end, it will probably apply throughout the whole of the food chain and in all sectors. I have made no commitments in that respect, but I think that that is the way in which we are going. With organic sheep farmers, for example, we have traceability. Sheep are tagged all the way through the system, but we do not have traceability in the rest of the sector.

Cattle traceability, of course, started under the previous Administration, which was absolutely right. A computerised system for Great Britain that meets our requirements will be up and running by the end of this year. We have had such a system in Northern Ireland for several years, which is why we hope to achieve the first breach in the ban.

The running of that system is exclusively for the benefit and in the interests of the industry as a whole. That has been accepted; no one argues about that. Therefore, I remind the right hon. Lady that, last week, in the four minutes that I had to reply to the hon. Member for Ludlow (Mr. Gill), who in another life was my pair, I pointed out that we had not yet made our announcements and final decisions about the costs of traceability and specified risk material controls.

Miss Widdecombe: The Minister has three minutes left in which to answer my debate, having already taken a quarter of an hour. Do I gather from what he has said so far that, to the simple question, "What will this Government do to alleviate the current problems with farmers' incomes?" his answer is, "Nothing at all"?

Mr. Rooker: We are going to provide more money fast. We have already announced support of £85 million. If the right hon. Lady says that that does not matter and that no one wants it, she is wrong. We have promised that that will be paid, if possible, by the end of March and certainly by Easter. That is the aim.

Mr. Michael Jack (Fylde) *rose—*

Mr. Rooker: I am not giving way again, because I have only a couple of minutes left.

The right hon. Lady raised many other issues. She has what I would call a chocolate-box image of the countryside. There are enormous difficulties and deprivation in the countryside. It is not the idyllic place she describes when she talks about the green belt. We are reversing the building programme in the green belt that we inherited from the previous Government. It is not urban dwellers who are digging up hedgerows and over-using pesticides. The image she presents is totally wrong.

Mr. Jack *rose—*

Mr. Rooker: I am not giving way to the right hon. Gentleman, because everyone knows that, at 10.30 pm, the debate finishes. I was hoping to ask him and the right hon. Member for Maidstone and The Weald to deny that, this year, £1.7 billion is going to the livestock industry. The idea that we are doing nothing is ludicrous beyond belief. We are giving the livestock industry—

Mr. Jack *rose—*

Mr. Deputy Speaker: Order. The Minister has said that he is not going to give way, and this is, of course, a Back-Bench debate.

Mr. Rooker: In 1997-98, we are giving the livestock industry £1.7 billion. By anyone's standards, that is a massive sum of public expenditure. Conservative Members say, "Give more." We are working to the budget that we inherited from the Conservatives—*[Interruption.]*—including the mouthy Conservative Front Bencher, the right hon. Member for Fylde (Mr. Jack), who shouts from a sedentary position.

The Government recognise the concern felt by farmers about the pressures faced by their industry and in particular about the immediate effect on farm incomes. We are doing what we can within the constraints of the European Union and the budget we inherited from the previous Government, consistent with our responsibilities to the rest of the population. Unlike the previous Government, we are pledged to work quickly for the long-term future of United Kingdom farming by seeking common agricultural policy reforms. During the presidency, we will do all we can to ensure our success and to ensure that our successors have to take matters forward.

If Opposition Members find that we are not spending the cash that they left the present Government for the industry, we will be pleased to look into it. The right hon. Lady has not yet given a single example of where we could use the money that is consistent, after examination, with what we have discovered. We have not had one example in terms of agrimoney—

The motion having been made at Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Ten o'clock.

House of Commons

Wednesday 25 February 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Health Inequality

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

9.34 am

Ms Joan Walley (Stoke-on-Trent, North): I am grateful for this Adjournment debate because never has it been more important for the House to debate inequalities in health. After 18 long years when the divide between those in good health and those in bad health got worse than ever, for the first time we now have positive action from the new Labour Government and a commitment from the Minister for Public Health, my hon. Friend the Member for Dulwich and West Norwood (Ms Jowell), whom I am pleased to see in her place this morning, to do something about health inequality.

I have spent 11 years representing North Staffordshire, so it is not surprising that, along with my colleagues from the area, I want us to address the issue of health inequality. I want the Government's actions to mean something and to make a real difference to my constituents' lives. That is why I asked for this debate.

It is also fitting that, 150 years after the first public health Act and 50 years after the birth of the national health service, we now have a public health Green Paper, "Our Healthier Nation". We have until 30 April 1998 to submit our comments, so we need a countrywide debate on public health. That would be a first step towards improving the nation's health, and I hope that this morning's debate will stimulate that debate.

I want people in both the urban and rural areas of my constituency to discuss public health, and I want the debate to take place at local level: at work; in schools; in youth clubs; in voluntary organisations—I have received many representations from voluntary organisations about the importance of this morning's debate; in the community; in councils and in parish councils in rural areas; in sports halls, churches, halls, clubs, pubs and working men's clubs; in doctors' surgeries and clinics while people wait for treatment; and wherever people get together.

I welcome the four main categories set out in the Green Paper: heart disease and strokes; accidents; cancer; and mental health. It is important to debate the targets for those categories. I spent many years as president of the West Midlands Home Safety Council, which, along with many other organisations, such as the Royal Society for the Prevention of Accidents, has long pressed for more to be done by local authorities to prevent accidents in the home. Obviously, more also needs to be done to prevent road traffic accidents, and accidents and disease at work.

I welcome the targets to reduce heart disease and strokes by a third, cancer deaths by a fifth and suicides by a sixth. I doubt whether anyone would challenge or question those laudable objectives and I hope that they will be discussed at length as the debate about public health takes place throughout the country.

I am concerned that, while the Government get on with changing the structure and framework of the NHS through the new NHS White Paper, I do not want them to lose sight of the important, all-embracing, over-arching concept of sustainable development, which recognises that the principles behind public health are part and parcel of all aspects of public policy. I welcome the White Paper, as it lays the foundation for beginning the process of modernisation and especially accountability, so that we can deliver uniformly high standards of health care. It consults, and puts a clinical focus on the four main targets.

This is a challenge for us all, and we must support our Minister for Public Health, no matter which side of the House we are on. We must help her in her co-ordinating role to ensure that the comprehensive spending reviews that are taking place across all Departments recognise the importance of public health policies. The Advisory Committee on Resource Allocation must tackle real needs, and the new health improvement programmes, which identify and meet local needs, must have the resources to do what is necessary.

I shall mention some of the consultation documents that are being discussed across the country. The Department of the Environment, Transport and the Regions has produced a White Paper, "Building Partnerships for Prosperity"; a review of planning guidance and of planning for the communities of the future. The housing conditions survey is important, as housing is crucial to health. A consultation document on contaminated land is due shortly, and a review of water charging is currently out for consultation.

The DETR has also produced a document on opportunities for change and a new strategy for a sustainable future. There are reviews of the crucial matter of national air quality and of regulation strategy, which are being undertaken by the Department of Trade and Industry, and new lottery legislation will bring in many bids across the country. All are integral to the promotion of an enhanced quality of life and improved public health.

The public health Green Paper makes many healthy references to the need for local authorities to work in public health partnerships with NHS trusts. A duty on local government and health trusts to work together to produce local health improvements is proposed. However, we must not fragment public health provision by leaving councils with insufficient means to close the huge health gap between the rich and the poor.

Health inequality is tied up with domestic metering of water and disconnections; energy efficiency in the home; the fact that the worst sewers are often in the oldest parts of urban areas; poverty wages, low-income households and the condition of people's homes; and a lack of sports facilities. Many schools in my constituency lack proper sports facilities: how can people take up healthy, active life styles without them?

Health inequality is also tied up with poor diet; unsound agricultural practices, such as the use of untreated abattoir waste as fertiliser for crops and the risk of that getting into the food chain; polluted air; stress; and low educational

[Ms Joan Walley]

achievement—we know all about that in North Staffordshire. Unemployment also has an effect, and, in parts of my constituency, people are on a four-day working week. We must also urgently address the failing child support system.

I speak as the vice-president of the Institute of Environmental Health Officers. Environmental health officers often do not get the recognition that they deserve: they come a poor third in health authority partnerships. Indeed, a MORI survey for the Anchor Housing Trust showed that only 56 per cent. of health authorities consulted environmental health departments when putting together plans for 1998-99.

Just as Edwin Chadwick—an engineer, not a doctor—inspired medical officers of health and developments in public health, we must, as the millennium approaches, recognise the importance of public health to all areas of policy if we are to reduce ill health and health inequality. Ordinary people, just as much as doctors and clinicians, can contribute to improving public health.

That over-arching framework is as relevant to Europe as to the United Kingdom. I urge the Minister to press urgently for wider European Union public health competence through an extension of article 129 of the treaty of Rome when she chairs the European Union Health Council. The Institute of Environmental Health Officers would welcome the opportunity to work with the Government to achieve that.

The truth is that the previous Government failed to recognise the effects of their blatant cumulative under-resourcing of local authorities through the standard spending assessment formula and the abandonment of the resource allocation working party, which did much to redress the balance. Those of us who have been around for a while know that RAWP attempted to iron out the health inequalities that left people in many parts of the country suffering appalling ill health. Such people lived in rundown inner-city areas which traditionally depended on heavy manufacturing industry, but there were pockets of deprivation in rural areas, too.

Ill health reduces daily living to a remorseless and painful struggle for survival. Month by month, our national health services are merely firefighting. Hospital waiting lists are unacceptably long; efficiency savings to pay for treatments have to be made despite our injection of extra money; and litigation costs have to be paid because underfunding has meant that services cannot be provided.

We could start to improve the service if we were able to prevent ill health. The Green Paper will help, but the reality, at least for many of my constituents, is a world apart. That brings me to the second part of my speech—why I want the House to discuss these issues.

Health, good or ill, depends largely on where people live and on their circumstances. I do not think that it should. We in North Staffordshire consider ourselves fortunate. We are a proud community, and we look after one another as best we can. The performance of the Staffordshire ambulance service trust is such that an ambulance arrives at life-threatening emergencies after an average wait of six minutes 11 seconds. The average in all other cases is seven minutes nine seconds. That performance is not bettered anywhere in the United Kingdom; I doubt whether it is bettered in Europe.

In this financial year, the Staffordshire ambulance service trust has responded to 90.28 per cent. of life-threatening emergencies in eight minutes, 97 per cent. in 14 minutes, and 99.36 per cent. in 19 minutes. That is excellent, but there the good news ends. The bad news is that, in an area of 1,000 square miles, the trust had responded to 48,285 emergencies by 20 February this year.

We must learn the lessons of best practice from the trust, and recognise its experience and the improvements that it has made. That must be fed into the review. But the downside is the high death rate from chronic heart disease, which must be treated in the short term, and prevented in the long term.

In my constituency from 1981-92, the odds of people dying before their 65th birthday were 25 per cent. higher than the British average for someone of their age and sex. Furthermore, those odds were more than 75 per cent. higher than in Esher and Walton and in South Cambridgeshire, the constituencies with the lowest rates of premature mortality.

Hon. Members know that people can use statistics to show whatever they want. Whatever figures I consult, however, I receive the message that North Staffordshire, and Stoke-on-Trent in particular, rank highly in terms of relative deprivation. The public health common data set figures show that, in regard to most causes, Stoke has a standard mortality rate of more than 100. In the case of heart disease in men, the rate is 123, 23 per cent. above the average. That makes us 30th out of the 358 local authorities in England. In terms of accidents among women, we rank 23rd.

As for premature and infant mortality, in 1996 there were 5,597 perinatal deaths in England and Wales; there were 689 in the west midlands, and 57 in North Staffordshire. Since 1983, our rate has been consistently higher than the average, and consistently higher than the west midlands rate and the west midlands rate trend, never falling below 10 per 1,000.

Contributory factors include poor nutrition, social deprivation, teenage pregnancy—there is a high risk of teenage pregnancy in North Staffordshire—smoking and drinking alcohol during pregnancy, and inadequate standards of obstetric and paediatric care. Such inadequate standards have been identified as causes of some deaths in confidential inquiries throughout the United Kingdom, and North Staffordshire is clearly no exception.

It is not just infants who start off with reduced life expectancy. The Association of Retired Persons over 50 campaigns for the rights of older people. I am sure that many of us who are present today, if we have not quite reached 50, are not all that far from it.

The North Staffordshire pensioners convention and North Staffordshire Healthwatch campaign for improved services for older people, believing that discrimination on the basis of age rather than need leads to the delivery of inappropriate treatment and, in some instances, the complete absence of effective care. They are worried about the widening gulf between the treatment of older people and the treatment of those under retirement age. I do not want that to happen in my constituency.

Screening for breast cancer in women over 60 is a matter of special concern. I know that the House has discussed the issue before, but I want to flag it up briefly today. There is also a lack of adequate preventive

treatment for osteoporosis and prostate cancer. I am especially concerned about health issues affecting women, because I think that women's health care is very important.

In North Staffordshire, we have a particular problem. It is no accident that we have a relatively high number of long-stay continuing-care beds. In our area, older people cannot necessarily afford private health care. Despite an extensive campaign to keep our NHS long-stay beds, 37 beds are mothballed at Stanfield hospital, and so far no progress has been made on a proposed private finance initiative bid for reprovision of beds at Westcliffe hospital, although it has already been formally agreed through consultation.

There is a good deal of fear and anxiety, because the legacy of underfunding—not just of the health service, but of social services—has left us short of resources for community care. I feel that I have a debt of honour to my elderly constituents. We must plan for the long term and the short term, and also plan transitional arrangements.

I have been inundated with briefings from a number of organisations that want to hammer home to the House just how unfair the system is to those who happen to live where services are insufficient, and whose particular illnesses are not given the priority allocated to them in other parts of the country. We have had another campaign in Stoke-on-Trent to prevent the proposed closure of the fertility unit by the health authority. Although we have had a minor victory, in that the unit has been reprovided, it has been reprovided in a private clinic. There is not enough money from the national health service to pay for treatment there. Those living elsewhere have access to fertility treatment, but there is a definite ceiling on the amount of money available in North Staffordshire.

Dental care is another problem. It is barely possible to gain access to a dentist at present. We currently have applications for extra bids to help the provision of dental care on the NHS in North Staffordshire. Our children have the worst dental health care record in the west midlands—hence our bid.

There are many indicators relating to coronary heart disease, strokes, lung cancer, schizophrenia and suicide. In every instance, the North Staffordshire rates are worse than the west midlands rates, and worse than the rates in England and Wales. I hope that the Minister will have a chance to examine the figures.

There are even worse figures. The extent of ill health in North Staffordshire is illustrated by data showing an increased use of health services in Stoke-on-Trent and North Staffordshire. In 1996–97, there were 170,230 finished consultant episodes at the two NHS trusts in North Staffordshire. That represents about 360 per 1,000 of population, compared with 230 for England as a whole.

The problems that my constituents face daily are illustrated by the fact that the average GP list size in North Staffordshire was 2,077, higher than the England average of 1,881. That average was the highest in the west midlands, and the ninth highest in England, as of 1 April 1997, according to statistics from the NHS executive.

Yesterday, I received a telephone call from a constituent aged 74, who had hardly ever had any NHS treatment. He, his wife and his son—who has had a stroke—have all been struck off by their GP, who does not have to give a reason. We have a shortage of GPs. Not enough trained GPs are being provided, and, in an area without a medical school, we cannot train the people we need.

I do not like painting a black picture, and I do not intend to do so this morning. We all live with the position daily in North Staffordshire, and we know how urgent is the need to deal with it. Some 10 years ago, the city council published a report called "Health of the City", which remains a blueprint for action, and confirms what I know from my surgeries.

It is clear that there are pockets of extreme ill health and deprivation in North Staffordshire's health authority area that urgently need to be tackled. The key indicators of risk of poor health in certain wards have led to their being designated health action areas. We are making progress, and doing a great deal to offset the problems. The designation of health action areas is a result of joint action that Stoke-on-Trent city council and Staffordshire Moorlands district council have already taken with the health authority. In those health action areas, the Jarman score is unacceptably high, but it is clear that we are making progress.

The problem is that many people cannot wait to be treated, no matter how much we are doing to put in extra money. Many cannot easily see doctors or dentists, and many must wait too long for social work support. Many cannot easily reach clinics. I am currently doing my best to stop the closure of a clinic in Fegg Hayes. We are hoping for a joint initiative to retain clinics in areas where they are needed, to provide family planning and other services.

It is obvious that there are not enough services to meet the needs of people in North Staffordshire. That may lead the House to conclude that our trusts, councils and voluntary organisations are not doing their best, but nothing could be further from the truth: they are doing the best that they can in very difficult circumstances. I want the Minister to know that. They are working in partnership to reduce health inequality in North Staffordshire, especially in those pockets of deprivation where health is worst.

The Green Paper sets out targets relating to specific illnesses, and calls for local initiatives jointly to tackle specific local problems.

We have already started that joint work in our health action areas, but we could do much more. There is a new unitary local authority in Stoke-on-Trent, and it could also do much more. As a result of wanting to do more, it has submitted a proposal for a health action zone. I want that bid to succeed, because it shows that we have the will and the vision and that there is local co-operation to address our specific problems.

I understood that need would play a large part in determining the areas that would succeed in being designated as health action zones. We in North Staffordshire are convinced that our bid is based on need, and we want it to succeed. We are concerned that the panel that is advising Ministers seems already to have excluded our bid. Only three of the six bids from our region are being forwarded with a regional office recommendation for consideration. There will be a decision at the end of March, and I fear that North Staffordshire will not be chosen, because our bid has not been forwarded. I urge the Minister to look in detail at our needs and our bid. We should be pleased to co-operate if she wishes to arrange a meeting.

[Ms Joan Walley]

I am unaware of the criteria under which bids have been reviewed by the NHS executive, because that information has not been made public. In the spirit of openness and accountability, I urge the Minister to consider carefully how she can assist us. If our bid has demonstrated the need for a health action zone but falls down in its detail, I ask the Minister to show some flexibility and offer us advice so that we can redraft our proposals and intensify our present action to address health inequality.

By asking for this debate, I could be accused of building false optimism and unreasonable short-term expectations. The Government warned us against that on page 82 of the Green Paper. North Staffordshire people are realistic and understand that they need long-term, sustained and co-ordinated effort. We realise that there are no quick fixes, but we want an understanding of how much there is to do, and a Government commitment to support us in our efforts.

10.2 am

Mr. Jonathan Sayeed (Mid-Bedfordshire): I congratulate the hon. Member for Stoke-on-Trent, North (Ms Walley) on securing a debate on a thoroughly important topic that affects the lives of many people. The publication of the White Paper on the national health service and the Green Paper on public health, both of which build on the considerable achievements of the previous Administration, means that the debate is timely.

The hon. Lady spoke about a range of inequalities in health care. I hope that she will understand when I say that I shall speak on only one—cancer care provision in the United Kingdom. Cancer remains our greatest medical problem. One in three people suffer from some form of cancer; one in four will die of it, and demographic changes mean that, by 2020, one person in two will get some form of cancer.

It is essential for the Government to support the previous Government's recognition that cancer is one of the main challenges facing our health service. The previous Government commissioned a report on a strategic plan for cancer services. It was published in 1995 and became known as the Calman-Hine report. It is one of the best reports that I have read in the past 20 years. It was practical and focused, and it has already led to considerable achievements in the provision of cancer care. However, there is still much to do.

The aim of the Calman-Hine report was to ensure that all patients

"received a consistently high level of service regardless of where they lived."

It highlighted

"variations in recorded outcomes of treatment"

and advocated that

"all patients should have access to a uniformly high quality of care in the community or hospital".

Much work was carried out under the previous Administration to make that strategic plan a reality, but much remains to be done. I urge the Government to take the opportunity that is presented by the Green Paper on public health to make fair and equal access to specialist, high-quality cancer care their priority.

Perhaps I may be allowed a short commercial. For some years, I have worked with the Cancer Macmillan Fund, which is a superbly run charity. It does not waste money, but does what it is meant to do, which is to help people. It does that in a number of ways, one of which is by working with the NHS and with Government. It does not spend its time complaining but gets on with the job. My commercial is that those who are thinking of giving money to charity should put the Cancer Macmillan Fund on their list.

That charity has made it clear to me that there are significant variations in the availability and quality of services—the so-called cancer lottery. I congratulate the charity on its work with the NHS, which has benefited many patients. Much of its pump-priming work will be known to the House. It is the only charity that works with the NHS and others to provide cancer patients with expert nursing and medical care. It also provides a service that is often lacking in the NHS because it offers emotional and practical support from the point of diagnosis onwards, so that patients and their families may continue with productive working lives.

There are many examples of health care inequalities in tackling cancer, but I shall give just a few, because I know that other hon. Members wish to speak. Fewer than 50 per cent. of cancer patients are referred to a specialist for treatment, and only a fraction have access to clinical nurse specialists such as Macmillan. There is considerable evidence that some black and ethnic groups and older people are less well served than other members of the community. For instance, there is a low uptake among the Asian population for screening and palliative care, and there is a chronic shortage of information in languages other than English.

People in rural areas also have limited access to specialist services. I have not even touched on the widely differing arrangements for different types of cancer. For example, lung cancer patients often receive what is coyly called sub-optimal treatment whereas breast cancer patients rightly have a fast-track diagnosis.

One fundamental element links all those issues, and it is the lack of appropriate patient information on the types of services that are available, on the nature and course of the disease and, most importantly, what patients have the right to expect from those who are caring for them. Such information is not expensive to produce, but it is critical if we are to deal with what is already a scourge and will get even worse. Patients can demand better services only if they have access to the most basic information on their condition. Too often, that information is lacking.

The Government have made some welcome commitments in their recent White Paper and Green Paper, which I hope will end those forms of health inequality. However, fine words have to be supported by action and backed by resources. There is—to give one specific example—a considerable shortage of clinical and medical cancer specialists. The Government have given a pledge: to ensure that everyone with suspected cancer will be referred to a specialist within two weeks of their general practitioner recommending that course. That will be achieved only if action is taken now to recruit and train new postholders—otherwise, it will not happen.

I urge Ministers to seize this opportunity to work with the national health service and with voluntary organisations, such as Macmillan, to make Calman-Hine—one of the best reports of the past 20 years—a working reality.

10.10 am

Mr. Gareth R. Thomas (Harrow, West): I congratulate my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) on introducing this debate on health inequalities—an issue that Ministers in the previous Government completely failed to address properly. One of the most disappointing features of the debate following the Green Paper's launch by my right hon. Friend the Secretary of State for Health was the continuing inability of Opposition Front Benchers to recognise the clear links between ill health and poverty, ill health and unemployment, and ill health and poor housing.

The London Research Centre—one of many research bodies working in the subject—has published many excellent reports, which have consistently highlighted the link between ill health and deprivation. Mortality rates in London are consistently worse in areas of deprivation. In the most deprived inner-London boroughs, mortality rates are up to twice as high as in some outer-London boroughs.

Therefore, one of the most positive aspects of the recent Green Paper on public health is the Government's commitment to improving health for the worst-off in our society and to narrowing the obvious health gap. Other positive features of the Green Paper are explicit recognition of the link between childhood injuries and social deprivation; of higher mortality rates for coronary heart disease and cancer among men of working age in the bottom social classes; and of rising incidence of poor mental health, particularly among the socially disadvantaged.

It is frustrating that it has taken so long for Government health policy to address health inequalities. As far back as 1980, the Black report concluded:

"much of the evidence on social inequalities in health can be adequately understood in terms of specific features of the socio-economic environment."

We should not have had to wait until 1998 before the Black report's conclusions were listened to and acted upon.

The failure to acknowledge and address the socio-economic factors affecting health was the most serious omission of the 1992 document "The Health of the Nation". The document's only reference to those socio-economic factors was made in section F of the appendix, which mentioned

"variations in health status between different socio-economic groups".

Sadly, it went on to conclude:

"the reasons for these variations are by no means fully understood".

In cold light, such apparently wilful ignorance of the causes of health inequality is astounding. I do not believe that those who drafted "The Health of the Nation" simply did not know or understand the causes of health inequality. The previous Administration—who were responsible for great increases in poverty and inequality—simply did not dare to admit that growth in the numbers of those on low incomes might have wider social consequences. They chose instead to focus almost entirely on individuals' own behaviour, failing completely to own up to the consequences for the nation's health of economic policies that generated increasing poverty, poorer-quality housing and higher unemployment levels.

As the Green Paper clearly states, poverty and unemployment can result in problems in keeping the home warm, may inhibit healthier life styles and increase the likelihood of accidents. The Government's welfare-to-work programme to tackle unemployment by offering a new deal to young people, the long-term unemployed and lone parents will be crucial—with the introduction of a national minimum wage—in beginning to tackle immediately those two key causes of inequality: low incomes and lack of employment opportunities.

Establishment of the Prime Minister's social exclusion unit—focusing on the needs of those on low incomes, who face a combination of social problems—will generate welcome longer-term initiatives to tackle health inequalities.

In my constituency, my local authority is due to receive next year about £2.3 million under the capital receipts initiative—part of a national programme that will, over the next two years, provide almost £800 million to enable a much more ambitious programme of repairs and improvements to our housing stock than would have been possible had the previous Administration's plans been continued. The measures will help tenants in social housing—who are usually the least well-off and most vulnerable to ill health—to be able to live in healthier domestic environments, free from the twin spectres of damp and overcrowding that not only damage our lungs and our respiratory system but increase the likelihood of accidents, sleeplessness and the spread of infections.

Increased energy efficiency programmes will be deliverable by the Energy Saving Trust now that the threat of a £5.5 million funding cut has been lifted by the Deputy Prime Minister and the Chancellor has cut value added tax on energy saving materials. Those programmes and the resources provided under the capital receipts initiative will be crucial in tackling the health problems of the least well-off that are caused by living in cold homes.

The Government have begun the task of confronting the inequalities in income, housing and job opportunities that are also the causes of major health inequalities. We have to ensure that international, national, regional and local partnerships for health improvement are developed by all key stakeholders. Such partnerships must be sustained and rigorously monitored to ensure that they are appropriately targeted and successful in narrowing—and eventually eliminating—health inequalities.

The success in Europe of my hon. Friend the Minister for Public Health in securing European Union agreement on ending tobacco advertising and sponsorship is one positive example of international action to reduce the greater incidence of smoking in low-income families. If our targets are to be achieved, it is essential also that effective work across Departments—which has already started, as the Green Paper demonstrates—continues.

Focused and co-ordinated policies in delivering long-term reductions in health inequalities will be crucial also at a regional and particularly at a local level. I look forward to a London regional development agency and a Greater London strategic authority focusing on health inequalities across the London region.

[Mr. Gareth R. Thomas]

Too often, public health has been the cinderella service for health authorities, to the chagrin of many of the staff working in those authorities. Public health has not been singled out for development and has often been the first service to be targeted for service cuts. I welcome the important development of primary care groups, which will rightly shift health authorities' thinking to focus much more on improving health and away from concentrating on episodes of illness.

I look forward to my own Brent and Harrow health authority developing—in tandem with the council, local voluntary groups and other statutory bodies—a health improvement programme to help achieve the Green Paper's national targets and to tackle local priorities. Health action zones are a particularly welcome initiative in the Green Paper to focus investment and to generate impetus in tackling health inequalities in areas of considerable deprivation. The zones must generate long-term and sustainable strategies to confront those health inequalities.

Despite my constituency's relatively wealthy image, it has some significant pockets of poverty and poorer health. Just as Harrow will benefit from the health authority's—I hope successful—bid for a Brent health action zone, so we must ensure that best practice in the health action zones that are established is quickly identified and disseminated to all health authorities.

The most effective initiatives to date in tackling health inequalities have been born out of partnerships between a range of agencies and groups of local people. As my hon. Friend the Member for Stoke-on-Trent, North recognised, new duties on local authorities and NHS bodies to work together to promote well-being in their areas will help to deepen and cement the effective local joint working which is crucial to the success of the Green Paper.

The desire to improve health must also be at the core of regeneration initiatives in our inner-city areas and on rundown estates and part of the Government's wider drive to make urban areas more attractive and healthier neighbourhoods in which to live.

An integrated transport policy—for example, the provision of safe cycling and walking routes—will help to ensure better air quality, improve levels of fitness and lead to fewer accidents in areas of deprivation. In many such areas, banks and shopping facilities have been withdrawn, making access to the cheapest and most nutritious foods difficult. Credit unions, food co-operatives and local exchange trading systems all have a role to play in improving access to a range of services that tackle inequalities.

As regional development agencies work to increase investment, I hope that they will focus specifically on areas of high deprivation and will have a strong public health dimension to their work.

Measures to make sport and physical activity in general more accessible are essential components of a healthy environment, whether at school, in the workplace or in the wider community. Research by the English Sports Council clearly shows the link between unemployment and a sedentary life style. I share the concern of my hon. Friend the Member for Stoke-on-Trent, North about the lack of decent sports facilities in many areas. In my constituency, a number of key communities are a considerable distance from proper sports facilities, and this problem needs to be tackled.

I congratulate some of our major sporting governing bodies, such as the Rugby Football Union and the English Sports Council, on targeting some of their development work on areas of great deprivation. I hope that the White Paper, when it appears after the consultation period, will encourage increased partnerships between sporting clubs and their communities to tackle health inequalities. The decision to stop the sale of school playing fields is a crucial step in the development of healthier schools, where pupils take regular exercise and are encouraged to participate in sports.

I especially welcome the proposal for a network of healthy living centres, funded by £300 million from the lottery, to complement the drive to focus statutory bodies on the health of their communities. Healthy living centres will be an important boost in tackling health inequalities in areas of deprivation. They will enable local communities to have access to a range of health-related programmes appropriate to local needs in areas where, perhaps, existing health and fitness facilities are either off-putting or, as in my constituency, difficult to get to.

At last we have a Government who are focusing on the key link between inequality of income and inequality of health. The nonsensical idea that poverty and poor health were not related has at last, thank goodness, been discredited and discarded. Using the tools in the Green Paper, I look forward to working with the Government, the new Greater London authority, and, especially, stakeholders in my constituency to tackle health inequalities in Harrow.

10.22 am

Dr. Peter Brand (Isle of Wight): I congratulate the hon. Member for Stoke-on-Trent, North (Ms Walley) on her wide-ranging and comprehensive introduction to this important debate. She clearly showed that there is inequality in health, and I think that every hon. Member could have made a similar speech, perhaps using different examples.

The problem is that we have no longer a national health service but a fragmented one. What one can expect depends not on one's clinical need but on where one lives—it is a lottery by postcode. We need the Government to declare what they will deliver to users of the health service and what people's core entitlements are. If we cannot deliver a comprehensive entitlement, let us be honest about it. It is wrong to leave it to clinicians to cover up for politicians who are not prepared either to raise the money or to suppress the expectations of the people who rely on the health service.

Mention has been made of the allocation of resources. We can make wonderful speeches about what we are trying to achieve, but without resources we cannot do anything. We need to look again at how resources are allocated. RAWP, the resource allocation working party, went a long way, but it was very insensitive. We must have a system that considers not only patients' profiles—including age, incidence of illness and social and economic deprivation, which are important factors in determining the input of resources to a particular area—but the cost of delivering care.

It is more expensive to deliver comprehensive core services in an isolated area. I know that the Government are examining rurality as one aspect of this problem, but I make a special plea for those who experience a unique aspect of isolation—those who live in island communities in England. Such communities in Scotland are recognised as having a greater need, and I hope that there will be a similar recognition south of the border.

The hon. Member for Stoke–on–Trent, North made a very good case for partnership and the encouragement of partnership. I welcome the health action zones that the Government have introduced as pilot projects. I hope that they will be bold and choose a wide range of pilots. It is sad that they are restricting themselves to 10 to 12, and I hope that they will have a rethink.

We are getting messages telling us that we may or may not be successful in respect of the pilot projects, but I hope that the Government will encourage local enthusiasm where it exists, because enthusiastic people tend to deliver, no matter what the resources. If one thing has kept the NHS going in spite of all our concerns, it is the commitment of the people working in it. It is for the politicians to encourage that commitment, and a wider acceptance of health action zone bids will go some way to fostering that.

10.26 am

Mr. Patrick Nicholls (Teignbridge): I too congratulate the hon. Member for Stoke-on-Trent, North (Ms Walley), not only on securing the debate, but on introducing it in the way she did. As is clear even from this debate, we might have different views and different suggestions as to how to tackle the problems, but there is no doubt that there are inequalities in health provision.

The hon. Lady drew on her constituency experience as a starting point, but the figures for her constituency also tell a wider tale. She referred us to the public health common data and the standardised mortality ratios. They show that Stoke is below the national average only in cerebro-vascular disease. That is bad news: I am not saying that Stoke is a terrible place to live, any more than she did, but it clearly concerns her.

However, the picture is mixed, because the same figures show that Stoke is below the national average when it comes to infant mortality rates, with about 5.5 deaths per 1,000 live births compared to 6.1 per 1,000 in England as a whole. That brings us to the "gap" about which we have heard so much today.

In 1995, the age-standardised death rate per 100,000 of the population in Stoke-on-Trent was 860, compared with 1,056 in 1985. Both those figures for Stoke were higher than the averages for England in those years, which were 748 and 894 respectively. Interestingly, if one compares the average rates in 1985–87 with those for 1993–94, one finds that, in percentage terms, the reduction has been greater in Stoke than nationally. One could ask, "Is my glass half full or half empty?" I accept that one could say that there was more room for improvement in Stoke, so the decline would be greater. That is a perfectly fair point, which needs to be made.

If the health gaps between social classes widened in the 1980s, that must be seen in the context of a declining mortality rate for all classes. For men aged 35 to 64, age-standardised death rates fell by 32 per cent. for classes one and two between 1976–81 and 1986–92. The highest fall—44 per cent.—was experienced by socio-economic group three, whereas there was a 21 per cent. fall for groups four and five.

The hon. Member for Stoke–on–Trent, North reminded us that we all use statistics to back our particular cases, but I mention those figures because they show how careful one must be in using the gap as a measure of success or failure. I suspected that the hon. Lady—I hope that she will take this as a compliment—was going to make more of the gap, as the hon. Member for Harrow, West (Mr. Thomas) did, but she was right not to.

The gap is a relevant fact and indicator, but what matters more is the absolute standard of treatment that the poorest and most disadvantaged members of society receive. We could, for example, imagine a situation in which the gap had narrowed even though the absolute position of the poor had worsened. No one would regard that as a measure of success. It is too simplistic to argue—as people often do—that the continuing gap between the rich and poor must mean that the situation is worsening. I compliment the hon. Member for Stoke–on–Trent, North on not overplaying that argument.

In the debate, there has been more than a hint of the great cry,

"Four legs good, two legs bad".

It was suggested that everything that happened under the previous Administration was bad, whereas everything that will happen under this Administration will be good, and that the previous Government allocated insufficient resources, whereas things will be much better now. I do not think that the figures substantiate that argument.

Ms Walley: I made it clear that the setting up of the health action areas has made a significant difference. I want us to address the current situation.

Mr. Nicholls: I am sure that the hon. Lady is absolutely right in that, but it is not the case that, when the new Government took office, they found that the previous Government had applied manifestly inadequate resources. I shall not blind the House with statistics, but the previous Government spent some £80,000 every minute on the national health service. One can always cry, "Even more should have been spent," but that was a substantial sum.

The third progress report on the "Health of the Nation" project, which was published in July 1996, showed that progress had been made on 18 of the 21 targets. The death rate from coronary heart disease for those under 65 had fallen by 19.2 per cent. and by 12.5 per cent. for those between 65 and 74. The death rate from breast cancer in women aged 50 to 69 had fallen by 9.6 per cent. The death rate from strokes among those aged between 65 and 74 had fallen by 14.3 per cent., and the death rate from lung cancer among men aged under 75 had fallen by 13.9 per cent.

We are debating this subject against a background of substantial improvement in the nation's health. As the hon. Member for Stoke–on–Trent, North said, we do no good by saying that the position is worse than it is.

[Mr. Nicholls]

Numerous studies have made the connection between poverty and ill health. The hon. Member for Harrow, West seemed to take the view that the wicked old Tories had always said that there was no such link. I am not trying to avoid a good argument—I am always in favour of one if necessary—but the hon. Gentleman is wrong. People sometimes advance the view that the cause of ill health is poverty, and that ill health will disappear at a stroke if poverty is abolished. That is an attractive view, but numerous studies show that it is not so.

The Minister may mention—or we may hear about them in the continuing debate—the various reports that are cited as evidence that poverty causes ill health. Sir Douglas Black's report is the most famous; it is often cited as showing the linkage beyond doubt. However, the Black report said that the argument is much more subtle and complicated. For example, it found that health inequalities related not so much to poverty as to the way in which different parts of the population used health services. It suggested that the lower occupational classes made greater use of general practitioner services, but that their use of preventive health care was markedly lower than that of higher occupational classes. That argument was confirmed in a study by the King's Fund in 1995.

There are other factors that are not directly related to poverty. The Policy Studies Institute report on aspects of health inequality, which received some publicity, argued that the differences between ethnic groups and between ethnic groups and whites could not be explained by the disadvantage that was experienced in the country of birth; those who were born in Britain or migrated at early age were, if anything, likely to have less good health.

The report also emphasised the significant variations within specific ethnic groups, and said that a key factor appeared to be socio-economic status. Nevertheless, it said that it was unlikely that that was the only cause; if it were, it would be hard to explain why ill health in one group was demonstrated through increased risk of hypertension, whereas in another group it manifested itself in heart disease. The report also suggested that biology and culture, with other factors such as the knowledge and experience of racism, might also be relevant.

I make those points not to muddy the waters; I want to clarify the arguments. The link exists, but it is more complicated than has been suggested. People may be poor because they are in ill health, and there are a range of other factors, including environmental and genetic.

We should also consider life styles. We now know that smoking wreaks devastation on the population's health. No one—whether rich, middling or poor—much above the age of 10 does not realise that smoking is harmful.

Mr. Gareth R. Thomas: The example of smoking is particularly apposite. Does the hon. Gentleman recognise that the incidence of smoking is greater among low-income families than among high-income families? Does not that demonstrate the need to tackle inequalities of income as well as the other inequalities to which he has referred?

Mr. Nicholls: The hon. Gentleman is mistaken; one cannot say that poverty drives people to smoke. We have to accept that, ultimately, people are responsible for their health. Some people use poverty as an excuse and ignore what is in their best interests. One cannot say that people who are poor or on low incomes are entitled to turn away their faces from the damage caused by smoking.

Smoking, whether one has a high, middle or low income, is devastating. I give the Government full credit for the fact that they have made that abundantly clear, and done a great deal to publicise the damage that smoking does. I believe that a forthcoming White Paper will make the same point.

Whatever we may have had to say in the past—it may be relevant to say it again in the future—about the fact that sometimes, even in taking forward a good policy, one can unexpectedly strike an uncertain note, the fact is that the Government have made it clear where they stand on smoking, and that is a jolly good thing.

I want to leave sufficient time for the Minister for Public Health to respond, but first I shall comment on a note that I detected, more in the speech by the hon. Member for Harrow, West than in that by the hon. Member for Stoke-on-Trent, North—perhaps because, like me, the hon. Lady has been in the House long enough for a certain cynicism to sink in—to the effect that, somehow, everything will now be sweetness and light.

I do not necessarily see that. Yes, some things in the Green Paper on public health were worth while, but the targets were cut from more than 20 to four. So far as one can compare them—that is not easy, and it probably was not intended to be—the four targets are less exacting than those in "The Health of the Nation".

The Minister will correct me if she thinks that I have it wrong, but I see nothing in the Green Paper that deals with inequalities in health in particular. Obviously, that is the dimension of the national health service that we are talking about today.

I am not the only one who says that. Let us look at the reception that the left-of-centre press gave the Green Paper. We now have four targets, none of which seems to address health inequalities specifically. That aspect has been criticised by both health groups and journalists.

The *Financial Times* said:

"ministers have dropped plans for targets to cut the health gap between the social classes. Karen Caines, director of the Institute of Health Service Management said: 'on this most crucial issue of health inequality they have bottled out. Without measurable targets, even over a long time-scale, there will be less pressure for change and less scope to hold them to account.'"

There was a leader in *The Guardian*, too. On the whole, *Guardian* leaders do not give comfort to Conservative spokesmen—*[Interruption.]* I suspect that that intervention was good enough to put on the record, but I did not hear it.

Mr. David Jamieson (Plymouth, Devonport): We have not found them helpful, either.

Mr. Nicholls: It is always nice to enable a Whip to record something for posterity. Let me assure the hon. Gentleman that he will not find what I am about to read helpful, either, but he may find it true.

The *Guardian* leader said:

"The Government is wrong to shrink the number of targets from 27 to four . . . Most serious of all is the absence of targets for reducing health inequalities. Anti poverty campaigners must insist on their inclusion. There must be a specific commitment to close the gap".

There is more from the *Health Service Journal* in the same vein:

"King's Fund chief executive Julia Neuberger said, '. . . we do have to measure progress in reducing inequalities, otherwise there is a danger that no one will take responsibility and be held to account'".

I could read out more of the same sort of thing.

I must say in passing that the wholesale closure of hospital facilities in London, although the Labour party said a little while before the election that it had no plans—*[Interruption.]* I shall go through it all if hon. Members want. There is the closure of the accident and emergency department at Guy's and of the Greenwich district general hospital; there is the transfer of facilities from Queen Charlotte's hospital to Hammersmith hospital, and many other similar developments throughout London. It is all about hospital closures and the reduction of facilities in areas of high social deprivation.

It is not only Conservatives who are entitled to raise doubts about the idea that nothing was done under the previous Government and nothing like enough was spent, yet that, under the present Government, everything will be different. The left-wing press is expressing the same doubts.

The argument is not as easy as it may seem. Inequalities in health must be addressed, but as for the idea that simply by a change in Government one can produce a brave new dawn in which complex problems become simple, I do not believe it. But I shall wait and see what the Minister has to say.

10.43 am

The Minister for Public Health (Ms Tessa Jowell): I begin by adding to the congratulations offered to my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) on prompting the debate and providing an opportunity for one of the best debates on the issue that we have had for some time. We are grateful to my hon. Friend for that, and for the way in which she has raised issues of such direct concern to her constituents.

I shall deal first with some of the general issues arising from the Green Paper on public health and the response to it. It has two broad aims. One is to increase the length of healthy life, and the second is to close the health gap. For the first time in 18 years, there is the recognition that inequalities in health linked to social class have got worse.

For example, if, between 1991 and 1993, all men had had the same death rate as those in social classes I and II, there would have been more than 17,000 fewer deaths each year. Children born today into social class V are five times more likely to be killed in an accident before they are 15 than children born into social class I. The litany of evidence in support of the existence of health inequality goes on.

We should not take a simplistic view of health inequality, but we must start by recognising that it exists. The poorer people are, the more likely they are to be ill. For example, people in social class IV or V are more likely to face every illness—except, I think, melanoma—than people in social class I or II.

The case for the existence of health inequality—the link between poverty and ill health—is clear, but the story is not as simple as that. That is why the Green Paper does not take a simple deterministic view of ill health and poverty, but recognises the important role of confronting poverty as a way of improving health.

We also draw attention to the inequalities between different ethnic groups and between regions. The rate of heart disease is three times lower for men in Oxfordshire than for men in Manchester. We need to take such regional inequalities as seriously as other manifestations of inequality, including inequalities between men and women.

When we talk about tackling health inequality, we are talking about tackling the reasons that divide us as individuals in our enjoyment of good health, and about recognising the many factors that are brought to bear. Some of those are determined early in our lives and others later, and they result in a differential expectation of good health between men and women, and between people from different social classes and ethnic backgrounds. The expectation even varies according to where people live.

The inheritance is complicated, and things were not helped by the previous Government's refusal to recognise the link between poverty and ill health, and to confront the complex nature of inequality. The targets that we have set to meet our two overriding aims of improving healthy life expectancy and tackling the health gap aim to yield two results.

The first is a reduction in avoidable deaths. More than half the people who die under the age of 65 die from cancers or from circulatory disease, including heart disease or stroke. If we are to make an impact in reducing preventable death, we have to concentrate our efforts on those areas which represent the greatest risk.

It is important to recognise the need to establish a proper balance between nationally determined targets and those that measure specific problems in relation to particular local needs. It is not true to say that we have refused to set inequality targets. The better informed commentators—the leader in the *British Medical Journal*, Professor Julian Le Grande and others—have made that absolutely clear. They have endorsed the Government's approach in reducing the number of targets, and linking targets to a clear strategy for action.

Setting national targets for inequality is a complex and inexact science, which is why the Government have commissioned Sir Donald Acheson to review the evidence relating to inequality and to provide guidance on the areas of Government policy where action to reduce health inequality which impacts on other aspects of policy is likely to be most productive. In that respect, as in all other aspects of our health policy, we are pursuing a common approach, which is to apply what works, based on the best available evidence. Through consultation, and in the light of Sir Donald's conclusions, we shall reach a judgment as to whether or not to set national inequality targets; but we shall urge local health authorities to set inequality targets in the context of health improvement programmes.

We are determined to deliver a strategy, and it is one of the toughest challenges facing the Government. As my hon. Friends the Members for Harrow, West (Mr. Thomas) and for Stoke-on-Trent, North made abundantly clear, delivering improvements in health, especially to the poorest, will rely on successful

[Ms Tessa Jowell]

Government policy across a range of issues, including getting people off benefit and into work, improving educational standards and tackling environmental problems such as air pollution and congestion. Those are all vital ways of improving health and reducing avoidable death, as well as being policies for economic renewal and regeneration.

Cross-Government working and partnerships at local level will also be key, but we need to recognise that success in delivering the strategy will rely on effort in three broad areas. First, the Government must take the action that only the Government can take. Secondly, through health action zones, the single regeneration budget, education action zones and the range of regeneration initiatives and health improvement programmes, we must ensure a local fit to local circumstances when addressing local priorities.

Thirdly, we must all recognise that we bear a responsibility to ourselves and to our families for improving and safeguarding our health. Only if we secure properly balanced action in those three areas—Government action, local intervention and action and personal responsibility—will we begin to see progress in those areas where progress has been elusive thus far. That is the essential national contract for better health which sits at the heart of the Government's approach.

I shall now deal quickly with some of the important points made by my hon. Friend the Member for Stoke-on-Trent, North. With other hon. Members, she pointed out the extent of inequality whereby areas of poverty and poorer health can exist alongside areas of relative affluence. Her own constituency clearly illustrates that point.

The national average mortality from heart disease is 42 per 100,000 people, whereas it is 53 per 100,000 in North Staffordshire, and that picture is repeated when we look at other causes of premature death: death rates from stroke are worse than average, as are those from lung cancer; infant mortality is worse; and schizophrenia and suicide are more common. Those are only averages, which conceal pockets of deprivation and poor health in wards that suffer problems equal to the worst in the country.

I should also underline the evidence of great enthusiasm and resilience shown by voluntary organisations, the local authority and the local health authority in the face of that deprivation in my hon. Friend's constituency. I have read with great interest their recent bid for health action zone status and of their bid to the single regeneration budget, and their work with the World Health Organisation on the healthy cities initiative. All those initiatives, to which so much effort has been devoted, show that there is real spark and a commitment to get to grips with the problems facing her constituents.

I am sure that my hon. Friend will forgive me if, having given her every assurance about the careful consideration being given to the health action zone bids from her constituency and that of my hon. Friend the Member for Harrow, West, I do not make any announcements today about successful applicants. However, whether or not their bids are successful, all the 41 authorities that have bid for health action zone status should use the effort and partnerships developed for the bid as the foundation for continued progress in tackling health inequality.

I reiterate the concerns expressed by my hon. Friend the Member for Stoke-on-Trent, North about fertility services in North Staffordshire. I note that the health authority has been taking positive action to compare its expenditure on fertility services with that of other health authorities.

Although I am conscious that all health authorities need to balance local spending with local need, I would encourage my hon. Friend's local health authority to ensure that provision is in keeping with the level of service available elsewhere in the country. In passing, I pay tribute to the Staffordshire ambulance service: it is a beacon to other services, and another example of successful local endeavour.

Let me now deal with some of the other aspects of the broader relationship between the Government's approach to public health and the regeneration of the national health service. The Government view the White Paper "The new NHS: Modern—Dependable" and the Green Paper "Our Healthier Nation" as components in the plan to improve the health of the people of this country.

Let me restate the guiding framework, which was set out in our election manifesto and repeated in the NHS White Paper and within which treatment—whether for cancer or for any other condition—will be delivered to the people of this country:

> "If you are ill or injured there will be a national health service there to help; and access to it will be based on need and need alone—not on your ability to pay, or on who your GP happens to be, or on where you live."

We are deeply concerned about inequalities in access to treatment, which is why the fair access dimension is one of the key performance measures for the new NHS. We are also concerned that areas whose residents are in greatest need of health care may not be getting their fair share of health care resources. We are determined to make every possible effort to ensure fairness in access and in treatment.

Mr. Sayeed: Will the Minister give way?

Ms Jowell: I hope that the hon. Gentleman will forgive me if I do not. We have almost run out of time, so I shall not take his intervention, other than to say that I accept his analysis that the cancer care framework set out in the Calman-Hine report provides a model for the development and delivery of health care services in other areas. The Government have made it clear through the development of service frameworks that we intend to build on that approach to provide an integration of prevention, health promotion, community care, primary care and acute care, available where it is needed and on the basis of need alone.

Let me finish by recalling the words of William Farr, the first Registrar-General, who said 150 years ago:

> "Good health is as dear to the rich as it is to the poor."

We are determined to remove the many obstacles which stand in the way of the poor enjoying the good health to which they are entitled.

Strategic Defence Review

11 am

Mr. Keith Simpson (Mid-Norfolk): Mr. Deputy Speaker, I thank you and the House for the opportunity to have an Adjournment debate on this important subject. I applied for an Adjournment debate on the strategic defence review before Christmas, as I thought it unlikely that we would have an opportunity to have a major debate on it before it was published some time in the spring or summer. It is coincidental that the debate has been selected this week, against the background of the Iraq crisis. There is no conspiracy in the Speaker's Office; this also happens to be the week in which the Defence Committee visits Washington, but this is not a method by which we can debate defence in the absence of the distinguished members of the Select Committee.

This is an opportunity for hon. Members to question the Minister about the strategic defence review and for him to provide an interim report on where we are. There is a rumour that the Secretary of State for Defence, apart from official appearances in the House, is now in purdah and will no longer accept outside speaking engagements for fear of lifting the veil on the strategic defence review.

We last debated defence in the two-day defence debate in October. Since then, we have had a good Adjournment debate in November, introduced by the hon. Member for Chorley (Mr. Hoyle), on the defence industry. I compliment the hon. Gentleman on his assiduity and his great interest in defence. In December, we had an Adjournment debate, introduced by my right hon. and gallant Friend the Member for Haltemprice and Howden (Mr. Davis), on the important subject—given the Iraq crisis—of anti-missile defence.

It is usual at this time of the year, as more experienced hon. Members know, to have single-service defence debates. Perhaps at the end of the debate the Minister will confirm whether the Ministry of Defence intends to go ahead with the single-service debates, or whether we will have a further hiatus.

The strategic defence review is as much about continuity as change. One thing we should establish this morning is how much is continuity and how much is change and what that change means for the United Kingdom and for defence. I do not have to tell the House that defence is still important. I would like to believe that there is a consensus among the majority of hon. Members that the defence of the United Kingdom, our people and our interests is of paramount importance and cannot be taken lightly. It cannot be cut back, nor can the capability be given up lightly as we may be forced to readopt it in the event of a major crisis. Ultimately, the defence capability of our country is a war-fighting capability. The defence of our country gives us the political leverage that is important in the new world disorder in which we live.

The defence budget, of nearly £22 billion, is by no means the largest in Whitehall; it comes well below social services, health and education. I do not need to remind the House that the MOD has 210,000 regular service personnel and employs 109,000 civilians. It is UK industry's largest customer—11,000 UK companies have a defence interest. Defence affects virtually every Member of the UK Parliament. Some 10 per cent. of all UK industrial employment and 11 per cent. of all industrial output is connected with defence. Defence exports are probably worth in excess of £4 billion a year. It is a major earner for UK plc.

During the Prime Minister's statement to the House yesterday on the Iraq crisis, my right hon. Friend the Leader of the Opposition asked whether the Prime Minister agreed that the

"strategic defence review, which is now approaching completion, could not reasonably conclude that there is scope for reducing the defence budget?"

The Prime Minister replied:

"I have always thought and said that this country's defence forces are vital to our foreign policy and Britain's standing in the world. That is precisely why the strategic defence review will ensure that our armed forces have a secure and certain future."—[*Official Report*, 24 February 1998; Vol. 307, c. 177.]

On that, we would all agree, and that is the litmus test for the review. I sincerely hope that those words of the Prime Minister will not come back to haunt him in six months' time.

I want to take the Government at their word. They claim, not only on defence but across the board, that they are into greater openness and public accountability. The Government have continued, and indeed expanded, the policy of previous Conservative Secretaries of State by providing more information about defence. It is exceptionally good that the wide range of expertise in our universities and establishments of higher education on defence and security matters has been consulted. The defence industries have been brought in, as have non-governmental organisations, which have much to offer. The public have also been consulted. We can all agree on that and the Government have undertaken a major programme.

That is the easy bit. The hard bit is making decisions. How do we assess the progress of the Government's strategic defence review? How do we judge the strategic defence review when it is published? I suggest five tests. First, does it provide effective security and defence for the United Kingdom? Secondly, does it succeed in meeting the United Kingdom's national and international obligations? Thirdly, will our armed forces be organised, manned and equipped to meet those obligations? Fourthly, has the strategic defence review taken into account the twin revolutions in political and military affairs? Finally, will the financial resources be allocated to meet this remit? That final point is the crunch in terms of the strategic defence review.

There are two ironies connected with the Iraq crisis. One is a question of national identity, the other a question of defence direction and capability. Certain elements of the new Labour Government—the Minister does not fall into this category—have been keen to rebrand Britain as cool Britannia, whatever that means, yet there is a certain irony that the reality of sending a task force to the Gulf in the Iraq crisis has been more traditional and—without jingoism—more rule Britannia than cool Britannia.

Secondly, despite all the Government's allegations of how weak the defence capability was after 18 years of Conservative government, the reality is that the command and control system set up as a consequence of the experience of the Falklands and the Gulf war—the Cabinet, the MOD and the permanent joint headquarters—was established by the Conservatives. The remit to send a task force was established and tested by the Conservative Government, as were the doctrine, weapons, equipment, manpower and resources.

[Mr. Keith Simpson]

Here is a great irony. If the Government think that our forces were in such an appalling state, how did they successfully command, control and organise a task force of the type that was sent to the Gulf, and which has made such an important contribution to maintaining international security? There is a certain bijou irony there.

Some observers might argue that fulfilling major deployments such as Bosnia and the Gulf while undertaking the strategic defence review places great strain on our services. Thirty years ago, another Labour Government were—surprise, surprise—carrying out one of their many defence reviews. Later, the then Secretary of State for Defence, now Lord Healey, observed the contradictory nature of simultaneously deploying and trying to review defence. Later he wrote:

"I did not think it made sense to carry out an appendix operation on a man while he was lifting a grand piano".

I suggest that many members of our armed forces feel just like that man or woman attempting to lift a grand piano.

In opposition, new Labour faced reality. It moved away from unilateralism and argued that there was a need for a strategic defence review that would stop the decline in Britain's defences. The Labour Opposition said that they would properly assess Britain's strategic priorities and that the process would be foreign policy led. Every question asked by hon. Members—Conservative and Liberal, at least—to ascertain more detail was met with what appeared to be the reasonable holding answer that Labour Members could not commit themselves until they had looked at the Ministry of Defence books.

Nevertheless, in the lead-up to the general election, the Labour Opposition felt able, without looking at the books, to commit themselves to maintaining our strategic nuclear deterrent and to honour the Conservative commitment to Eurofighter—a commitment, at that time, of about £16 billion. That blew a hole through the carefully constructed arguments for a strategic defence review. On what basis did the then Labour Opposition decide to maintain Trident and Eurofighter when the strategic defence review was supposed to be foreign policy led? Why did they not commit themselves to order Challenger tanks or purchase carriers? Where did the information come from that they said in other areas was so vital that they would have to wait until they had looked at the books?

Our military friends have a saying; a bad commander—for that read politician—does not appreciate the situation, he situates the appreciation. That is exactly what Labour did before the general election.

Let us move on from the flawed logic behind the strategic defence review and see how an assessment of British foreign policy could provide the driver for the strategic defence review.

The Minister for the Armed Forces (Dr. John Reid): Will the hon. Gentleman give way?

Mr. Simpson: I gladly give way to the Minister.

Dr. Reid: The hon. Gentleman has finally tempted me to the Dispatch Box with his phrase, "flawed logic". Will he explain why the Conservatives spent the period leading to the general election complaining, "You can't trust Labour; they won't keep Trident or the Eurofighter" and have spent the time since then complaining, "Labour can't be trusted because they are going to keep Trident and the Eurofighter"?

Mr. Simpson: I think the Minister should allow me to continue my point. He should not have allowed himself to be tempted.

If, in opposition, people argue a perfectly acceptable case—that they cannot commit themselves before looking at the books—and maintain that they will carry out a strategic defence review because they lack information, where does the information come from to cause them to say that they will keep Trident and Eurofighter but that they cannot commit themselves to other important areas? By making that declaration, they largely determined the outcome of the strategic defence review, which was supposed to be foreign policy led. I thank the Minister for his intervention.

I shall now examine the flawed logic behind the strategic defence review and see how an assessment of British foreign policy could provide the driver for it. We know, in general terms, from what the Foreign Secretary said when he launched his Foreign Office mission statement on 12 May 1997, that UK security will remain based on the North Atlantic Treaty Organisation and that the Government want to be an active member of the United Nations.

However, we still do not know the foreign policy baseline for the strategic defence review. Both the Foreign Secretary and Secretary of State for Defence have refused to publish it. Several times, the Secretary of State has replied to any question about the foreign policy baseline by saying, "Nudge nudge, wink wink, you will find bits of it in the defence debate in October 1997 and in some of the speeches that I have made to outside bodies."

Why the coyness? Why not publish the foreign policy baseline? This is open government. It is crucial that we establish what, if any, foreign policy commitments have changed and how they will impact on defence capabilities and—even more significant—resources. In default of a foreign policy baseline, Opposition Members—and I suspect that there is a nagging doubt among Labour Members—are forced to conclude that the Treasury is unwilling for the foreign policy baseline to be published before the tough negotiations that are about to start between it and the MOD. If the foreign policy baseline is not published here, on the official record, it can always be massaged to fit the budgetary restraints.

I challenge the Minister: prove me wrong. Stand up today and tell us what the foreign policy baseline is or give us a commitment. If he fails to do that, the strategic defence review is fatally flawed.

On 12 May 1997, the Foreign Secretary made great play of launching a Foreign Office mission statement, saying:

"Every modern business starts from a mission statement that sets clear objectives".

Quite so. This is now the requirement for most business and industry and, indeed, the military. By any definition, the Ministry of Defence is a very large modern business, worth £22 billion, so where is the Ministry of Defence mission statement?

I asked the Secretary of State that question in June 1997. On 16 June 1997, the Minister for the Armed Forces replied:

"We intend to issue shortly revised aims and objectives for my Department in the form of a mission statement."—[*Official Report*, 16 June 1997; Vol. 296, c. 15.]

Since then, despite repeated requests by several hon. Members, there has been no MOD mission statement.

Ironically, 50 or 100 years ago, if someone had asked an old-fashioned and politically incorrect Minister, either Labour or Conservative—or, if we go back far enough, a Liberal—he would probably have said that the mission of the Ministry of Defence was killing the Queen's enemies. That is not so today; it is a politically incorrect statement. Therefore, as the MOD moves forward the complex process of the strategic defence review, it lacks, according to the Foreign Secretary, who is laying down the foreign policy baseline, those clear objectives so essential to any modern business—or perhaps they form part of that foreign policy baseline, which remains unavailable to parliamentary scrutiny.

My second challenge to the Minister this morning is, can he either tell us the Ministry of Defence mission statement or tell us a date in the near future when it will be published?

That logically brings me to the central issue of resources. Across the board in Whitehall, the Government face the dilemma of keeping their election pledge not to raise taxes while maintaining the Conservative Government's public expenditure plans for the first two years and at the same time delivering on Labour's priorities of education, health and employment. We know that, although the Prime Minister has pledged to maintain strong defences, the defence budget will remain static at best—and at worst it will probably be reduced.

A real strategic defence review, which genuinely examines our foreign policy, our capabilities, and our possible commitments—a real one, such as the Australians had—might broadly reflect Conservative foreign policy commitments, the need to be proactive in the United Nations and to undertake the wider requirements of defence diplomacy, the need to purchase new weapons and equipment that are required and the need at least to maintain the pay and conditions of service personnel. Such a review might conclude that the defence budget should be increased—but we know that that has been ruled out, so this is not an objective strategic defence review.

The political and financial realities confronting the Secretary of State for Defence are almost insoluble. First, his constituency, the parliamentary Labour party, backs defence cuts. In a survey of Labour Members published on 11 May 1997 in *The Observer*, a ratio of 6:1 favoured defence cuts; the ratio rose among the 1997 intake to 12:1. Not only are many Labour Members sceptical about the need to maintain the present defence budget, many of them believe that that budget provides a milch cow for education and health.

Secondly, despite Labour denials that the strategic defence review would not be Treasury led, the evidence proves the contrary. In October 1997, the Ministry of Defence was forced to make savings of £168 million after the Treasury claimed that there had been overspending and that the savings would help to avert a winter shortage of national health service beds.

There is continual pressure—I know that the Minister is affected by it—from the Treasury to offload the cost of British peacekeeping operations in Bosnia from the contingency reserve on to the Defence vote. However, I suggest that the real financial squeeze will come from the Treasury's comprehensive spending review, which was announced in June last year and should be completed this summer. We know from the answer to a question asked in this place on 3 November 1997 that the strategic defence review is the Ministry of Defence's contribution to the comprehensive spending review. That review is tasking Departments to look for savings—it does not require them to come up with ideas for obtaining new money from the central reserve.

Thanks to the delay in completing the strategic defence review—I remind hon. Members that its publication was promised in December last year, but the completion date has now slipped and we expect it in the first half, perhaps May or June, of 1998—the Ministry of Defence's ideal solution of a quick bilateral deal with the Treasury appears to be receding into the distance. The strategic defence review is being dragged further and further into the orbit of the comprehensive spending review.

Whitehall rumours—who am I to gainsay them—have suggested that the Treasury is seeking long-term cuts of £2 billion, or 10 per cent. of the current budget, or even £4 billion, or 20 per cent. of the budget. If that is not bad enough, the MOD—like other Departments—will have to introduce resource accounting by the financial year 1999-2000.

Dr. Reid: The Tories introduced it.

Mr. Simpson: I assure any hon. Members who have not come across them that resource accounts will have a major impact on Government Departments. They will involve valuations of the MOD's assets, inflate the size of the MOD budget and make the MOD appear to other Departments even more of a Whitehall milch cow. The Ministry of Defence will be seen as a soft touch.

Mr. James Gray (North Wiltshire): Did my hon. Friend hear the seated intervention from the Minister a moment ago? In response to my hon. Friend's comments about resource accounting, the Minister said the Conservative Government introduced it. Does my hon. Friend agree that it sounds as though the Government are planning to abolish it?

Mr. Simpson: I thank my hon. Friend. I am not certain that the Government know what they are doing in this area. However, they intend to go ahead with resource accounting, which will have a major impact on the Ministry of Defence.

In the short term, the MOD budget will be under considerable strain and, in the medium term, it will be very vulnerable. That will seriously constrain the Secretary of State's strategy of paying for the MOD's one "big idea". A young officer who works at the Ministry of Defence told me recently that the staff are thinking about putting up a series of signs around the Ministry—rather like in "Alice's Adventures in Wonderland"—that will point to "The Big Idea". Ministers and their special advisers might find it one day—but it will be in the boiler room.

[Mr. Simpson]

The Ministry of Defence's one big idea—which is largely a product of MOD studies; it has nothing to do with Ministers—is an expeditionary force capability. There is a certain irony here because, if we had been sitting in the Chamber 90 years ago, we would have been discussing the formation of an expeditionary force capability under a Liberal Secretary of State for War, Richard Burdon Haldane. We have turned a full circle in 90 years.

Even if savings are found elsewhere in the MOD budget, an expeditionary force capability will require new weapons, equipment and information technology that will not be compensated by internal savings. Even if assumptions are made that our allies will provide many of those capabilities, the United Kingdom will still require a minimum stand-alone capability, which I do not at present envisage the Government's being able to fund.

Quite correctly, the Government have emphasised the quality of our armed forces personnel and the need to sustain their morale and that of their families. We all agree about that, but how do service personnel judge the strategic defence review? We know the answer to that question because a leaked Ministry of Defence report provides the damning evidence. At the end of last year, the MOD conducted a three-week assessment of 1,500 personnel from all three services at 14 different establishments, covering all ranks from private to two-star general. In a damning phrase, the strategic defence review liaison team assessors found almost unanimous suspicion that the review is a

"cost-cutting exercise dressed up in policy rhetoric".

In the spirit of openness, I ask the Minister whether he will place that report, and any other studies of service morale that he has commissioned, in the Library.

Furthermore, as the publication of the strategic defence review has slipped and slipped, many service personnel and local communities have experienced a great period of unease about their future. In my constituency, the 9th/12th Lancers—an armoured regiment based at Swanton Morley that is currently deployed in Bosnia—are concerned about their future. My constituents at Coltishall and the surrounding villages are concerned about press reports regarding the future of the Jaguar force at RAF Coltishall based in the constituency of my hon. Friend the Member for North Norfolk (Mr. Prior).

Despite all the promises and good intentions of Ministers, we are forced to conclude that the strategic defence review lacks a purpose. To paraphrase Winston Churchill, this strategic defence review lacks a theme. We are unable to determine the foreign policy baseline that is supposed to form the basis of the MOD's defence review. Ministers have been unable to produce a departmental mission statement with a clarity of purpose. The defence budget is vulnerable to pressure both from within the parliamentary Labour party and from the Government's own comprehensive spending review—and that is reflected in the mood of our service personnel. Sadly, the strategic defence review will probably come up with a requirement to do even more with even less.

Finally, I remind the House of the five tests by which I believe hon. Members should judge the strategic defence review when it is published: does it provide effective security and defence for the United Kingdom; does it succeed in meeting the United Kingdom's national and international obligations; will our armed forces be organised, manned and equipped to meet those obligations; has the strategic defence review taken into account the twin revolutions in political and military affairs; and will the financial resources be allocated to meet that remit?

11.26 am

Mr. John Wilkinson (Ruislip–Northwood): We are extremely indebted to my hon. Friend the Member for Mid–Norfolk (Mr. Simpson), who, in a wide-ranging speech, covered all the main areas of concern regarding the strategic defence review. I shall concentrate on two or three narrow issues.

I whole-heartedly welcome the strategic defence review: it will do the Ministry of Defence no harm to re-examine its fundamental practices. I also believe that it is worth while for the Ministry of Defence to make sure that it is operating cost-effectively at every stage. As for the principles which should underlie the review, I turn to the views enunciated by the former French chief of staff, General Ailleret, a few years ago. He enjoined France to embrace "défense à tous azimuts"—which I interpret to mean "multi-polar defence".

British defence has been largely Eurocentric since the beginning of the cold war—and understandably so. With the dissolution of the Warsaw pact and the multiplicity of risks and potential threats to our security and our interests around the world, that Eurocentric approach must change. We must also eliminate the old shibboleths which went with it. In a sense, those shibboleths were understandable and comprehensible.

Following world war two, we were committed to the Brussels treaty requirement to maintain a standing army of 55,000 men and a tactical air force in Germany. That requirement has been overtaken by events, and we now have only two main air bases and an armoured division in the federal republic. I urge Her Majesty's Government to re-examine our contribution in Germany. Our clear purpose should be to ensure that our armed forces possess mobility, flexibility and fire power to meet those wide-ranging threats and future potential commitments. I do not see that maintaining an armoured division and two air bases on German soil accords with those wider objectives.

The RAF is to withdraw its Harrier squadrons from RAF Laarbruch this year. I hope that they come back as soon as possible. The Tornado wing at RAF Brüggen is due to stay until 2002. For the life of me, I do not see why it cannot be returned to the United Kingdom forthwith. The headquarters has already gone back. We need to concentrate our forces in the most appropriate manner. It will be necessary to make space for those units and personnel in the United Kingdom, and this must be done.

The armoured division is a more difficult problem, especially as regards training areas, but increasingly the training facilities in Poland and Canada are being used. It is too high a price to pay for the maintenance of a three-star position as commander of the Allied Command Europe Rapid Reaction Corps that we should be committed for ever and aye to keeping an armoured division in Germany.

The French have withdrawn from the federal republic. The argument that we must be in the federal republic to maintain a United States commitment to western Europe

does not stand up. There is defence in depth now in central Europe. Were Russia ever to become a military threat again, and the countries of eastern Europe joined NATO, we would have a collective security apparatus on the continent which did not require the maintenance of extremely costly British forces on German soil.

To pursue the three objectives of mobility, flexibility and fire power, I endorse also the efforts towards more joint operations. The idea of a joint helicopter support force seems entirely sensible. I can see no inhibition or fundamental problem. Likewise, the precedent has been well established and proved in the Gulf for joint Royal Air Force-Royal Navy air groups on Her Majesty's ships. This, too, is eminently sensible. I am sure that we will see more such developments in the defence review, and rightly so.

I hope that we will recognise the United Kingdom's special contribution to European defence in the maritime and air elements, and in air mobility and amphibiosity, rather more than in highly inflexible, static armoured forces. If there must be a balance, that is the way that we must go. It can only be good for the Royal Navy. I am pleased that HMS Ocean is shortly to enter service—an appropriate decision by the previous Conservative Administration to provide a landing platform for helicopters for Her Majesty's fleet.

Beyond that, we will need to replace the Invincible class. We have seen the benefits of maritime air power in the Gulf crisis. A force can be deployed relatively rapidly. It can be poised offshore. The political inhibitions to maritime air operations are minimal.

The difficult decision will be whether to replace the three Invincible class carriers with two 40,000-ton fleet carriers, or whether we go for smaller carriers of 20,000 tons or thereabouts. I would argue that it is better to have three smaller carriers than two big carriers. One will always be in refit, and we must be able to rotate the vessels, as we are doing now between Invincible and Illustrious, knowing that it is always possible to keep one on station.

I tend to favour the smaller carriers for the United Kingdom, but I question whether it will be necessary to have quite as many Horizon 2000 anti-aircraft frigates or destroyers as was previously envisaged. The best air defence of the fleet is, of course, the aircraft carrier. I imagine that the naval staff will examine closely whether Horizon 2000 makes as much sense now as it used to do in the days when the Soviet naval air arm and the Soviet air forces posed a real threat to the NATO navies in the north Atlantic.

As for the Royal Air Force and the need for power projection and the ability to intervene—whether to preserve peace, to fight wars, or to extricate our nationals or friendly nationals—central to this capability must be an integral heavy lift capacity, particularly if it will be necessary to deploy armoured forces rapidly. We need a spectrum of capabilities to meet every contingency.

If we were unable to provide the heavy lift, we would be dependent on the United States, whose political objectives and priorities might conceivably be different in some instances, and we would be too dependent on civil carriers. The C17 has all the characteristics required for the role—the ability to operate forward, the ability to be both a freighter and a troop transport, and more significantly, a tanker for air-to-air refuelling.

I recognise that the Ministry will have difficult decisions to make about the nature of future air power. We have seen in the Gulf that air power is decisive not just to win wars, as was the case in the Gulf war, but to prevent war, by an early application of political pressure. Therefore, for the front line of the Royal Air Force to be cut at this time would be a step backwards. The Jaguars are extremely cost-effective until the Eurofighter comes into service. They are just undergoing an update at relatively low cost which will enable them to maintain an effective capability well into the next century.

A joint strike fighter will be needed. As the House knows, we have seen how the FRS2s of the Royal Navy and the GR7s of the Royal Air Force are working well together aboard Her Majesty's ships. If we had a joint strike fighter—essentially a common air frame—for both roles, it would be a sensible procurement. It could be beneficial for British industry not only because the Americans are buying it, but because a host of European allies are likely to buy it—perhaps the northern four, which have the F16, and possibly also the Italians, the Portuguese and other air forces.

Sir Geoffrey Johnson Smith (Wealden): My hon. Friend knows a great deal about the Royal Air Force. Does he have in mind the American version of the joint strike fighter, in which British money has already been invested?

Mr. Wilkinson: That is indeed the aircraft which I have in mind. My right hon. Friend speaks wisely about the funding that the Ministry of Defence has already put in. British contractors could benefit considerably from the programme.

I offer two concluding thoughts, as I promised to be brief. The first is the importance of sustainability, for which reserve forces are crucial. The Government must not make the mistake of allowing the reserves to be cut further as a consequence of the review. The reverse should be the case.

If regular manpower must be drawn down, we must use reserve manpower much more. That makes sense if we are using our own resources as a community in the most cost-effective way. It makes sense if we no longer have to deploy so many people to Germany. With the legislation now in place, it is a great step forward that the various categories of reservists, not least the reserves who operate as contractors for companies already working for the Ministry of Defence, can be subject to military discipline. I hope that the Government will take advantage of it.

Finally, we should not forget the importance of the control of space for future military operations, both for reconnaissance and signals intelligence, and for ensuring the defence of these islands against potential ballistic missile attack. We will have to intensify our efforts to provide a ballistic missile defence system for this country and for our allies on the continent, and I hope that efforts in this direction will not be nullified as a consequence of the review.

11.40 am

Mr. Lindsay Hoyle (Chorley): I congratulate the hon. Member for Mid-Norfolk (Mr. Simpson) on securing the debate. It is important that defence is discussed in

[Mr. Lindsay Hoyle]

the House. The debate has presented us with an ideal opportunity to discuss many of the issues about which we all have questions. I am pleased that my right hon. Friend the Secretary of State is with us.

I am worried slightly about the hon. Member for Mid-Norfolk, whose knowledge about defence matters is second to none in the House. The hon. Gentleman goes on about defence reviews and expresses views on virtues and values along with other points of view on all matters of defence. The problem is that the hon. Gentleman did that also for the previous Government.

We are having to have a strategic defence review because of that Government's mistakes, and that is the problem. Major mistakes were made and they must be rectified. It is no use pretending that the hon. Gentleman was not involved when those mistakes were made. Certain Members were involved then; we are all involved now for the future. That is why we all wish to ensure that the strategic defence review works, and ensures that we have the right forces with the right capability to take us through the next 30 years. That is what we are talking about.

We must get things right because we cannot afford to make any more mistakes. I think that we can all agree that mistakes were made previously and that they were Treasury led. This time, we want the review to be led by the defence team. Smart procurement by a smart defence team will leave us with a smart defence force that is capable of moving around the world to ensure that a peace capability is implemented. That is why we are all here and that is what we all wish to see.

The previous Government lost out. There was no confidence on the part of the forces or among the defence industries. That is why so many Conservative Members lost their seats at the general election. As I said, we must ensure that we get things right this time.

As for the Eurofighter, the House was rightly united on what we believe will be the right aircraft for the Royal Air Force. *[Interruption.]* That is right. The initial decision was taken by the Conservatives and then they fudged it. The final decision was left to the Labour Government. We had to show commitment and place the orders with British Aerospace.

We all watched the "Panorama" programme. It was tragic to see ex-Members, who were members of the previous Government, questioning whether the right decision had been made or whether money had been wasted. I thought that the programme was obscene and scandalous. It did not fairly reflect the merits of an aircraft that we believe will be right.

Dr. Julian Lewis (New Forest, East): The hon. Gentleman says that many Conservative candidates lost their seats at the election because of mistakes made in defence. Only on a few issues did the polls show the Conservatives to be leading Labour in the run-up to the general election. Well, there was just one issue, and that was defence.

Mr. Hoyle: I remind the hon. Gentleman of my constituency, Chorley, and of South Ribble and the Portsmouth and Blackpool seats. How many more constituencies does the hon. Gentleman want to be reminded of? It is easy to have a memory of convenience, but let us have a memory of fact in future.

I shall move on to talk about aircraft carriers. I do not believe that it would be right to have 20,000-ton vessels. They should be of 40,000 tons plus, because such vessels will present us with greater options. The issue involves options and costs. I see the re-emergence of the Royal Navy and the corps—the Royal Marines and the Royal Navy together will be the spearhead of any defence capability. I want to see vessels that are capable of taking a fixed-wing, one-strike aircraft. What better aircraft would be available than the Eurofighter? Let us have a Fleet Air Arm version of the Eurofighter, and let us ensure that we get the right carrier for the future.

We are talking of a mass in the form of an aircraft carrier that sits, as it were, near trouble spots. The carrier can sit beyond the horizon. We are not talking about aircraft that fly out and must return to a land base; the carrier can sit near the trouble spot. There are despots around the world and we must ensure that we have the right capability.

As for Iraq, we have deployed one carrier. What better solution would there be than to have a larger carrier to ensure that we have the right back-up with aeroplanes of the right capability. Those who voted for the Government on the Iraq issue can feel that they played their part in securing the peace that may emerge. That outcome did not derive from talks alone. The threat of defence that backed up the talks ensured peace for the time being. We do not know how long that peace will last, but those Members who supported the Government will be able to hold up their heads with pride at the end of the day. That is important.

The strategic defence review will be all-embracing. I have already touched on aircraft carriers, the Navy's ships generally and the re-emergence of the Royal Navy. There has been talk of HMS Ocean, and I accept that it is the result of a decision made by the previous Government. I am pleased that I shall be seeing HMS Ocean when it is commissioned. I am pleased to be with the Royal Marines, who have a major part to play. They have been on an exercise in Norway that was bigger than those held in previous years. That proves that the Government are willing to invest in the right troops—the right people generally—to ensure that a strong capability will continue.

We must consider British defence needs and United Kingdom manufacture. The C17 is a wonderful aircraft that is capable of specific actions where needed. However, it does not have a true capability, and that is the difficulty. A future large aircraft really can provide the options required by UK defence needs. The FLA is a variant aircraft—it can be a tanker and it can take and lift everything except the battle tank. We know, of course, that we need a mixed fleet of aircraft. I believe that the FLA can back up what is already in place.

I should like to see us investing in UK defence, thereby creating UK jobs and ensuring that UK technology, which will be delivered in the form of defence contracts, will be transferred to the civil sector. Defence is extremely important and we cannot introduce advanced technology into the civil sector unless we have a strong defence manufacturing base. I believe that we can retain that capability, and that is why British Aerospace is important, along with Royal Ordnance plc, Vickers and many other companies that can still build aircraft, arms and ships.

Our shipbuilding capability was virtually lost when the previous Government were in office. I believe, however, that we can rebuild that capability.

We are present in the Chamber because we believe in strong defence. I did not think it fair to take potshots at the Government, who are ensuring that they can rectify the mistakes made by the previous Government. That is why I am proud to speak in this debate.

11.46 am

Mr. Alan Clark (Kensington and Chelsea): In a safe at the Ministry of Defence there will probably be found a copy of the first defence review of the past decade, which I wrote. Without wishing to emulate my right hon. Friend the Member for Henley (Mr. Heseltine), who takes every opportunity to claim authorship for, and enthusiasm concerning, the millennium dome, I wish to tell the House that, were I to place a copy of my review in the Library—which I probably could do because I do not think it is classified, as I wrote it—it would be shown that all the conclusions set out in it have been validated by what has happened since.

Seven years ago, I based the review on three assumptions. The first was that the cold war was over and that our defence policy need no longer be, to use the expression of my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson), Eurocentric. There is no longer any direct threat to the security of these islands and to the people who dwell therein. Secondly, the world remains a dangerous, deceitful and disagreeable environment in which nothing can be predicted with certainty. Thirdly, if the United Kingdom is to assert its influence and strength and reinforce its foreign policy, its strategy must be maritime.

There will be many hon. Members who are not present this morning, especially Labour Members, who will ask, "Why should the United Kingdom bother any longer? Its security is no longer threatened. We are a nation of only about 50 million people. We have perpetual constraints and bothers with our public spending. Surely this is a sector that we can abandon."

That would be an extremely dangerous decision, and one difficult to reverse. It would involve the final derogation of the United Kingdom from its role as a member of the United Nations Security Council. The UK would no longer be able to justify its seat in the G7 and on other international bodies that determine what will happen in an increasingly close and interdependent world. There would be certain circumstances—one cannot predict what they are—when United Kingdom citizens would be at the mercy of despots, just as we as a nation would be at the mercy of the super-powers in policy decisions. Our input into what is happening—so well illustrated by the way in which the Prime Minister and the present Government instantaneously reacted and deployed strength in the recent crisis—will no longer be feasible.

I fully accept that there are colossal budget restraints on the Department—my hon. Friend the Member for Mid–Norfolk (Mr. Simpson) illustrated these and reinforced them with excerpts from the rumour mill in Whitehall. If the Department is to have a serious shot at attaining the change in emphasis that is necessary for the United Kingdom to sustain its international position over the next 20 or 30 years into the millennium, there will have to be a drastic shift in resources in service allocations. We will have to revert to the pattern of 100 years ago, when the Army was little more than a colonial gendarmerie, and our security and instrument of foreign policy was the Royal Navy. There will be immense resistance to this in the Department, as the Minister has probably already experienced. For far too long, soldiers had too prominent a say in what happened and in the decisions that were taken by the Ministry of Defence. The need to deploy and maintain a large force of infantry and armour on the continent of Europe was a hangover from the second world war, and it continued into the cold war. That is no longer the case. We can reduce to a small, elite force.

We listen with interest to the rumours about the air cavalry and to those about subsuming the Parachute Regiment into this new force. I spoke earlier about soldiers and their prejudices, and their malign influence in certain sectors of the Ministry of Defence. We all know that, for the past 40 years, the Army establishment has been determined to get even with the Parachute Regiment, to cut it down to size and, preferably, out altogether if it can. Although the idea of an air cavalry is attractive, let us hope that it is not simply used as a device to get rid of the Parachute Regiment and to subsume it into the mass infantry career structure. We do not know, but we watch.

Soldiers have to be few in number, well trained, well equipped, mobile, but should not take anything like as large a proportion of the defence budget as they do at present.

We must move towards—several hon. Members mentioned this—the certainty that a fixed-wing carrier will be the central weapons system of our armed forces over the next 50 years. It must be; there is no other way to project force and carry out the operation—illustrated so effectively, but, fortunately, not carried to the extreme—that we have seen in recent weeks.

A fixed-wing carrier or two—three would be excessive—can be bought for a relatively small sum, if one compares it with the colossal sum that is allocated to Eurofighter. I always listen to the hon. Member for Chorley (Mr. Hoyle) with great attention, but we are not of totally the same mind on Eurofighter. If the sum devoted to Eurofighter were cut in half, it would buy a couple of respectable fixed-wing carriers.

Carriers do not come on their own. There are immense ancillary costs: software, electronic counter-measures, and the support vessels that have to defend the carrier. My hon. Friend the Member for Ruislip–Northwood said that a carrier's best defence is the carrier itself, but it is a vulnerable target. The Americans have found that, to support a carrier, one needs a considerable flotilla of ancillary vessels that carry missiles and have a counter-measure capability to ensure that it is not hit. If a carrier is lost—the House will recall that that was a primary apprehension during the Falklands conflict—the expedition is cut off at the knees.

There is one other factor of which the House should be aware when considering the strategic defence review: defence policy should be considered only as part of a geostrategic review, which has to have input from the Foreign and Commonwealth Office when considering our foreign policy. It should not be Foreign and Commonwealth Office led, but that Department must have input. The Ministry of Defence is the largest client of the manufacturing industry in this country. We must be clear about the industrial implications, not just in isolation

[Mr. Alan Clark]

but as they interact with the geostrategic considerations; the extent to which we shall be dependent on other suppliers, particularly foreign suppliers, or the United States; the extent to which we can take the risk of making things on our own; and the extent to which we can reassert our industrial independence, which we have neglected. All those things have to feed into a proper and round consideration of what the review should include. Only then can one start to calculate minimum force levels.

With the greatest respect to the Secretary of State, who, unfortunately, is not able to attend this interesting debate, there is scope for a commission, which the Prime Minister must chair, because only a Prime Minister can overrule the predatory, insatiable demands of the Treasury, as they will be arrayed. The Prime Minister has, as we have seen, acquired a taste for strutting the international stage and posturing as an international statesman and arbiter of the way in which our affairs are ordered—

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): Look what he has just done.

Mr. Clark: Indeed; I have already applauded him, but perhaps that was before the Under-Secretary came into the Chamber. Unless the Prime Minister exercises his authority over the decisions and the counter-pressures that the Treasury will apply to our defence policy, the time will come—perhaps sooner than is comfortable for him—when he no longer has the muscle when he needs it to back up the posture that he is adopting.

11.57 am

Mr. Mike Hancock (Portsmouth, South): I congratulate the hon. Member for Mid-Norfolk (Mr. Simpson) on being successful in securing the debate and on his speech this morning, but he was a little idle in his research. He failed to mention the miserable existence that service personnel and civilian employees have endured over the past 18 years, facing the consequences of successive Tory defence reviews that were misplaced, mishandled and disappointing, and dispiriting to the personnel involved. I represented my constituency in the 1980s, so I know from first-hand experience how demoralising were the successive reviews, which were never transparent in their conception and were pretty damning in their delivery. However, he gives us an opportunity—the importance of which is shown by the number of hon. Members who are present—to address once again the difficult questions of defence and the strategic review.

Mr. Gerald Howarth (Aldershot): The hon. Gentleman attacks the Conservative Government, despite our belief in strong defence, but is it not true that the Liberal Democrats were in favour of cutting defence by a third just before the deployment of our forces in the Gulf, so he is not really in a strong position to criticise the Conservative party?

Mr. Hancock: The hon. Gentleman makes his point, but those who were around at the time will consider the historical facts and discover that what the hon. Gentleman is saying is not only misplaced but downright mischievous because it is inaccurate.

I share hon. Members' concern that we have failed miserably to put before the House or, for that matter, the wider community, the rationale behind the foreign policy initiatives on which this defence review is based. It cannot be right for that to persist even now. Like other hon. Members, I had hoped for some appreciation in the House of the priorities. I am disappointed that that has not happened.

As considerable numbers of my constituents are serving in the Gulf, it would be wrong not to appreciate and applaud their work, and to ask the Minister to pass on good wishes and hopes for a speedy return to all the crews and personnel, men and women, serving in our fleet and on land in the Gulf. It would also be wrong to miss this opportunity to say that many families of the crew of the Invincible would be interested to know when she will return to the United Kingdom. I hope that there will be good news on the near horizon for them. I also thank my local newspaper *The News* for its work in pushing the story of the efforts of those people and keeping the crews and personnel down there informed of the good wishes of the people back here.

The Iraqi crisis has shown us two things. First, it has shown us that the United Nations still has a vital role to play. As a nation which took such an active part in the recent Iraqi crisis, we must use the strength that we now have to insist that the UN strengthens its position on such topics. Secondly, it raises the question of joint European defence. During the past few weeks, we have seen how difficult it is to get our European partners to agree on something as important as Iraq. We should seriously question on what they would agree.

Some of us were present at a recent North Atlantic Assembly briefing in Brussels when it was interesting to see the frustration on the faces of our American colleagues when all sorts of allegations were made about why they were in Iraq. More worrying, from a European point of view, was their riposte that they should not be pushed too hard or they would sort out the Bosnia situation by seriously considering whether Congress and the Senate wanted American forces to remain there. That was an ill-tempered threat, but it was directed at those European partners who were less than enthusiastic about why we were even considering taking action against Iraq. Once again, we missed the opportunity as a nation to use our leadership in Europe to bring our European colleagues on board. We set an example, but we were unable to lead our European colleagues to back us more enthusiastically. That is a disappointment that many share.

Like other hon. Members, I had hoped that we would have got to the bottom of where foreign policy issues were taking the defence review. Many of us who would be accused of being cynical would say that, because the Foreign Office initiatives have not been published, they have moved up the road from the Foreign Office to the Treasury. Before they come here, the Chancellor and his colleagues are running their beady eyes over them. As a result, the House is being denied the opportunity properly to evaluate the defence review in its true light.

We have been told time and again that the review would be an exercise in transparency which would involve people. Hon. Members have had the opportunity to be involved and I am sure that the Minister will tell us how many members of the public have joined in enthusiastically in one form or another, but the Government have failed to be straight and honest about

what was driving it. Was it the Treasury's insistence on substantial cuts or a genuine attempt to allow foreign policy, for the first time, to be open enough to drive a defence review that would realistically address the defence ambitions of the British Government and the British people?

I support the views that have been expressed about the fixed-deck carriers. The country cannot afford three, but we shall need two. HMS Ocean is a major addition to Britain's fighting capabilities. However, I also agree with the points made by the hon. Member for Chorley (Mr. Hoyle) about the role of the Royal Navy and a strengthened Royal Marine corps, and their strategic responsibility in defending the foreign policy issues that Britain holds dear.

If we lose this opportunity, we shall fail miserably. People will not forgive the Government for denying them the real opportunity to bring together our defence and foreign policy objectives. It is unfair and unforgivable to insist that men and women in our armed forces should take on more and more tasks without the proper resources. It would be unforgivable if the Government were to repeat the awful mistakes that many experienced during the 1980s and the early part of this decade.

12.5 pm

Mr. Robert Key (Salisbury): I congratulate my hon. Friend the Member for Mid-Norfolk (Mr. Simpson) on his tenacity in securing the debate. He is right to have persisted since before Christmas. The Ministry of Defence currently has other things on its mind, but Ministers have repeatedly made it clear to the House that, with regard to the strategic defence review, the show must go on.

I thank my hon. Friends for their contributions. My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) shared with us his deep knowledge and my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark) showed us his particular insight and his important vision of the way forward. It is always a pleasure to listen to the hon. Member for Chorley (Mr. Hoyle)—whose heart is in the right place, even if he does have a tendency to rewrite history—and the hon. Member for Portsmouth, South (Mr. Hancock), with his particular responsibilities as a Member of Parliament representing Portsmouth.

Recent events in the middle east have given the Royal Navy a providential opportunity to demonstrate its strength in force projection. Not since the first world war has chemical and biological defence assumed such importance for British forces. All three services have reacted swiftly and efficiently at a time of international crisis, and we congratulate and thank them.

What lessons have the Government learnt, what conclusions will they draw and how will they inform the strategic defence review?

Defence is rarely the subject of political knockabout. It rarely attracts large numbers of hon. Members to Question Time and debates. However, today it is important to note that the Secretary of State has been here for part of the debate, the Minister for the Armed Forces is here and the Under-Secretary was here. No doubt, the Minister for Defence Procurement is watching on his television in another place.

I emphasise that Her Majesty's forces know that a comparatively small number of Members of both Houses have a deep knowledge of, and commitment to, Britain's defence, and that they can be relied upon to be persistent and tenacious in pursuing military matters. They also know that, at times of tension, both Houses of Parliament can be relied upon to swing behind them with generous cross-party support. Most service men and women would wish that defence was not a party political issue. Defence should stand astride the common ground between the parties.

After 18 years in opposition, Labour's understanding of defence issues was incomplete. It reformed its party's defence stance and the Labour Government's policy is now on trial. They pledged that they would have a defence review, but they did not know what to expect, and that is clear 10 months on. Labour chose the big bang approach, rejecting our philosophy of continuous review with occasional necessary reforms. They have not said, and we do not know—I doubt whether they know either—whether they will revert to the continuous review process or adopt the Australian and American pattern of a review every three or four years.

We were told that the SDR would be over in six months and that the uncertainty in the armed forces and the defence procurement industry would be worth putting up with. Apart from the Secretary of State, no one believes that the review is now foreign policy led. Clear as he was about the downward ratchet in defence spending—I hope that he took note of the wise words of the Chairman of the Defence Select Committee in last week's debate on Iraq—the Secretary of State has been consistently unclear about the nature of Foreign Office and Treasury involvement.

My hon. Friend the Member for Mid-Norfolk has already drawn attention to the lack of a clear statement on foreign policy baselines, as has the hon. Member for Portsmouth, South. The Secretary of State continues to expect us to believe that his speech at the Royal United Services Institute on 18 September last said it all. It said virtually nothing new—I read it again this morning. It will not do for him to pretend that we know about those baselines. They remain secret and out of date.

Both the early consultations and the establishment of the foreign policy baselines last August have receded so far into the past, and world events have moved forward so quickly, that serious doubt must be cast on the validity of both. We have also had a long period of silence from the Secretary of State. According to the Ministry of Defence, since he was appointed last year, he has made just four speeches on defence policy, only one of which was on the strategic defence review. He made two speeches on NATO and one on defence diplomacy, a concept originally introduced by the Conservative Government in their 1981 defence review White Paper. Will there be no more speeches from the Secretary of State until the SDR is safely out of the way?

Ministers now appear like rabbits caught in the Treasury's headlights. The military input will be complete by the end of March as promised. Defence Ministers will no doubt reach conclusions by the end of April. Then all that work will disappear into the black hole of the Treasury and the Cabinet Office. The comprehensive expenditure review will take time to resolve. We might be lucky and have a statement on the SDR by June, or it might slip to the last week of July—perhaps to the last day that Parliament sits before the recess. All that will give the Treasury an opportunity to push the whole exercise into the next public spending round, implying no

[Mr. Robert Key]

real movement on the SDR until April 1999. Two years after the Government's election pledge, with the world a different place, the Government will hope that the Opposition will support the results of the review.

Defence Ministers should be aware that they are putting at risk cross-party support by their failure to listen and to answer the concerns expressed not just by Opposition Members but by Labour Members. I absolve the Minister for the Armed Forces from that accusation. We recognise that he is a tireless worker for the armed forces and that he can be relied on, with his grasp of detail and his patience and courtesy, which are much appreciated. However, I wish that he would have a word with the Secretary of State and the Under-Secretary because routinely in debates, questions have been asked and points raised, which are apparently not heard and certainly not answered. Even in last week's debate on Iraq, my right hon. Friend the Member for North-West Hampshire (Sir G. Young) made some good points and asked some straightforward questions but received no answers.

I mentioned the new significance of chemical and biological defence. The proliferation of chemical and biological weapons is a major threat to the peace and security of the global community. The previous Government recognised that and invested in substantial facilities to combat the threat. The time has come for further appraisal of active and passive defence against chemical and biological attack, both military and civilian.

It is our choice to stand by the United States. We must be as good as the United States. The 1999 US defence budget will add $1 billion to counter chemical and biological threats. How much new investment will the strategic defence review suggest for us? How much will the Treasury then allow us?

Similarly, we cannot afford to be left behind, following the revolution in military affairs that now informs so much defence planning. Since last May, the world has become less stable and more dangerous. British military forces are under increasing pressure and peace in Northern Ireland is more fragile. Abroad, Bosnia remains the top priority for Britain's and NATO's long-term commitment. In Bosnia, we must consider the need for a smaller but more permanent and established presence, and we need to overcome the current lack of a corporate memory. Escalating ethnic tensions in Kosovo could provide the next flashpoint in the Balkans.

Will the SDR require cuts in our contribution to NATO, material and financial? The "Partnership for Peace" process absorbs substantial resources, mostly to good effect, but there is little Mediterranean dialogue. NATO's troubled southern flank poses threats to Europe's political, economic and military stability. Further afield, we cannot ignore the potential for trouble over the Spratly Islands in the South China sea, nor events involving our dependencies in Commonwealth countries. More immediately, tensions in the middle east will require our constant vigilance and continuing military presence. Our military relationship with Turkey should have a higher priority.

Back home, the Green Papers on the Defence Diversification Agency and the future of the Defence Evaluation and Research Agency are now three months late. Unclear of their priorities and befuddled by their vision of Europe, the Government want to maintain their special relationship with the USA while demanding that our defence industry merges our efficient world-class companies with some of the nationalised, subsidised, dinosaur industries elsewhere in Europe—answers by 31 March please, on one side of a postcard.

Above all, the performance of our forces depends on our people and their training, equipment and morale. If we are to recruit and retain good people, we must spend what it takes to achieve that. If we want their families to follow the flag, we must not skimp on housing, education, medical services and the quality of their lives.

Last July in Coventry, I attended a consultation seminar on the strategic defence review. The Secretary of State said that there should be no expectation of an increase in defence expenditure. He asked me whether I thought that there was a case for an increase and I am glad that I said yes. I say it again today. If we are to relate this nation's defence policy to the real world rather than to some diplomatic utopia, this is no time to contemplate further cuts. We should not rule out the case for increased defence spending, review or no review.

12.16 pm

The Minister for the Armed Forces (Dr. John Reid): So many questions have been asked and there is so little time to answer.

I doubly congratulate the hon. Member for Mid-Norfolk (Mr. Simpson): first, on obtaining this debate and on the wisdom that he brings to it; and, secondly, on having discovered a new smelting process for brass necks, which produces those of a quality, strength and thickness that have never previously been invented. He combined that with modesty: in his own modest way he failed to declare an interest, in all humility, as an architect of the Conservative Government's policy of the past 10 years.

Had the hon. Gentleman declared an interest as a special adviser to a previous Secretary of State for Defence, he would have had more difficulty convincing us that we must not cut defence spending, when he advised cutting defence expenditure by 30 per cent.; that we must not reduce personnel numbers, when he advised reducing them by 32 per cent.; or that we must produce a mission statement within six months, when he failed to do so in 18 years. I understand the hon. Gentleman's modesty. In a consensual fashion, I had not intended even to refer to the Conservative Government's record, but I thought that we should place in context some of the remarks that have been made.

Let me say from the outset that our commitment in opposition to conducting a strategic defence review, rather than a cost-driven exercise, was central to our determination to provide Britain with strong, capable and modern armed forces. That was our analysis of the need then, and it remains our goal now. Events have proved how right we were to make that decision, for three reasons. First, a policy-led review is the only way comprehensively to assess how our forces should be structured, equipped, trained and deployed to meet the challenges of the 21st century. Only that approach has the potential to afford the armed forces and the Government the coherence and clarity of purpose that they deserve.

Secondly, inherited shortfalls have led to inadequacies, some of which were identified during the strategic defence review. We were unable fully to appreciate them:

as the hon. Member for Mid–Norfolk correctly pointed out, the information was not at our disposal until we came into power.

Headline issues arising from the strategic defence review bear repetition. I allocate no blame, but we must face up to the fact that we cannot transport forces quickly enough or provide the necessary logistic support once they have deployed. Our medical services are thoroughly inadequate. Some parts of the forces cannot communicate effectively with other parts. We face a vicious circle of undermanning and overstretch, which feed on, and exacerbate, each other.

I am not being party political, but we have to admit that there are real problems before we can begin to solve them. It is the easiest thing in the world for politicians at the Dispatch Box to use rhetoric that gets more robust the weaker their arguments become, rather like the Jesuit who comes to the part of his sermon about which he has doubts and writes in the margin, "Shout louder." Surely the days are gone when the services are burdened with increasing inadequacies so that political leaders do not have to find the moral courage to face up to the hard choices. Those problems must be tackled to ensure that our armed forces can be deployed rapidly, flexibly and effectively.

Thirdly, undertaking the strategic defence review was the right decision. We owe it to the brave men and women who risk their lives on our behalf day in, day out—not only when they are in the headlines—to ensure that we have a coherent vision of the future use and structure of our armed forces. Paying further tribute to the men and women of our armed forces is timely. Last night, Kofi Annan, the United Nations Secretary-General, congratulated the Prime Minister on being "the perfect UN peacekeeper". That was not only a justification of the Prime Minister and of the House, and of our commitment to the UN; the accolade was also for the men and women who serve in our armed forces. I cannot convey how proud I am to be associated with them and their efforts day in, day out. It is the Government's duty to give them a coherent vision of the future that recognises their vital contribution. We owe it to them to ensure, through regular scrutiny, that the means at their disposal match their commitment to the tasks set for them by the Government. Only a truly strategic defence review will allow us to address those issues.

I shall quickly cover the main points arising from the debate. First, despite the banter that goes on in the House, our approach has, from the start, been to try to achieve consensus. To use an old cliché, I believe that Britain works best when we work together. Defence is too important to be a political football. I agree with the hon. Member for Salisbury (Mr. Key) that, where possible, national security should be above party politics, which does not mean that there will not be any criticism and that the Opposition should not oppose. Our desire to achieve such a framework arises as much from the acknowledgement of our past mistakes as from our commitment to try to avoid them in future.

Whatever the criticisms, there has been unprecedented consultation during the review. Hon. Members have been involved, and more invitations are going out to members of all parties; seminars have been held; we have involved journalists, academic institutions and ex-military people as well as the Foreign Office and the Ministry of Defence; and industry and trade unions have also played a part. We have spent a great deal of time on the review: the message that comes back from the forces is that it is better to get it right than to rush it.

We have been particularly keen to listen to the troops. For the first time, a strategic defence review liaison team was established. The team has met thousands of service men and women outside the chain of command. As requested, it responded robustly and frankly, and told us exactly what has been said. There is good will among the troops and morale is high, but there is concern that our review may be the same as those undertaken by the previous Government, which were perceived to be Treasury led.

The hon. Gentleman would have given a fuller picture if he had said that concerns arise not because people are suspicious of what we are doing, but because of their experience under the previous Government. Therefore, we are making every attempt to show that the review is foreign policy led: it is based on a fundamental reassessment of our essential security policy and defence needs and was conducted in its early stages jointly by the Ministry of Defence and the Foreign Office.

We have outlined the conclusions that are emerging, but there is dispute over the extent to which the work should have been done earlier. First, our armed forces have inescapable national commitments. Military aid must be provided to the civil power in Northern Ireland: we hope for a lasting political settlement in the Province, but will not count our chickens before they have hatched. We are responsible for the internal and external security of our dependent territories.

In Europe, we must ensure European and British security by making a commensurate contribution to the maintenance of the North Atlantic Treaty Organisation, which was a manifesto pledge. The collapse of the Soviet Union has radically reduced the threat of all-out war in Europe, but it has given rise to a plethora of risks—nationalism, border disputes and ethnic tensions—that were suppressed by communism. We have wider global interests, but they do not extend equally and we are most likely to be involved in such problems in Europe, the Gulf and the Mediterranean, where our economic and security interests are most closely engaged.

Other global threats form part of our policy baseline. Recent events in the Gulf have brought home to us the risks from nuclear, chemical and biological weapons. Just as the citizen has rights and responsibilities, this country, as a national citizen in the global community, has rights. Our armed forces will defend them, our territories and interests, abroad and at home. We have responsibilities commensurate with our position at the United Nations and in NATO, and as a leading country in Europe, and we shall discharge them.

Mr. Keith Simpson: Will the Minister give way?

Dr. Reid: No. I have only 14 minutes in which to respond to the debate.

Additionally, we have embarked on a defence diplomacy initiative, which means using the military assets necessary for the defence of our country in such a way as to lessen the likelihood of their being deployed in anger in war. My right hon. Friend the Secretary of State for Defence co-operated on that sensible, relevant and modern policy framework with the Foreign Office. As is

[Dr. Reid]

the case in every Department, the Treasury has been consulted. That is the normal business of government—but it does not mean that this review, like the rest, has been led by the Treasury, or by any arbitrary dictates of the Treasury. The starting point has been foreign policy.

Of course resources matter. We live in the real world. I have tried to deal with the main points in the limited time available, but let me make one final point. The cliché that people are our most precious resource is no less true because it is often uttered. People are at the centre of our strategic defence review. We are looking at a range of policies—not only because that is morally good, but because the third element of fighting power, morale, is the most underestimated. All the equipment and all the doctrine in the world mean nothing if we do not ensure that our people are properly protected and resourced. We are proud of what we have done in the Gulf, and will justify that—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We must move to the next debate.

Special Needs Education (Croydon)

12.30 pm

Mr. Richard Ottaway (Croydon, South): The House debated special educational needs as recently as December. The Under-Secretary of State for Education and Employment, the hon. Member for Birmingham, Yardley (Ms Morris)—who I am pleased to see is replying to today's debate—set out her proposals and priorities for special educational needs in the light of the Green Paper published in October 1997. She made it clear that the Government were not adopting a cost-cutting approach to SEN—a message that, regrettably, was not heard by Croydon council.

The Minister and others also acknowledged that life had not started on 1 May 1997, and we were grateful for the tribute that she paid to the last Government's work in developing what was a rather grey area. I myself pay tribute now to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who, as Minister of State in the Department, did much to address the issue.

I broadly welcome the Government's six principles, enshrined in the Green Paper, and their detailed approach to the subject. We are talking about some of the most vulnerable people in society, whose needs go far beyond the imagination of those with healthy children. No political ideology is involved; we all owe it to under-privileged children to give them the best education that our nation can provide.

An important principle established in the Green Paper is the need to work with parents. The Green Paper rightly says that parents of children with special educational needs face exceptional pressures, and the Government rightly say that they want to help parents cope with those pressures and to give them real opportunities to influence and contribute to their children's education. During the December debate, the Minister reminded us that partnership between home and school is crucial for all children.

By and large, special needs education in Croydon is, in the words of the weather men, fair to good—with one notable exception. We have two schools, Redgates and Priory, helping those with severe learning difficulties. The main thrust of the borough's provision of services for those with moderate learning difficulties comes from two schools, St. Nicholas in my constituency and Bensham Manor. Each school originally provided for the five-to-16 age range. They are excellent schools, and they catered respectively for the north and the south of the borough.

In a fairly controversial move that upset many parents, the two schools were reorganised so that St. Nicholas provided for the five-to-11s and Bensham Manor for the 12-to-16s. Unfortunately, that means that, on reaching the age of 12, children in the south of the borough must make a long journey to the north.

This is a highly relevant factor in Croydon's education service. Croydon is a large, wedge-shaped borough with crowded roads, which makes travel from south to north and into the heart of London very difficult. Services must be provided in the south for all age groups. Having been educated at St. Nicholas, in the leafy glades of the suburbs, children are obliged to undertake the journey through those crowded streets to a strange part of town with which neither they nor their parents are familiar. The north-south divide in Croydon is the real cause of many of the borough's problems.

Last summer, St. Nicholas was found to contain asbestos, and it has been necessary to relocate the school temporarily at the Heath Clark adult education centre. I understand that it will return in September, and that the building will then have been fully refurbished. I congratulate the council on its prompt response to a particularly difficult problem.

St. Giles school in Pampisford road is an inspiration to all who visit it, showing them what can be achieved. It contains facilities not only for those with physical mobility problems, but for those who are deaf and blind. I pay tribute to the staff of St. Giles. If the Minister ever wants to see a good example within easy range of her office, that is where she should go.

There were four day care centres for the under-fives, one of which was the Hazelglen special educational needs school—the only one in the south of the borough. In September 1997, Croydon council published a document entitled "Policy for Pupils with Special Educational Needs". It is well drawn up, and its principles largely coincide with those in the Green Paper. It builds on the work of the last Government and the last administration in Croydon.

Regrettably, the words of that document contrast markedly with the actions of the politicians on Croydon's Labour council. It was produced after the outrageous closure of the Hazelglen special educational needs school for the under-fives. That closure was in blatant disregard of the principles in Croydon council's code of conduct, and the six principles in the Green Paper. Today, I want to know the real reason why the school was closed. If the Minister cannot give me the reason, I shall call for an inquiry into why the closure took place in breach of the Government's stated principles that this is not a cost-cutting area and that parents will be involved.

In the 1994 London borough elections, the Labour group, in its manifesto, issued a number of pledges on education and on special educational needs in particular. Under the heading "Nurseries and Child Care", it stated:

"Labour will provide more nursery facilities to enable parents to find jobs".

Under "Nursery Education", it stated:

"An Education Officer will be given enhanced designated responsibility for the under-fives and will work with the Social Services Department, the Health Authority and the voluntary sector to develop an integrated borough approach to the needs of the very young".

Under the heading "Special Educational Needs", it stated:

"We will provide clearer and more consistent funding for the special educational needs of pupils".

Finally, under the heading "Services for people with learning disabilities", it stated:

"A Labour council will aim to provide a variety of day care centres".

It is clear as a bell that Labour was committed to maintaining and improving the system, and on that basis people voted for it. It was a clear pledge, and people expected Labour to deliver.

The Hazelglen centre provided SEN facilities for children under five. Typical of the children who went there were the children of Sioban and Tom Foster, who have cystic fibrosis. They needed physiotherapy, a special high-fat diet and extra vitamins and drugs. In addition, one of the children has cerebral palsy and hydrocephalus. They depended on the centre for the support that they needed. Others—the Kellys, the Finlays, the Traffords—also depended on Hazelglen, and relied on Labour's commitment, which they were entitled to view with optimism. Accordingly, their lives were shattered when on 5 February parents received a letter stating that the school was to close. It said:

"The decision to close the Centre is a financial one and is not connected in any way to the quality of service provided by the staff."

Offering parents a chance to meet the officials involved, the letter went on to say that, "for this reason", the officials

"will be at Hazelglen at 10.00 am on Thursday 6th February so that you can raise any issues directly."

That was just 24 hours after the announcement of the closure.

The closure was the end of the principle of working with parents. It undermined parents in a cruel and uncaring way. It was an absolute bombshell for parents who, having had their lives shattered on learning of their children's problems, were now being completely undermined.

In addition to dismay about the broken promises and short notice, there is concern about the way in which the closure was carried out. It seems that the manager of the centre was told about it three months before it happened, and was asked to keep his mouth shut. Accordingly, it was no surprise when the staff of the social services department wrote to members of the council's social services committee stating:

"As a caring Team committed to our work, we feel that the council's meetings and the length of time it has taken to inform us of proposals devalued the professional manner in which we work and operate the centre."

I could not have put it better myself. It is already apparent that not only the school's merits but educational needs were ignored, and that the matter was completely financial.

The Labour councillors behaved no better, slipping figures into a social services budget report. There was no statement or explanation, no debate, and not even social service minutes on the closure. Only the Conservative councillors are recorded as voting against the budget when the first inkling of the decision was revealed.

The parents of the children at Hazelglen could not understand that, while the school was being closed, £1 million was being spent on decorating Croydon's pavements with red bricks; £750,000 was being spent on producing a glossy magazine; £350,000 was being spent on a pavilion in South Norwood; and £61,000 was being spent on lasers to light up Croydon. Thousands of pounds were spent to buy mobile phones for Labour councillors. Against that, a mere £24,000 was saved by closing the Hazelglen day centre.

The illogicality becomes apparent when we note that some of the children are now being placed in private care that is paid for by the council. That makes a mockery of Labour's pledge in opposition and in government.

All was revealed when Mr. Tony Foster wrote to the *Croydon Advertiser*, a newspaper that has done much to disclose the scandal of Hazelglen. His letter states:

"My response comes in the context of being both a campaigner against this closure and as a local Labour Party member.

The truth of the matter is that Hazelglen is caught up in the internal politics of the Croydon Labour Party. The decision to close Hazelglen is therefore political and not financial. Hazelglen, unlike the other day care centres in the North of the borough, has suffered from budget cuts every year since Labour took office. The closure has been planned for years and is not the result of 'financial pressures' from this year's tight settlement.

Having realised the paucity of the financial argument Labour has resorted to claiming that Hazelglen is not as accessible as the other centres. This is despite of it being located on top of not one, but two BR stations (Sanderstead and Purley Oaks) and with local bus stops also. Incredible!

Hazelglen is, therefore, the nursery that is being closed for no reason and in this entire process the Labour council has shown contempt for the principles that the Labour party should stand for: democracy, social justice, decency and integrity. I believed that Labour was set up to fight injustice, not to cause it. Maybe, I was idealistic, but the disappointment is profound."

As I say, that letter was from a Labour party member.

Most amazing of all was the fudge and obfuscation of Labour councillors and Ministers. I took up the matter with Mr. Charlie Burling, who at that time was chairman of Croydon council's finance committee, and asked him to receive a delegation of parents. In a letter under the slogan "New Labour, New Life for Britain", he refused. His refusal to meet a delegation was to cover up the internal rows in the Labour party.

The bluster and cover-up continued. I wrote to the Secretary of State for Education and Employment, and his reply on House of Commons notepaper states:

"The closure of Hazelglen was authorised by the previous government".

I decided to take up the matter with his Under-Secretary of State, the hon. Member for Yardley, who is replying to today's debate. In the debate on 5 December, I asked her to look into the matter, and she courteously agreed. She carefully relied on advice on the closure that was given to her by Croydon social services department, and in her letter she gave the following reasons, quoting Croydon:

"the centre was not best located for families in the West and South of the Borough; the average occupancy was lower at Hazelglen than at the other day care centres in the Borough; and the level of need in the areas covered by the centre was not as marked as in the south east and north of the Borough."

None of those reasons is true. Although I said that they were totally contrary to the explanation that was given by the council to the parents, which was that the decision was financial, the Minister wrote to me again stating:

"I understand from Croydon Social Services Department that the decision to close Hazelglen was based on the factors cited in my previous letter, but that this was prompted by the financial situation facing the Council."

The Minister's letter contains a slight shift of emphasis. It continues:

"You also say that the closure of Hazelglen means that there is now no special needs nursery education in the south of the Borough. Croydon Education Department have explained that all nursery classes in the borough are expected to support children with special education needs. I understand that specifically in the south of the Borough there are a total of 184 nursery places in schools receiving significant input from other agencies, a further 156 places in schools situated in areas of relative deprivation and a pilot project at an infant school which provides 104 places."

That information is simply not correct. First, the Minister should know that there is a big difference between nursery classes that focus only on educational needs, and day care, which is what many of the children at Hazelglen needed. Secondly, Croydon council's nursery expansion programme reveals that only 15 per cent. of any additional nursery places will go to the south of the borough.

According to a council report that I received only yesterday, the most generous interpretation is that there are only 65 special needs places in the southern part of London's largest borough. It is worrying that there is a complete absence of a good explanation for the closure. It was badly handled and upsetting, and stressful to all concerned. It was in breach of Labour's manifesto commitment, of Croydon's policy on special educational needs, and of the Green Paper principles; and it is a breach of faith with the parents and children of Hazelglen.

I shall give the Minister a final flavour of how the parents feel about this matter by reading a poem for Croydon Labour councillors. It reads:

"A teardrop trickles down my cheek,
Looking for a place to hide.
Why couldn't you be honest,
Not cheated us and lied?

I wonder if you mock us
When we're no longer there,
If you laugh we voted LABOUR
And we fell into your lair.

Did you ever really worry?
Or was it simply fun,
To pull the strings of people's lives
And watch the damage done?

We took you all for honest.
We thought you would be true.
A victim of your silly games,
Now what are we to do?

We feel the pain so deeply,
We only wish you knew,
Of all that we have suffered,
As a result of trusting you!"

That poem is signed "From the parents of Hazelglen". Is that what new Labour is all about?

12.47 pm

The Parliamentary Under-Secretary of State for Education and Employment (Ms Estelle Morris): I congratulate the hon. Member for Croydon, South (Mr. Ottaway) on again managing to bring the needs of his constituents, especially for early years special education, to the House. He made an important contribution to our debate on the matter before Christmas and to the Green Paper, which I appreciated. I recognise his continuing concern, not only about SEN but for the children of his constituents.

I shall continue from where we left off in the previous debate on the matter, which took place just after we published our Green Paper on SEN, which, I am pleased to tell the hon. Gentleman, has resulted in more than 3,500 responses. That is a massive response, on a subject that has not had as much attention in the past as it deserved. Croydon was one of the local education authorities that responded. We look forward to analysing the detailed responses and taking the agenda forward.

I share the hon. Gentleman's concerns about SEN and about early identification and assessment. Whatever differences we may have in the rest of the debate, I know that we shall share concerns about those matters in the years ahead. Such issues unite the House, and I am happy to pay tribute to all those hon. Members who put them at the centre of their concerns.

I mentioned the importance of early identification and assessment and, in view of the passion with which the hon. Gentleman spoke about the closure of the nursery in his constituency, it is necessary to give the reasons for that importance.

I know that the hon. Gentleman will be concerned about early identification and assessment. He knows that, unless we get it right in those crucial early years, we stand little chance of getting it right elsewhere in the education system. Moreover, I agree with him that early identification is even more necessary for children with SEN than for any other identifiable group.

Although I would never pretend that early intervention and support will remove the need for support later in a child's school career, they accomplish three crucial objectives: first, they reduce the need for later support; secondly, they send a message that we have high expectations of all children, including those with SEN; and, thirdly—I know that the hon. Gentleman will be in accord with this objective—they establish at an early stage the vital relationship between parent and teacher and all the other professionals who work with children with SEN.

I share the hon. Gentleman's long-standing concerns about nursery provision for children with special educational needs in Croydon. As he said, we have corresponded—I think twice now, although he has corresponded also with the Secretary of State—about the closure of Hazelglen nursery.

As the hon. Gentleman knows, closure of the nursery is a matter for the Croydon local authority. As it is not a school, neither the Department for Education and Employment nor the Department of Health has any statutory powers to intervene. However—because of our shared concern about special needs—I am concerned if he feels that its closure has meant that the south of the borough, which he represents, will have no provision for nursery-age children with special educational needs.

I have spoken to Croydon—which will inevitably be one of the sources of information used by the Department. The comments made in this Adjournment debate also will be taken on board and investigated by the Department. Moreover, I shall happily reply to the hon. Gentleman if he wishes to continue our correspondence.

I have been told by Croydon that its policy is to ensure that all the nurseries it maintains offer places for children with special educational needs. Almost 450 places are available for nursery-age children in south Croydon. Specifically, the borough maintains four nursery schools that give priority to children with SEN and are resourced to do so. Two of those are in the south of the borough.

Additionally, nursery places are attached to two special schools, and 35 nurseries are attached to mainstream schools—15 of which are in the south of the borough. All those nurseries can and do offer places to children with special educational needs. Currently, 54 nursery-age children in Croydon are statemented, and all of them have nursery places.

I hope that that information will at least partly allay the hon. Gentleman's concerns. I should add that 65 children in the borough currently benefit from the portage system, which is a very valuable part of early years service.

I heard what the hon. Gentleman said about the special needs of SEN youngsters. I would not be happy if those needs were not being met specially within an early years institution. However, I should not be keen to make the judgment that those needs can be met only within a special educational needs nursery, although they have a very valuable role to play. I am sure that he will agree that nurseries that do not specialise in SEN children could, with support, offer a very good-quality service to those children. As the Green Paper indicated, such matching and variety of provision is the route that we want to pursue.

My information from Croydon is that it offers those two categories of service and specialised support. In Croydon, 43 per cent. of children with statements of special need are in special schools, whereas 57 per cent. are in maintained schools with either units or people to support statemented children. I think that such a varied, and I hope flexible, approach to children with statements of special educational needs shows the way forward.

Mr. Ottaway: Neither the letters from Croydon council nor these from the Minister to me gave those reasons for the closure. If those are the reasons, why were they not given? The truth is that they were not the reason why the school was closed.

Ms Morris: All I have attempted to do is state the provision that Croydon feels it is offering for special needs children. That is the pattern on which it has embarked in making nursery provision for all its statemented children.

I understand what the hon. Gentleman said about Hazelglen day centre. Any closure and any change is disturbing and distracting for parents and young children. As a constituency Member of Parliament, I realise that, every time a school is closed or threatened with closure, someone's life is affected. Such changes perhaps cause that person temporarily to have a more disjointed existence. However, I hope that the hon. Gentleman will agree that we would never make progress if we set everything in stone.

Croydon's letters to me, and certainly my second letter to the hon. Gentleman, acknowledged that, on the basis of last year's financial settlement—not on the basis of the financial settlement that this Government have offered for next year, although I do not attempt to make political points—the financial situation was one of the factors that drove it to reassess the matter.

In my letters to the hon. Gentleman, I said also that the reassessment was prompted by the fact that

"the centre was not best located for families in the West and South of the Borough",

and that average occupancy was lower than in other day care centres. I wrote also that Croydon had said that

"the level of need in the areas covered by the centre was not as marked as in the south east and north of the Borough."

I would defend a local authority's right to replan its provision. Authorities must occasionally do that, because it is right for them to assess where they are at and where

[Ms Morris]

they want to go. Croydon maintains that Hazelglen is part of that redevelopment, and part of the necessary change in achieving its vision for meeting the needs of children with SEN and their parents in the borough of Croydon.

Croydon gave a commitment—I am sure that the hon. Gentleman will tell me if it is not being met—to the users of Hazelglen day care centre that the children there would receive alternative services. I am told that that commitment has been honoured, and that many of those children are moving into nursery and reception classes. I am sure that the hon. Gentleman will tell me if he feels that what Croydon has told me is not an accurate reflection of the situation there. However, I accept that a period of change is sometimes difficult to handle.

The hon. Gentleman gave the impression, both in his correspondence to me and in his speech today—it is important to get it straight now—that Hazelglen was a special needs nursery. Hazelglen was established not as a day care centre to meet the specific needs of special needs children and their parents, but to offer a wider service. That includes children with SEN and their parents, but it also includes other children and parents. It is right to establish that fact.

I am pleased also—I am sure that the hon. Gentleman will welcome it—that the Hazelglen site will be developed as a family resource centre. Croydon has an agreement with Barnardo's—a national children's organisation of very high repute—to implement that planning—

Mr. Ottaway: Maybe.

Ms Morris: I am told that it is a bit more than "maybe", and I hope that it comes to fruition. I very much hope that—if we were to return to this debate in a year or even less—the hon. Gentleman will be able to say that, "Yes; as ever, the period of change was difficult and challenging, but the new facility on the site is continuing to offer provision that meets the needs of families in my area."

Although I do not under-estimate for a minute the hon. Gentleman's concerns about children and parents at Hazelglen, I was pleased to hear his tribute to other providers—schools and units—in Croydon. In preparing for this debate, I inevitably became better versed in what is happening in Croydon. I was very pleased to note the match of provision—the special schools and units—provided by Croydon. St. Giles school, which he mentioned, is one of those in which a special unit for the hearing and visually impaired has been attached. That is very attractive.

For all that the hon. Gentleman has said about Hazelglen, he represents a constituency in a borough that has, over the years, provided for the needs of special needs children in an imaginative manner—which, as he said, he has supported. Although I do not want to put a time limit on it, I should like to accept his offer to visit St. Giles school—which he has offered to the House as an example of good practice. That is how we want to develop policy—by learning what works, seeing who has got it right and then letting the rest of the country know about it. I am sure that some of the changes taking place in Croydon with regard to early years provision and how to meet the special needs of certain youngsters will in time be the sort of good practice from which we can learn and which we can spread to the rest of the country.

Again, I congratulate the hon. Member for Croydon, South on keeping the needs of his constituents at the forefront of our mind. I also want the needs of this particular group of people to be met, and I very much hope that the hon. Gentleman's fears will be allayed in the near future.

Utilities (Foreign Ownership)

1 pm

Mr. John Cryer (Hornchurch): I must first thank Madam Speaker for selecting this debate. I also thank my hon. Friend the Minister for Science, Energy and Industry for being here to listen and respond to it. I am sure that my hon. Friend will expect me at some point to call for public ownership of the electricity utilities, and I will not disappoint him in that regard. I support public ownership and see it as the only answer in the long term to the problems in the utility companies.

American companies in particular have bought into the United Kingdom electricity market over the past three years. They now own about 60 per cent. of our electricity distribution and supply companies. The reasons why American companies want to move into Britain are clear. First, British companies represent cash mountains—the money can be siphoned off for use in other, sometimes fairly dubious activities, usually in north America. Secondly, the American firms are fairly fond of our pretty lax regulatory regime. Thirdly, they see Britain as a springboard to the European electricity market at some point in the future.

I should like to make it clear that I am not being a little Englander in criticising the activities of American energy companies, but to me it is as plain as a pikestaff that if the control and ownership of electricity utility companies is concentrated not in Britain but in institutions and individuals thousands of miles away in America, it will be that much more difficult to call those institutions and individuals and to account, to ensure that they act in the best interests of the people they employ and of those to whom they supply electricity.

The American ownership of UK companies that has been taking place over the past three years is merely the latest stage in a process that began in 1989 with the privatisation undertaken by the previous Government. The electricity industry was privatised at rock-bottom prices, and it is almost an exercise in showing how the idea of a sort of people's capitalism, which Baroness Thatcher, the former Prime Minister, evoked, has failed.

Seven million people bought shares in the electricity companies at knockdown prices. Today, only 2 million individuals own shares. The number is still falling and will probably continue to fall for the foreseeable future. Privatisation has not been a form of people's capitalism; in fact, it has meant huge job cuts, attacks on pay and conditions, such as sickness benefits, the greater outsourcing of work, with all that is attendant on that, and huge pay rises for the directors of the privatised companies.

The industry lost 66,000 jobs in nine years, which is about 45 per cent. of the work force. Eastern Electricity, which supplies my area and much of eastern England, has lost 3,000 jobs, while the pay bill for the directors has risen by something like £1.2 million or £1.3 million.

At the same time, the privatised companies have forced employees to bargain in ever smaller units rather than have national collective bargaining. Often the companies have refused to negotiate with full-time union officials, but negotiate directly with lay members to undermine the strength of the unions. That has meant that pay and conditions have been continually attacked through outsourcing. The inevitable consequence of outsourcing is that work goes to smaller companies that pay lower wages and offer inferior conditions.

The whole process has been and will be exacerbated by the arrival of the big companies with real market power. The Southern Company, for example, which bought SWEB, cut the work force and attacked sick pay entitlement. Incidentally, Southern has an absolutely appalling environmental record in the United States. The idea that our already weak regulatory regime will be able to protect our constituents against the ravages of big companies with market muscle is laughable at best.

Despite all the cuts, the regulator has reduced electricity prices to consumers in England and Wales by only 9 per cent. and in Scotland by only 7 per cent. Price cuts were going to be the one great advantage of privatisation. The idea was that the regulator would be able to reduce prices enormously. In fact, the reductions have been fairly insignificant, or peripheral to everything else that has happened.

At the same time, the regulator cannot even command the supply of electricity. The reality is that since privatisation, thousands of cash meters have been fitted in homes across the country. That means that the number of disconnections has dropped considerably—there are only a handful these days, whereas there used to be 100 or 200 a year. However, if someone cannot afford to feed the meter, he effectively cuts himself off. Therefore, there are still disconnections, although the figures belie that fact.

Eastern Electricity which, as I said, supplies my area, is currently the subject of what looks like a fairly vicious takeover battle between Pacificorp and Texas, two large United States firms. We are now in the absurd situation where jobs, security of supply and people's living standards in eastern England are subject to the whims of a takeover battle that is centred thousands of miles away among individuals and institutions that probably know absolutely nothing about eastern England, and still less about the people whom the company that they are looking to take over supplies or employs.

I have no doubt that both companies regard Eastern Electricity as the cash cow for their activities in north America. I note that Texas has been engaging in some fairly aggressive lobbying since it launched its takeover bid. It wrote to me asking whether I would like to meet the vice-chairman—I have to say that I am not particularly interested in doing so. I understand that it has written to other hon. Members, too.

Texas has a big problem with an old nuclear plant in north America, which it wants to decommission. That would be very expensive, and I am sure that the company intends to divert the cash from Eastern Electricity to America to pay for that decommissioning.

The new management of those companies talks continually about wanting "greater flexibility". The other great refrain is "human resources management". If ever a phrase was worthy of Joseph Goebbels, it is "human resources management". In fact, those phrases mean massive job cuts and the removal of any union or collective representation from the work force, so that the workers can be picked off and kicked when the time is right.

The British electricity industry is now effectively utterly at the mercy of market forces. I cannot see that position changing while we continue to allow the large

[Mr. John Cryer]

companies to dominate the industry. There is another problem on the horizon—the Organisation for Economic Co-operation and Development's multilateral agreement on investment, which means that companies will be able to sue Governments whose laws interfere with those companies' profits.

For example, if a company moved into Britain's electricity supply industry and wanted to burn orimulsion in one of its power stations—orimulsion is the dirtiest fuel on the planet—what would the Government do? The sensible thing, which I am sure that the Government would do, would be to tell the company that it was not allowed to burn it. However, under the OECD's MAI, the company could sue the Government because the prevention of the burning of orimulsion would potentially interfere with the company's profits. Such a case is currently under way in Canada under the North American Free Trade Agreement. The danger is that we are taking that very route.

To my mind, all those problems clearly establish the need for public ownership. The only way that we can make the electricity industry work on behalf of the public is for it to be publicly owned and publicly accountable. Clearly, that becomes increasingly difficult as more electricity companies are owned and run by organisations based in north America. Now is the time for us to move—we should think about taking the companies back into public ownership before the British electricity industry is entirely owned by companies based in north America.

People have often objected to public ownership on the basis of cost, but that argument does not hold water. When the power, coal, rail and steel industries were nationalised in the late 1940s, the Government paid for them in bonds, not cash. There was no huge outflow of money from the Treasury—the Government did not have it anyway—and the bonds were paid for year by year. We could repeat that and bring the electricity industry into some form of public ownership and public accountability, so that it could work for the public good in future generations.

1.10 pm

Dr. Ian Gibson (Norwich, North): I congratulate my hon. Friend the Member for Hornchurch (Mr. Cryer) on obtaining this Adjournment debate, and thank him for giving me the opportunity to add some brief points at what is an appropriate time for my constituents.

The key issue concerns the two American giants that are buying Energy Group plc, of which Eastern Electricity is a major component. Energy Group is valued at billions of pounds, despite the windfall levy, which we were told would cripple it. Far be it from me to suggest a further squeeze to the Chancellor, but the money might not come amiss and might help to alleviate some of the other problems that we face.

My interest stems from my constituents, who pay money loyally to Eastern Electricity. I, too, pay loyally, although I owe £43; if anyone from the company is present, I should say that the cheque is in the post.

I want to take up the issues that were expressed in early-day motion 710, such as whether the companies that are attempting the takeover have the relevant experience and competence. Massive profiteering is almost certain. I want consumer satisfaction to be met through the provision of cheaper electricity, not least to pensioners, of whom there are many in my constituency. I also want long-term investment to improve services; Eastern Electricity is to be congratulated on improving its services in Norwich, North after consulting me.

Safety and environmental issues are most important. I do not want nuclear power to act as a substitute for other sources in the attempt to ensure safe electricity production. How will the American companies meet the Government target of a 20 per cent. reduction in CO_2 emissions by 2010? Nuclear power is not an acceptable answer.

I hope that the Minister will say something about renewable components in the supply industry. Let us hear about energy efficiency, not share prices. Any Government worth their salt would take care of those factors before allowing such a takeover.

1.12 pm

The Minister for Science, Energy and Industry (Mr. John Battle): I thank my hon. Friend the Member for Hornchurch (Mr. Cryer) for securing a debate on these matters, and my hon. Friend the Member for Norwich, North (Dr. Gibson) for his remarks. Some of our debates on energy have not raised the wider questions, so I am grateful to my hon. Friends for the context in which they have set the debate. I appreciate the forthrightness and consistency of my hon. Friend the Member for Hornchurch in calling for renationalisation. I respect his position, but I say at the outset, as he perhaps expected, that I do not agree with it, as I shall explain.

The previous Government's privatisation programme massively changed the shape of the industry. There are now 63 licensed electricity suppliers, some of which were not traditionally involved in the industry, such as catalogue companies, supermarkets and banks. The shape has changed since the days of the Central Electricity Generating Board, for which my father worked. The industry has been broken into fragments: generation—the range of fuel sources—the distribution and grid system, and the regional electricity suppliers have been separated.

The change and dynamism in the sector have been far greater than was anticipated. Buying back and piecing together the industry would not be as easy as my hon. Friend the Member for Hornchurch suggests, and it is not one of the Government's priorities—it is not on our agenda. We want competition where possible, but regulation where necessary.

My hon. Friend referred to regulation of the industry, which I believe to be of vital significance not only to consumers but to the economy as a whole. Given the impact of the regulated utilities on our lives, work, homes, environment and public services, it is crucial that we ensure that the regulatory relationships are right.

We recognise, for example, that when a licensed utility, such as a regional electricity company, is acquired by another company, whether British or foreign, there may be vertical, horizontal or diagonal integration—water or gas companies buy electricity companies and regional electricity companies break away from the generators. Whatever the merger or takeover, it raises the key issue of regulation, on which we should focus. We want to ensure that any utility can be regulated after an acquisition as effectively as before. My hon. Friends are right to emphasise that consumers should not lose out.

In all mergers, all aspects of United Kingdom public interest, including safety, can be considered under the Fair Trading Act 1973. I want to move on and suggest that there is more for us to tackle. When the Government came to office, we said, on the basis of the preparatory work that we had carried out in opposition, that we were not happy with the regulation regime in place. We believed that the dynamism, the fragmentation and the maelstrom of change in energy markets meant that we had to get regulation right; we did not think that the current system was appropriate.

In opposition, we set up a consultative review of regulation, to determine whether we could get the shapes right to take us through into the brave new world of these changing markets. We said that, in government, we would review the system of utility regulation that we inherited, to set the new shapes that could provide a transparent and accountable regime for the industry in the 21st century.

Regulation used to be rather limited; it was focused on stimulating a market—I think that that was the expression—and introducing competition, and it existed mainly as price regulation. The classic economic definition was narrow; regulation mattered only in getting the price right. The price formula—retail prices index minus X—and driving prices down were emphasised.

We want new elements to come into play. I see regulation as a triangle. At the apex is an emphasis on prices—of course, prices are important; we want a reduction in prices rather than the profiteering that my hon. Friend the Member for Hornchurch mentioned. The triangle has two other corners, however: social obligation and environmental responsibilities. We have a three-pronged approach to regulation, as opposed to a narrow focus on prices.

My hon. Friend mentioned disconnection and pre-payment meters. He was right to say that we did not have to wait for a review of utility regulation to tackle the question of pre-payment meters. In opposition, I shouted from the rooftops about the fact that people were disconnecting themselves because of pre-payment meters, which was why the real toll that they took was not known. People were dying from hypothermia because they did not have fuel to heat their homes in the winter; if they did not have money to put on the cash card, they could not clock up the meter and had to go without energy.

What are we doing now? Now that we are in government, we have already challenged the pre-payment meters and the fact that people who use them effectively subsidise those with direct debit accounts at the top end of the scale. That was a classic case of the poor subsidising the rich, rather than the other way round. We have asked the regulator to move in and ensure that that injustice is not perpetuated.

Social obligations form one corner of the triangle. Another is environmental responsibility. It means that we must match our targets for carbon dioxide emissions, as well as ensuring that the wider responsibilities to which my hon. Friend referred—in connection with safety as well as with the environment—are built into regulation.

That is precisely why we set up the utility regulation review announced last year by my right hon. Friend the President of the Board of Trade. The review is aimed at ensuring open, predictable regulation that is fair to everybody, promotes environmental objectives and sustainable development, and ensures that there are investment incentives.

Why are investment incentives important? I must tell my hon. Friend that they mean, for example, ensuring that companies have the people working for them and invest in keeping the system going. As he may know, there was a debate in January in which some of our hon. Friends asked about wires that had come down in the Norweb area, in Wales and elsewhere, over Christmas.

The question asked was: had those companies stripped and outsourced to such an extent that there were not enough people—that is, enough engineers—to keep the power lines up? The whole purpose of the system is that companies can be regulated under the price formula only if they invest and employ the right-sized work force for the job that needs to be done.

After the review of regulation, we shall produce a consultation document setting out our proposals, which I hope will appear in the near future. It will set out and sharpen our approach to regulation, and set it on a footing that will take us into the future.

Seven of the 12 regional electricity companies in England and Wales are now owned by American companies. That is the right figure for the present, but the Energy Group, which owns Eastern, is the subject of a takeover bid by a United States company. It is important to remind ourselves that it would not be the first time that Eastern has been acquired, because it was previously taken over by the Hanson group.

That merger was considered and cleared under the Fair Trading Act 1973 by the previous Administration, at which time the regulator made several modifications to the conditions of the licence to ring-fence Eastern's regulated electricity activities from the rest of the group.

The ring-fencing is important, because the changes were made to ensure that Eastern would continue to have access to adequate financial and management resources to fulfil its obligations as a public electricity supplier and to maintain standards and the quality of supply. Actions by the parent company that could have prevented that were prohibited. The ring-fencing was set up precisely to ensure that companies could not whisk the money straight across to America without falling under regulation. Otherwise, even price regulation could have been undermined.

The key, of course, is to ensure that regional electricity companies remain within the reach of the regulator. That is why we are examining the structure of the regulatory regime, to ensure that we can insist that that happens. At the time of the bid by Hanson, Eastern was required to trade at arm's length from other group companies, and if the licence conditions are breached, the Director General of Electricity Supply has statutory powers to take enforcement action. In the last resort, the licence could be revoked.

As my hon. Friend said, the key is to ensure that the companies remain within the reach of the regulator and abide by our structure and our arrangements covering price, social obligation and environmental responsibilities.

As for recent bids, in the short time available, I cannot go through the whole history of the bids for Eastern. I know that hon. Members are concerned that electricity companies must have particular duties and responsibilities that follow through from their role in ensuring secure supplies of electricity. Of course, that factor must be considered in any decision about mergers that the President of the Board of Trade has to take in connection with regional electricity company takeover bids.

[Mr. John Battle]

The director general has proposed that should Pacificorp's bid for the Energy Group proceed to acquisition, he will further strengthen the ring-fencing conditions by inserting additional safeguards against cross-default provisions. As hon. Members may be aware, the director general has published a consultation paper suggesting further modifications to the licences of the public electricity suppliers that have already been subject to takeovers. There is a proposal to require other public electricity suppliers in every case to seek and maintain investment-grade credit ratings, and to prohibit cross-default provisions in any borrowing agreement.

The paper also mentions ensuring that the investment plans are there, and that the people are working in the company to carry the work and the investment forward. That means checking actual investment against the plans and measuring the quality of the service that regional electricity companies provide for their customers. The director general would be able to revoke the licence if the requirements were not met.

Pacificorp has made a bid. I understand that a statement of interest by Nomura, which my hon. Friend raised in early-day motion 710, with my hon. Friend the Member for Norwich, North, has now been withdrawn, and it is uncertain whether the American Texas Utilities is still interested. But it is clear from the press speculation that Pacificorp is still interested, and the question now is whether the shareholders will accept, so I cannot comment.

What we need to be sure of is that if a deal takes place, the assurances agreed between Pacificorp and the regulator on the licence conditions proposed are accepted and respected. The Monopolies and Mergers Commission had several important concerns about the merger originally proposed, but concluded that the licence conditions meant that the proposed merger would not operate against the public interest. None the less, it said that it wanted to stiffen the licence conditions to take that possibility on board.

Among other possible bids is one for the Energy Group by Texas. The company has announced that it is in talks with the Energy Group that may lead to a bid. Were there to be a bid that fell to be considered under the Fair Trading Act, it would have to be treated on its merits in the usual way. I am sure that my hon. Friend understands that I am not in a position to comment in detail on whether such a bid would be approved. The President of the Board of Trade would decide, in the light of the advice received from the Director General of Fair Trading and of the views of the electricity regulator, whether it should be referred to the MMC.

In formulating that advice, the regulator will take account of any representations received from parties to the merger or from any other third party. That is an important point. It is not only companies that can put in evidence; it is open to any third party to give evidence and say why it does not believe the deal to be in the public interest. That opportunity should be taken more often.

Nomura suggested at one time that it would be interested in a bid, but it seems that it has now stated publicly that it is no longer in talks. I hope that my hon. Friend will understand that it would be inappropriate for me to comment specifically on any particular bid.

As for the multilateral agreement on investment, to which my hon. Friend referred, there was a debate earlier this week, on 23 February, in which the Minister for Small Firms, Trade and Industry spoke at length about it and spelt out the fact that it does not prevent sensible regulation of the environment. Decisions on whether to allow orimulsion or any other fuel to be used would not be affected by that agreement.

I must remind my hon. Friend that it was the present Administration who, when we came to office and were faced with the possibility of an orimulsion plant—in Pembroke, I believe—insisted on a public inquiry before the project could go ahead. I understand that as a result of that decision, the company pulled out of the proposal. So there is no orimulsion plant in Britain now, and I do not know of any current bid for one. Questions were asked at the time and we took the relevant action.

The MAI is not yet settled and there is still work to be done, but we shall press hard for an unambiguous reaffirmation in the agreement of commitments to sustainable development and to core labour standards; for close association of the MAI with the OECD guidelines for multinational enterprises, which are collective recommendations by all the OECD Governments to multinationals on good corporate behaviour; and for strong and binding provisions on not waiving environmental or labour standards to attract particular investments, which is one of the matters on which we shall take a strong line in negotiations. It was our Government who proposed the review of the MAI and its environmental policy, and we shall continue to press on those matters.

The debate has given us a welcome opportunity to hear my hon. Friend's views—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order.

Security Service Files

1.30 pm

Dr. Julian Lewis (New Forest, East): I am grateful for the opportunity to discuss this subject in the House. I am especially grateful to see the Home Secretary preparing to answer personally on this topic, which is increasingly close to his heart. I have written to the Labour Members in this House and to those in another place whom I propose to mention if time allows, and I am gratified to see that that is one way in which to ensure that the House is not too poorly attended for my oration.

I suggest that we take a trip back in our imaginations to 1945. Let us imagine that the outcome of the 1945 general election had been different and that, as widely expected, the Conservatives had won. Let us imagine that, shortly after that victory, one of their fairly senior figures—a Minister with perhaps not the most spotless reputation—had announced that he was determined that the Security Service, MI5, should destroy all the files on fellow-travellers with Oswald Mosley and the British Union of Fascists. There would have been an outcry—and rightly so—because it is not right for future historians to be denied the opportunity to see what the records say about what people in public life did before—and, I would contend, after—the war, in collusion with or in support of totalitarian, fascist or communist regimes.

How does that relate to today's debate? The answer is, quite simply, that on 22 September 1997, *The Guardian* published a story about the Minister without Portfolio, headed:

"Mandelson wants MI5 files pulped".

The article began:

"Peter Mandelson, Minister without Portfolio, yesterday called on MI5 to destroy all files on 'subversives' created during the cold war after receiving an apology from the head of the Security Service over the leaking of details from his own file."

It continued with Mr. Mandelson saying:

"'I was not a subversive or a threat to national security—I was a teenager holding ordinary leftwing views'.

He said MI5 should find the resources to 'weed out and destroy' such files, collected during the cold war, 'which are now entirely redundant'."

I was interested in his explanation of his period in the Young Communist League, because it had already been challenged in *The Daily Telegraph* of 27 August 1997. That article said:

"Mr. Mandelson conceded that, 'disgusted' with the Labour Government's support for the Vietnam war, he had briefly been a member of the Young Communist League in the early 1970s.

'It is true that, for a very short period between three and six months, I was a member of the Young Communist League.'

But former political associates of Mr. Mandelson who knew him at the time said he and some friends had actually set up a branch of the Young Communist League after falling out with the Young Socialists.

They also poured scorn on his reason for leaving the Labour Party, pointing out that Harold Wilson's support for the Vietnam war had come in the 1960s and that, by the early 1970s, the party was no longer in power."

I first raised this matter at the tail end of a speech in the defence debate on 28 October, when I pointed out that it smacked of George Orwell's "Nineteen Eighty-Four" in that the past was being airbrushed. It will be remembered that Orwell's Big Brother state used the slogan:

"Who controls the past controls the future: who controls the present controls the past."

I began once again to think that power had gone to Labour Ministers' heads. I therefore wrote to Stephen Lander, Director General of the Security Service, on 16 October—shortly before the defence debate—saying:

"I intend to raise this matter in the House of Commons as soon as Parliament returns later this month. So far as I can see, there is no question of inaccuracy in any of the information that was held on Mr. Mandelson's political activities as a member of the Young Communist League in the early 1970s. It is therefore quite deplorable and unacceptable that he should have made his reported demands.

I should be much obliged if you will take the trouble to reassure me that there is no intention on the part of your service to destroy files containing accurate information about Communists and their allies who were active in this country at the height of the Cold War—particularly at the behest of one of these formerly misguided individuals."

The Home Secretary replied on behalf of Mr. Lander in a letter dated 28 October—the same date as the defence debate, but received afterwards. He wrote:

"The policy of the Security Service is to retain only those records which it needs to carry out its statutory functions, or which are of historical importance. Files held by the Service are therefore reviewed against those criteria periodically as resources permit. There is no question of consigning whole categories of files for destruction without proper review."

Mr. Alan Clark (Kensington and Chelsea): The key question is the judgment of what is "of historical importance". The problem is that, almost invariably, that judgment is made by civil servants—although, laughably, Ministers may occasionally try to get something taken out to protect their political reputation. For a historian, the really obstructive thing is when civil servants, to defend their reputation as administrators or having made colossal errors of judgment, weed out or repress things that will reflect badly on them.

Dr. Lewis: My right hon. Friend is an extremely distinguished historian; I am a far less distinguished former military historian and it is precisely from the historian's point of view that I am approaching this matter.

The Home Secretary's letter to me finished:

"On the other hand, given the need to ensure that files are not retained unnecessarily the Service will not retain files which do not seem to merit retention on any of the grounds I have mentioned."

On 30 October 1997, 20 Members of Parliament tabled early-day motion 377, which

"notes the recent admission by the Minister without Portfolio, that he was active in the Young Communist League when MI5 opened a file on him in the early 1970s; regards as unacceptable his excuse that this amounted to the holding of ordinary left-wing views; deplores his reported demand that MI5 files on Cold War subversives should be destroyed; and urges the Director-General of the Security Service to resist partisan and self-serving political pressure from the Minister without Portfolio."

Mr. Dennis Skinner (Bolsover): As the hon. Gentleman is one of the Opposition's conspiracy theorists, would it not be a good idea to tell us the full story? He is well versed in this matter. He was a spy in Newham Labour party; he was

[Mr. Dennis Skinner]

a fellow-traveller; he infiltrated deliberately to try to expose people in the Labour party; and then the Labour Member of Parliament, Reginald Prentice, crossed the Floor of the House and joined the Tory party. To be honest, the hon. Gentleman should tell us the full unvarnished truth about his own activities.

Dr. Lewis: The hon. Gentleman makes my point for me. If I have my way, my MI5 file—if one exists—will be there so that people can see whether or not what he says is true. That is the irony. Twenty years after my engaging in controversial political activities, my political opponents see fit to bring them up, but, less than that time after controversial political activities in which they engaged, they want to airbrush the record and destroy the evidence of what they did. I thank the hon. Gentleman for supporting my case.

I wrote on 4 November to the Home Secretary to say:

"I quite agree with the criteria set out in your letter. It is certainly of historical interest for future historians to know the extent to which people in British public life co-operated with, or espoused the cause of totalitarian, fascist or communist ideologies before or after the Second World War."

I asked the Home Secretary to be more specific about the assurances he was giving me and, on 8 December, he replied. He said:

"Files which are destroyed are those which are either no longer required by the Service to carry out its statutory functions or are judged not to be of historical importance or both. There can therefore be no danger of the indiscriminate destruction of files by the Security Service."

As an innocent and virginal Back Bencher, I was taken in by this. On 10 December, I wrote to the Home Secretary and said:

"I am grateful for your further letter about the danger of Cold War files being indiscriminately destroyed. I regard your response to my concern as being entirely satisfactory and I thank you for writing back in such a straightforward way."

As far as I was concerned, that was the end of the matter—poor fool that I am.

On 11 January, the front page of *The Sunday Times* said:

"MI5 orders end to spying on political activists."

The report said:

"The security service MI5 is to announce an end to spying on activists, radicals and insurgents. In a decisive break with its cold war past, it will destroy tens of thousands of files naming anti-nuclear campaigners, trade unionists and others whose organisations were once considered a threat to national security."

The Guardian, on 12 January, said:

"MI5 is speeding up the destruction of thousands of files on individuals it once considered subversive as part of an attempt to modernise".

Evidently, it is now the people's Security Service.

On 15 January, I tabled 12 written questions to ask about the criteria that would be adopted in retaining or disposing of files. Some of the questions were technical and some even went back to criteria used in 1945. I was extremely impressed by the fact that, within five days, I had my answers—although not quite all of my questions were answered. Ten were answered within five days, but a week went by and then another week, and I still received no answers to my remaining two questions.

In the short amount of time I have available—I wish to allow the hon. Member for Lewes (Mr. Baker) to intervene—I shall refer to the two questions. I fear that I shall disappoint Labour Members whom I warned I might be naming, as I will not have time to do so. [HON. MEMBERS: "Shame!"] I will be happy to do so after the debate. The two missing questions were these—one would not have thought that it would take three weeks to answer them. The first was:

"To ask the Secretary of State for the Home Department how many representations he has received in favour of the destruction of Security Service files from (a) Labour hon. Members, (b) Labour peers, (c) Ministers, (d) trade union officers and (e) journalists."

The second question was even easier.

"To ask the Secretary of State for the Home Department, what representations he has received from the Minister without Portfolio for his MI5 file to be destroyed; and if it is to be destroyed."

One would have thought that these were easy questions to answer. However, it took almost three weeks before the Home Secretary came up with a reply—after I had telephoned his office to remind him I was still waiting. He said:

"If I receive any representations from individuals about the possible existence of Security Service files, my practice is to explain the approach of the Security Service to destroying files. It is not my practice to give information about any representations from hon. Members or Ministers or from the other sources listed any more than it would be for me to disclose whether the Service holds or has held files on any individuals."—[*Official Report*, 3 February 1998; Vol. 305, c. *589*.]

I would have thought that, if that were the Home Secretary's position, he could have told me so straight away.

I conclude with three questions. Does the Home Secretary accept that it is of legitimate interest to future historians to know which public figures in politics, trade unionism, business or the media consorted with fascists or communists before or after the second world war? Does he accept that it is important that, if files were improperly held, they should be kept so that the Security Service can be called to account in the future? Above all, does he accept that it is especially important for a Labour Government not to preside over the destruction of files that are likely to show some of their Ministers, hon. Members or supporters in a discreditable light?

1.43 pm

Mr. Norman Baker (Lewes): I shall be brief, and I am grateful to the hon. Member for New Forest, East (Dr. Lewis) and to the Home Secretary for allowing me to intervene. This is a serious matter which I approach from a freedom of information point of view. MI5 is important and necessary, but I would suggest to the Home Secretary that a number of steps could be taken, in line with the Government's commitment to freedom of information, which would enable the matter to be progressed in a manner consistent with Government policy.

First, we do not know whether there is a file on the Home Secretary himself—an allegation that has been made. In a written answer on 4 December, he said:

"I have not asked to see, nor have I seen, any file which the Security Service may hold on me."—[*Official Report*, 4 December 1997; Vol. 302, c. *297*.]

In response to a later question, he indicated that there were circumstances in which MI5 was permitted to determine that files were not suitable for ministerial eyes—although

the Home Secretary is responsible for MI5. There is a democratic deficit there. It is up to Parliament to ensure that procedures are put in place to ensure that MI5 is properly accountable.

There are a number of points that the Home Secretary could usefully pursue which will not endanger national security in any way, but which are consistent with the Government's approach to freedom of information. First, why are non-security matters dealt with by MI5 not subject to the Data Protection Act 1988—particularly matters in support of the police? Why is MI5 excluded from freedom of information legislation, when the test of substantial harm could be applied to its activities in the same way as it is applied to anything else? That may well mean that most of what is dealt with by MI5 does not come out, but some might—instead, we have a proposed blanket exemption. Why are the budgets for MI5, MI6 and GCHQ—the Government communications headquarters—shown not separately, but as one figure in the vote?

Why is the number of individuals on whom files are held not published? The Home Secretary has said that he is looking at that matter, and that no security problem is involved in publishing the number of files held on individuals. Why are telephone tap warrants not given out one per line, so we have an understanding of the number of telephone lines being tapped? At the moment, one warrant can cover an organisation such as the Campaign for Nuclear Disarmament, which may involve hundreds of people.

What steps have been taken to improve parliamentary scrutiny of MI5 and the security services? At the moment, insufficient information comes to Members of Parliament, and it is in the interests of the Government and the country that MI5 should be accountable and should be seen to be accountable. That will give more confidence in the Security Service than at present exists.

1.47 pm

The Secretary of State for the Home Department (Mr. Jack Straw): The debate presents the House with a useful opportunity to discuss aspects of the accountability of the Security Service, and of myself as Home Secretary for that service.

Security Service investigations usually involve the painstaking collection of information about suspects—whether individuals or organisations—whom the service has reason to believe might present a threat to national security. The information must be recorded carefully and systematically if it is to be of any use in investigations. Consequently, the management of records is bound to be a natural consequence of the service's work.

Since 1989, the Security Service has operated under powers granted by Parliament contained in the Security Service Act. The service's practice of collecting information about people is not one that Parliament has treated lightly. The director general is under a statutory obligation to ensure that the service collects only information that it needs for the purposes laid down in the Security Service Acts of 1989 and 1996—to protect national security; to safeguard the economic well-being of the UK against threats posed from abroad; and, since 1996, to act in support of the law enforcement agencies in the prevention and detection of serious crime.

The hon. Member for Lewes (Mr. Baker) refers to our commitment to freedom of information and to our commitment to greater openness. I am grateful to him for doing so, because we are indeed committed to that. That is reflected in the publication of the freedom of information White Paper, and will be reflected in the publication of the freedom of information Bill.

The hon. Member for Lewes asked me why the freedom of information Act will exclude the operation of the intelligence agencies. We all recognise, as have successive Administrations, that it is not possible to be open about everything. If we removed the ability of the Security Service to operate in secrecy, we would fatally undermine its capacity to defeat terrorists and spies, who themselves exploit the cover of secrecy. However, as I have told the hon. Gentleman, I believe that we should be prepared to be open about the things that we can reveal without harming the service's capabilities. The service shares that view, and in recent years a great deal of information that would previously have been kept secret has been revealed.

Early on, the hon. Member for Lewes asked me what was the oldest file still kept secret in the Home Office relating to the activities of the Security Service or its predecessors. It turned out that it was a file that dated from 1874. I had that file seriously examined and I agreed that it should be placed in the Public Record Office, following representations. I am grateful to him for that.

However, interestingly, I agreed that, as the file related to the Irish Secret Service, pre-dating the current Security Service, the names of the informants, which were on the file, should be kept secret. Although it is now well over 120 years since the events to which the file relates, given the folk memory in Northern Ireland, if those files were made available, some living individuals could be placed at risk. I am grateful to the hon. Member for Lewes for recognising that.

I believe, as does the service, that the idea of making more information available is right, and I commend the previous Prime Minister and my predecessors as Home Secretary for doing so following the 1989 Act. I am examining, therefore, whether and to what extent it is possible to give details of the number and categories of files held by the Security Service. That answers another question raised by the hon. Member for Lewes. I hope to be able to make an announcement on that subject before the summer recess.

I shall make some general points about the Security Service's file holdings as a whole—

Sir Raymond Whitney (Wycombe): Answer the question.

Mr. Straw: I am answering the question directly. The way in which the service manages its files is described in some detail in the Security Service commissioner's annual report for 1991. The commissioner observed that the procedure for opening a file was strictly controlled. Once a file is open, it is subject to a regime known as "traffic lighting". The reason for that description becomes apparent when I explain that all permanent files are initially given a "green" coding. While a file keeps its green coding, inquiries may be made about the subject of the file.

At the end of the green period, the coding changes to "amber". During the amber period, inquiries about the subject are prohibited, but any relevant information that the service receives about the subject may be added to the file. At the end of the designated amber period, the file is

[Mr. Straw]

coded "red". During that period, the service may neither carry out inquiries into the subject nor add substantive information to the file.

Finally, after a period of red coding, the file is microfilmed, the hard copy is destroyed and the entry for the file in the service's central index is transferred from the live index to the research index. Access to the research index is limited, and I understand that it is seldom consulted. For example, it is not consulted in vetting checks.

It will be apparent from what I have said that only a proportion of the service's files are current, in the sense that inquiries may be made about the subject of the files. A substantial proportion of the files are closed. Inevitably, over the years, especially during the long, 40-year period of the cold war, many files were opened and, later, closed. It is worth repeating that no inquiries may be made on the service's closed files unless new intelligence justifies reopening the relevant files within the criteria that I described earlier.

I shall say a few words about one target of the Security Service investigations, which featured in some of the closed files and which was mentioned by the hon. Member for New Forest, East (Dr. Lewis)—those involved in subversion. One of the Security Service's statutory functions is to protect national security from actions intended to overthrow or undermine democracy by political, industrial or violent means. That is what we mean by subversion today, and it is what we have always meant by it.

It happens that our parliamentary democracy is not currently threatened by the activities of subversive groups, but that was not always the case, and it was especially not the case during the cold war. It was concern about subversive activities which led the then Prime Minister, Clement Attlee, to announce the introduction of new vetting processes, designed to deny members of those groups access to sensitive information. That policy was endorsed by all subsequent Governments, and was most recently set out by the then Prime Minister, in a statement in December 1994.

The threat from subversion declined rapidly following the collapse of Soviet communism, and so did the service's work against that threat. The limited resources that the service currently devotes to its counter-subversion function are now focused on monitoring the position, so that it will be able to respond, should the threat resurface.

I shall deal with the central issue raised by the hon. Member for New Forest, East—the policy on the destruction of Security Service files. The Security Service has no wish to retain piles of records that no longer serve any useful purpose. On the contrary, it is the service's policy to keep only those records that it needs to keep, either to carry out its functions or to comply with its statutory obligations. Those include the obligation, which I accept fully, to retain records that are likely to be of historical interest.

As the hon. Member for New Forest, East mentioned, I set out in detail the criteria for keeping records that are regarded as of historical interest in a written answer that I gave him on 20 January 1998. Each file is examined individually and then considered on its merits as a whole as a file, but no collective decision is taken about categories of files.

The examination includes asking whether the file relates to a major investigation; whether questions were raised concerning important subversive figures, terrorists and spies; whether the file concerns individuals involved in important historical events or causes celebres in a security context; whether the file contains original papers of historical interest; whether the file documents major changes of Security Service policy, organisation and procedures; and whether the file is in some way a period piece, illustrating clearly Security Service attitudes or techniques of the time, and milestones in the service's history.

In 1992, following the end of the cold war, the service launched a review of its file holdings, and started to destroy documents that were no longer relevant to its requirements and did not need to be retained for statutory or historical reasons. As individual judgments are made about each file, the process is resource-intensive and has had to compete with the service's other pressing priorities, such as its work against terrorism. More recently, the work has been accelerated, and I hope to be able to inform Parliament before the summer recess of the progress that has been made.

It has to be for the professional judgment of the service itself to decide which files it can safely destroy and which must be retained for operational, statutory or historical reasons. I make it absolutely clear that the service does not, and will not, take decisions about which files to retain or destroy on the basis of representations from outside the service. It would be wrong to do so in respect of private individuals; it would be even more wrong to do so at the behest of hon. Members or, in particular, of Ministers.

Parliament deliberately inserted into the Security Service Act 1989 the safeguard that the service must take no action to further the interests of any political party. Therefore, I make it clear to the hon. Member for New Forest, East that there can be no question of the service retaining or destroying any of its records with a view to securing a party political advantage for any party or any individual, including the Government of the day.

I pay tribute to the men and women of the Security Service, who spend their lives working to protect the citizens of this country from the type of threat that emerged, for example, last year, during the trials of two ruthless terrorist gangs. That work by Security Service staff, whom I have been privileged, in my time as Home Secretary, to meet and get to know, goes on, by and large, out of the public eye. Every one of us has reason to be grateful for what they do on our behalf.

I shall continue to seek opportunities to shed a little more light on the work of the service, but I shall also continue to draw a clear distinction between information that may be disclosed and that which must be withheld in the interests of the effectiveness of the service. We would be failing in our duty to the public if we forced the service to operate—ineffectively—in the full glare of publicity.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

PRIVATE BUSINESS

Tyne Tunnels Bill

Read the Third time, and passed.

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

Bosnia-Herzegovina

1. **Dr. Naysmith:** What assistance her Department is providing to Bosnia–Herzegovina; and what plans she has to visit that country. [29610]

The Secretary of State for International Development (Clare Short): My Department has provided more than £400 million of humanitarian and reconstruction assistance to Bosnia-Herzegovina since 1992. I visited Bosnia from 1 to 4 February to review progress.

Our priority now is to strengthen Mr. Dodik's new Government in Republika Srpska, given his public support for the Dayton agreement, and to support and encourage refugee return. I am pleased to announce today additional funding of £1 million immediately in budgetary support for the new Government in Republika Srpska and £1.1 million for refugee return and reconciliation work with the stabilisation force and other partners.

Dr. Naysmith: I thank my right hon. Friend for that reply. Does she agree that the election of the new Government is really good news, particularly with regard to the possible return of refugees and the effect that that may have on implementing the Dayton agreement?

Clare Short: I agree completely with my hon. Friend: this is a massive opportunity to make significant progress in Bosnia. The new Government in Republika Srpska support the Dayton agreement and want to encourage refugee return. If the international community can reinforce that agreement, if people in Republika Srpska can feel the benefits that will flow from the involvement of the World bank, the European Union and Britain, and if the Government do well in the September elections, there is a chance of real progress in returning refugees. We must seize that opportunity.

Mr. Faber: I welcome the right hon. Lady's announcement that further funds will be made available for Bosnia. Bosnia is one of many east European and central Asian countries that currently receive funding from the European Union under the PHARE and TACIS democracy programmes. Can the right hon. Lady confirm that the Commission is currently conducting an internal review of those programmes, the focus of which is to remove funding from the majority of countries that need it most, such as Bosnia, and to reallocate it almost exclusively to the first wave of applicant countries for EU membership—supposedly to assist their accession to the European Union? Is that not a blatant attempt at empire building by the Commission at the expense of the more deserving developing democracies, such as Bosnia? Will the right hon. Lady do everything she can to fight any such misuse of aid during Britain's presidency of the EU?

Clare Short: I agree that the European Union has had difficulty disbursing its funds in the past. The process has been terribly slow and the programmes have not been as effective as they should. There is now a differentiation between the programmes that will help the accession countries and those that will assist the remaining transition countries. I think that that distinction is sensible because the tasks are different. The task of helping the more advanced countries to adjust to the rules of the European Union is different from helping the less advanced countries, which face terrible problems with poverty and high crime levels and are still only half way to building market economies and democracies. We must differentiate our efforts, but we need to ensure that both European programmes operate more effectively and do not ignore either need.

Development Assistance

2. **Mr. Baldry:** If she will make a statement on the role of non-governmental organisations in the delivery of development assistance. [29611]

Clare Short: We have strong links with British NGOs which, as the hon. Gentleman knows, are involved in a wide range of tasks supporting development. We also have strong links with community groups and other NGOs in developing countries. We intend to launch a formal consultation on how those relationships can be updated to complement the strategy outlined in the Government's White Paper.

Mr. Baldry: Everyone will welcome NGOs' being more involved in the development of Government policy. Does the right hon. Lady agree that when one considers Britain's contribution to development overseas, it is not just a matter of how much we give by way of gross domestic product; into that account should be put the enormous work and effort of the UK NGOs, which make a considerable contribution to promoting development overseas? For example, the British Red Cross, which yesterday received a new charter direct from the Queen, has done work in northern Turkey with the Kurds and in Angola. Every day, thousands of UK volunteers are working in various parts of the world. Their contribution should never be forgotten when we are considering the contribution that Britain as a whole makes to trying to ensure a fairer world.

Clare Short: I agree with the hon. Gentleman. It matters what we put in as a Government—how effectively we disburse our assistance—but the massive contribution of NGOs shows where the heart and the concerns of the British people lie. There is a long track record of engagement with and concern for people overseas, of support for development and in humanitarian disaster relief. We can be proud of the contribution of our NGOs and we should give them all honour and praise for the work that they have done over the years.

Mr. Dalyell: The House will recollect that at the end of his statement on Iraq yesterday, the Prime Minister referred to the role of NGOs. How does my right hon. Friend see NGOs bringing much-needed help to the people of Iraq, as opposed to the regime?

Clare Short: I have been talking with officials in my Department about how we can make a stronger

contribution to bringing relief to the people of Iraq. The whole world is concerned at their suffering. We know that much of it is the responsibility of Saddam Hussein, but none the less we all feel for their suffering. My Department tells me that the number of NGOs working in Baghdad-ruled Iraq is limited; our capacity to disburse more funds is therefore limited, as there are relatively few people there. I can give my hon. Friend the assurance that we will do everything we can to increase our bilateral assistance to all parts of Iraq and to ensure that, when the oil-for-food swap is increased, we shall do all we can to ensure that relief in the form of food and drugs gets through to the people.

Sir Alastair Goodlad: Further to the point raised by the hon. Member for Linlithgow (Mr. Dalyell) and the Prime Minister's statement, can the right hon. Lady say which NGOs are involved with British citizens and what advice has been given to them in respect of their personal safety in Iraq?

Clare Short: I am sorry; I shall have to write to the right hon. Gentleman. That is foolish, because I was discussing with my officials that very matter and what more we can do, but I cannot authoritatively recall the names of the organisations. I do not believe that there are currently any worries about security, especially after Kofi Annan's great success in getting the Saddam Hussein regime to back down on inspections. I shall look into the question that the right hon. Gentleman raises and write to him.

Development Programmes

3. **Mr. MacShane:** What recent contacts she has had with the Trades Union Congress about the role of trade unions in development programmes. [29612]

Clare Short: One of my priorities is to secure respect for the International Labour Organisation's core labour standards throughout the world. That is key to ensuring that the fruits of globalisation are fairly distributed, otherwise capital moves around the world chasing cheaper and cheaper labour. My Department is in frequent contact with the TUC to help to achieve that. We are working together on plans for a conference on trade unions, development and human rights, which I hope will generate widespread interest among union members.

Mr. MacShane: I am grateful for that answer. My right hon. Friend has answered my supplementary, so with your permission, Madam Speaker, I shall sit down.

Madam Speaker: Very sensible, too.

Mr. Garnier: Sadly, the right hon. Lady's reply did not answer my question. Can she be more precise? We listened with interest to her answer, but can she give us a little more detail and set out with greater clarity what she meant?

Clare Short: I am always happy to speak at greater length. The hon. and learned Gentleman will know that more and more major British companies are interested in working with my Department, with NGOs and with the trade union movement to get agreement on codes of conduct for sourcing produce overseas in order to satisfy the pressures from the ethical consumer movements that are growing and strengthening across society. One of the agreements involving people of good will, including employers, trade unionists and NGOs, is that respect for core labour standards—basically, the right of labour to organise, to protect health and safety and not to accept environmental degradation—is one of the fundamental principles of ethical sourcing. We agree with that. We support the work of the International Labour Organisation and we are working with various companies that agree with the principle. I agree with those who hope that there will be a human rights clause in the World Trade Organisation, which would mean basic rights for people worldwide and that capital will not be driven into seeking ever cheaper labour, with all the instability and the race to the bottom on environmental standards that that can entail.

Land Mines

4. **Mr. David Marshall:** What assistance her Department is providing to reduce the number of active land mines throughout the world; and if she will make a statement. [29613]

10. **Mr. Jim Murphy:** If she will make a statement on progress on land mine clearance programmes. [29619]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): We were all delighted when my right hon. Friend the Secretary of State for International Development signed the Ottawa convention on behalf of the United Kingdom Government. We are doubling our expenditure on de-mining and we are working for greater international co-operation and building up more local capability in order to speed up de-mining worldwide.

Mr. Marshall: My hon. Friend is well aware that the Inter-Parliamentary Union was the first international forum to debate anti-personnel land mines and that it continues to give this issue high priority. What specific plans do the Government have to speed up the clearance of land mines and to help the tragic victims of these horrific weapons?

Mr. Foulkes: I was glad to be present as a delegate when the IPU discussed these matters. I heard my hon. Friend's eloquent speech. I can assure him that we are giving substantial support through the Red Cross, the World Health Organisation and NGOs for victim support, as well as through our bilateral country programmes.

As for speeding up the clearance of land mines, as president of the European Council we are working for much greater co-ordination of our activities. We are having discussions with the Americans and the Japanese. We are also playing a leading role in developing new techniques for mine clearance.

Mr. Murphy: Is my hon. Friend able to confirm that the policy that the Government inherited would have left the world with land mines planted in it for more than 1,000 years? That is what would have happened if the clearance operation had not been speeded up.

Mozambique recently recovered from civil war but found itself much diminished in resources for education and health. What structures and plans do we have to ensure that the dangerous litter of land mines in Mozambique is cleared?

Mr. Foulkes: My hon. Friend is absolutely right. There are land mines in Afghanistan, Angola, Bosnia, Cambodia—Egypt has mines from the second world war—the Falkland Islands, northern Iraq, Laos, Libya and, as my hon. Friend mentioned, Mozambique. There is a huge task to be undertaken. We need to do more, and we will do more in co-operation with other countries to try to remove this scourge, which affects women and children particularly, as quickly as possible.

Mr. Fabricant: I hope that the Minister will pay tribute to the previous Government, who helped to set up the Ottawa convention. Is the hon. Gentleman aware that there are possibly more than 100,000 unexploded land mines in Cambodia and other parts of south-east Asia? Will he tell the House what measures the British Government are taking in that region?

Mr. Foulkes: I can assure the House that we are active in Cambodia. We are supporting the mines advisory group and other groups working in Cambodia.

The initiative for the Ottawa convention came from the Canadians—from their Foreign Minister, Lloyd Axworthy. My right hon. Friend and her Cabinet colleagues, with others, rightly took up the initiative. I was pleased that it was my right hon. Friend, on behalf of the Government, who signed the convention.

Mr. Home Robertson: As my hon. Friend knows, I have done a bit of NGO work in Bosnia. The presence of mines is a genuine worry, especially for people with young families. What progress is being made on de-mining in Bosnia? What co-operation are our authorities receiving from the former warring factions on information about the whereabouts of mines?

Mr. Foulkes: I pay tribute to the work that my hon. Friend has done. I think that he has driven twice to Bosnia with humanitarian assistance, showing graphically how individuals are contributing to the effort there. I can assure him that we are working with the Japanese Government and our own Ministry of Defence. We are doing everything possible by mapping the position of mines and then de-mining as quickly as possible. I am grateful for his comments.

Multilateral Agreement on Investment

5. **Ms Drown:** What measures she is taking to ensure that the needs and views of poorer developing countries are taken into account during the drafting of the multilateral agreement on investment. [29614]

Clare Short: My Department is working closely with the Department of Trade and Industry, which leads on the multilateral agreement on investment. We are determined to ensure that the agreement does not damage the interests of the poorest countries and are pressing hard for strong and binding provision prohibiting any lowering of environmental or labour standards in order to attract investment.

Ms Drown: I thank my right hon. Friend for that reply and congratulate the Government on the work that they are doing to ensure that environmental and labour standards are protected. Does she agree that a key element of development programmes is that a Government should be able to control and filter inward investment and that a developing country should be able to protect its domestic industries just as Britain should be able to protect hers?

Clare Short: With respect, I do not agree with my hon. Friend. Most developing countries, especially the least developed countries, need to attract more inward investment. It is not a question of protecting their own investment, which is limited; they desperately want to attract responsible, beneficial inward investment. The multilateral agreement on investment is meant to cover Organisation for Economic Co-operation and Development countries. It is not meant to apply to developing countries. We are concerned to get accession terms that protect their interests should they seek to join and to get a model that will influence the World Trade Organisation's proposed agreement on investment—a model that will cover all countries. The least developed countries desperately need more, not less, inward investment if they are to develop and achieve sustained economic growth.

Mr. David Heath: I am grateful to the Secretary of State for her comments. Does she agree that we are in the latter stages of the negotiations and many people are still not convinced that there will be no adverse effect on developing countries and environmental standards, and that there are binding responsibilities on multinationals, as opposed simply to rights? Will she give a clear assurance that the Government will not sign the agreement—certainly not in April, which was the original target—until they are assured on all those issues?

Clare Short: The hon. Gentleman knows that there is no chance of that now. The American Administration have made it clear—*[Interruption.]* May I answer the hon. Gentleman's question? The American Administration have made it clear that there will not be a signature by April, so OECD Ministers have to decide whether to extend the time. The British Government have made it absolutely clear that we will not support the agreement unless there are binding provisions on labour and environmental standards. That is our position, and it is the position of many countries. Some of the campaigns about the agreement are misinformed. A regulated system that makes inward investment more secure and draws it in is in the interests of developing countries. There are possible benefits for the whole world in preventing country after country from competing with one other to attract inward investment by lowering environmental and labour standards. Those are now the top issues for the agreement and it will go through only if it secures what is beneficial.

Mr. Dafis: Is not the danger, though, that developing countries will be prepared to take that investment because they desperately need it, even though the conditions that the MAI negotiated between the OECD countries are not

appropriate for them? Is not the whole process in difficulty because of the large number of exemptions that are being negotiated by some countries to protect their local economies? Is not it best to have a proper postponement—about a year—which is what the NGOs, through the World Development Movement, are asking for, so that we can have an acceptable process of developing agreements on investments and trade?

Madam Speaker: I said only a few days ago that hon. Members should ask only one question. There were about three there and a lot of comment.

Clare Short: The World Development Movement's campaign on the agreement is misinformed. It is essential to obtain binding agreements on labour standards and the environment and accession agreements that can protect the proper development interests of developing countries. The British Government are committed to those things and, if we obtain them, they will be wholly beneficial. The suggestion that it is Armageddon now is just wrong.

Mr. Alan Simpson: Is Britain pressing for the inclusion of a clause in the MAI which guarantees the right of developing nations still to impose domestic reinvestment obligations on multinational companies developing in their areas?

Clare Short: As I have already said, the agreement is meant to apply to OECD countries; it is not designed for developing countries. The principle in it is that inward investment should not be treated any worse than domestic investment, and that investment that has come in should not be taken over without proper compensation, for example. We are adding the labour and environmental clauses. I assure my hon. Friend that we are determined to protect environmental interests, labour conditions and the interests of developing countries, and I am confident that without that there will be no agreement.

Education Programmes

6. **Mr. St. Aubyn:** If she will make a statement on the role of non-governmental organisations in delivering education programmes. [29615]

Mr. Foulkes: The delivery of universal basic education, which is one of our major priorities, is primarily the responsibility of Governments. However, we welcome the involvement of NGOs in the education sector. They have an important role to play in empowering local people to demand quality provision. They are also particularly effective in the education of excluded children, such as child workers, and in adult literacy programmes.

Mr. St. Aubyn: Is the Minister aware that the Project Trust, a successful NGO which, during 30 years, has sent 4,000 school leavers on projects teaching overseas, recently expressed concern that the work of such bodies might be hampered by the increasing cost of a university education for students who might not be able to afford to offer this volunteer work during their gap year?

Mr. Foulkes: We do not fund the Project Trust, but we recognise that it is a worthwhile, character-building organisation. I understand that the hon. Gentleman went on one of its volunteer programmes, so he eloquently demonstrates what a success it is.

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): Oh no he does not.

Mr. Foulkes: I must agree with my hon. Friend since it is his birthday today, on which I congratulate him.

We support voluntary service organisations such as International Voluntary Service and the Voluntary Service Overseas that send volunteers overseas. I was disappointed to see in *The Observer* on Sunday that there seems to be a downturn in the number of people volunteering to go overseas. We are now considering what can be done to encourage more people to volunteer to help in developing countries.

Mr. Campbell-Savours: My hon. Friend might recall that Labour's policy document on overseas development, "A World of Difference", argued that development studies should be introduced, by one means or another, to the national curriculum. What developments in secondary education has my hon. Friend to report?

Mr. Foulkes: The development awareness working group has been set up. Everyone who was invited by my right hon. Friend the Secretary of State to serve on it has agreed to do so. The first meeting will be on 31 March. I look forward to chairing it and hearing all the recommendations, which I hope will take forward what was included in that report and in our manifesto.

Mr. Ian Bruce: I am sure that the hon. Gentleman knows that many NGOs that work with street children are particularly involved in their education. Will his Department make it easier for British-based NGOs to bid for project funding from his Department to increase the effectiveness of that excellent work?

Mr. Foulkes: I recognise the hon. Gentleman's particular interest in this area and assure him that NGOs, particularly those working and based in developing countries, can apply through our country programmes for assistance. We will give them sympathetic consideration. *[Interruption.]*

Madam Speaker: The House will come to order. It is too noisy and we can hardly hear each other.

Sudan

7. **Mr. Hanson:** What discussions she is undertaking with aid agencies regarding refugees in Sudan. [29616]

Clare Short: We are in frequent contact with UN agencies and our partners from non-governmental organisations working with internally displaced Sudanese and refugees in Sudan. Since April 1994, we have provided about £4.8 million bilaterally to support their work. We were the fourth largest donor of bilateral emergency assistance in 1997.

Mr. Hanson: Will my right hon. Friend pay tribute to the many people in my constituency and elsewhere who

are now busily raising money for the aid agencies to spend in Sudan to help alleviate the distress of those refugees? Will she ensure that, as well as providing such excellent aid—she mentioned £4.8 million—she works with the Foreign Office to ensure a political solution by bringing the warring parties back to the table so that refugees can find their way back to their own homes?

Clare Short: I pay tribute to the generous people who collect money for and care about the suffering of the Sudanese people. I agree with my hon. Friend: the real answer for the people of Sudan is a political settlement and an end to the civil war that has resulted in so many refugees and internally displaced people. The destruction of the Sudanese economy is a tragedy for Sudan and that part of Africa. We must do all in our power to support a political settlement.

Caribbean

8. **Mr. McAllion:** What steps she is taking to promote development in the Caribbean. [29617]

Mr. Foulkes: Caribbean countries have been making great strides in recent years. Our White Paper distinguishes between the needs of the poorest countries, which require resource transfers to develop basic services, and middle-income countries—such as those in the Caribbean—which need access to technical assistance and know-how. We have had two consultations on this matter with Caribbean high commissioners and I had a useful and positive discussion with Caribbean Governments at the recent UK-Caribbean forum in Nassau in the Bahamas.

Mr. McAllion: Cuba is the most important island in the Caribbean—*[Interruption.]*

Madam Speaker: Order. We can hardly hear the hon. Gentleman who is on his feet. I have already asked the House to come to order and it must now do so.

Mr. McAllion: I was saying that Cuba is the most important island in the Caribbean and I know of my hon. Friend's great interest in Cuba. Does he agree that the best way that Britain can help the embattled people of Cuba in their struggle against the illegal aggression of the United States of America is through constructive engagement by forming closer political ties and building better trading links with Cuba? To that end, will he undertake to become the first Minister to visit Cuba since the Labour Government were returned to power in 1997?

Mr. Foulkes: I would certainly like that opportunity at some time. We already support Cuba through the Department's small projects scheme and through our contribution to the European Community's humanitarian programme. We have been encouraging the Commonwealth Development Corporation to develop an investment programme in Cuba. I have met the Cuban ambassador and visiting Ministers from Cuba and discussed with colleagues in other Departments how we can further our co-operation with Cuba.

Sir Peter Tapsell: Does the Minister agree that, while new forms of development are urgently needed in many of the English-speaking islands in the Caribbean, any benefits that that development will bring will be overshadowed if the European Union, responding to pressure from Germany, is permitted to destroy the export of their agricultural products, particularly bananas and sugar?

Mr. Foulkes: I was hoping that the hon. Gentleman would raise the issue of bananas and I was not disappointed. I assure him that we are doing everything we can to protect the interests of the Caribbean banana producers. I pay particular tribute to my right hon. Friend the Minister of Agriculture, Fisheries and Food, who went to St. Lucia to see for himself the banana producers' problems. When he then went to the Agriculture Council he was able to speak with first-hand knowledge. Like other Ministers, he has been fighting hard to protect banana producers' interests.

Endangered Species

9. **Mr. Baker:** What steps she is taking to ensure endangered species are not adversely affected by her Department's policies. [29618]

Clare Short: The White Paper emphasises the central place of the environment in our efforts to eliminate poverty and promote sustainable development. We are clear that the best way forward is to assist poor people to find sustainable livelihoods so that they can improve their lives and sustain natural resources. Every bilateral Department for International Development programme is subject to an environmental screening to ensure that it does not adversely affect endangered species, or the environment as a whole.

Mr. Baker: I agree with the Secretary of State, but may I draw to her attention the fact that there were 80,000 tigers in the world in 1900? Now there are fewer than 5,000, 3,000 of which are in India. Her Department could play a major role in ensuring the tiger's survival. Will she ensure that the global tiger forum is formally convened, and will she also investigate the detrimental impact of the joint forestry management programme with the Karnataka forest department in the western Ghats?

Clare Short: We all want to make sure that the tiger survives, but I remind the hon. Gentleman that my Department exists to work towards eliminating poverty, not just to protect endangered species. Our view is that, if the poor can live in a way that is good for them and sustains their natural environment, that is the way to look after the planet and its people.

The hon. Gentleman referred to forestry. We are working in many areas to give poor people who live near forests some sort of ownership of the future of those forests. That, and technical support, will allow them to sustain their own forests: we will protect the planet and the animals that live in the forest.

Montserrat

11. **Mrs. May:** When she plans to visit Montserrat to discuss aid to that country. [29620]

Clare Short: I have no plans to visit Montserrat. The hon. Lady may know that the Foreign and

Commonwealth Office has lead responsibility for the dependent territories and for co-ordinating the work of all Departments that assist Montserrat and the evacuees. I am therefore very pleased that my right hon. Friend the Foreign Secretary was able to visit Montserrat recently.

Mrs. May: Does the Secretary of State accept that her decision not to visit Montserrat could be seen by the islanders as a snub? Does she further accept that the Government have lessons to learn from their handling of the issue of Montserrat, not least whether the Department or the Foreign Office is leading? Will she commission a full, frank and impartial report on the lessons that the Government have to learn from their handling of the problems in Montserrat?

Clare Short: No, I do not accept that for a minute. In fact, a junior Foreign and Commonwealth Office Minister and my own junior Minister have visited Montserrat three times between them. The Foreign Secretary has also visited Montserrat, whereas the Foreign Secretary in the previous Government did not. There are 2,800 people left living in Montserrat. My Department has spent £55 million on this complex emergency. We have responsibilities to poor and needy people all over the world. We have done much to improve the efficiency of the administration of Montserrat: we inherited from the previous Administration an inefficient system with many layers of decision making, but we have put much of that right.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1.[29640] **Mr. Evans:** If he will list his official engagements for Wednesday 25 February.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. Later today, I shall have further such meetings.

Mr. Evans: Before Sunday's march of 250,000 people through London, will the Prime Minister come to Longridge in the Ribble Valley tomorrow night? I shall be lighting a beacon, one of thousands which will unite the whole United Kingdom and send a clear message on behalf of those who live in and love the countryside. They are fed up and have had enough of the Government's relentless attacks on them. They see their way of life being ruined and, with farming in crisis, the countryside is at risk. Will the Prime Minister tell country people how long and how loudly they need to shout before he will listen to them and give them the help that they need?

The Prime Minister: There is no campaign of greater hypocrisy than the countryside campaign launched by the Conservative party. When the hon. Gentleman lights his beacon tomorrow night, perhaps he will tell people that there are 30,000 more hectares of green belt under this Government. The farming industry is receiving £85 million more of help than under the last Conservative Government. The problems of farmers are immense, but their main problem is the BSE crisis created by the Conservative Government.

Mrs. Butler: Does my right hon. Friend agree that a House of Lords with more than 750 hereditary peers is indefensible in a modern democracy? Does he look forward to the support of all the other parties for the short sharp Bill to end those peers' voting rights?

The Prime Minister: I certainly look forward to the support of the Leader of the Opposition and the Conservative party for reform of the House of Lords. It is not entirely clear what is happening on the other side of the House, but Labour Members consider it quite wrong that hereditary peers should end up deciding the laws of the land.

Mr. Hague: When the Prime Minister cut lone parent benefit in December—we supported him—did he do so to save money, or because he believed in the principle that the benefits system should not discriminate against married couples?

The Prime Minister: We did not believe that the system should discriminate against married couples, but we believed that putting in extra money to help lone parents to get off benefit and into work—some £300 million more than the Conservatives put in—was the right way in which to spend the public's money.

Mr. Hague: After fighting so hard to bring about that cut in December, why did the Government let it be known this morning that they intend to more than compensate lone parents with hundreds of millions of pounds of extra benefit? Why is the Prime Minister now backsliding on his vow—the vow on which he has staked so much—to reduce welfare spending and tackle welfare dependency?

The Prime Minister: The short answer is that we are not backsliding, and that those stories are wrong.

Mr. Hague: It is no good the Prime Minister telling us not to believe what we read in the press, because we have come to learn that we are far more likely to read Government announcements in the press than to hear them on the Floor of the House of Commons. It is just like last week: we all know a U-turn when we see one.

Is it not the case that, faced with Back-Bench rebels and a grass-roots revolt at Labour party roadshows where people have thrown eggs at the Chancellor of the Exchequer, the right hon. Gentleman's Government have begun to lose their nerve? When the Green Paper is finally published next month, will it at least contain clear targets for the reduction in welfare spending that he has long promised?

The Prime Minister: I am afraid that the right hon. Gentleman formulated that question before he heard my answer, in which I said that the story was wrong. There is no U-turn; there will be no change in the regulations governing lone parent benefit. As for talking about U-turns, I think that, after his constitutional speech yesterday, the right hon. Gentleman is rather unwise to do so.

Mr. Hague: My speech laid out a clear set of principles—a concept unknown to the Prime Minister.

Let him answer my actual question: will the Green Paper, when it is published, contain clear targets for the reduction in welfare spending that he has long promised?

The Prime Minister: I am afraid that the right hon. Gentleman will have to wait for the Green Paper on welfare, but the Government are already carrying out substantial welfare reform—not least in the welfare-to-work programme, a £3.5 billion programme to get our young people off benefit and into work. That programme has been opposed by the right hon. Gentleman and the Conservative party, although it has been welcomed by business and young people throughout Britain.

Mr. Hague: The Prime Minister says that we will have to wait for the Green Paper. We have been waiting a very long time for the Green Paper, which the right hon. Gentleman said would be published around the turn of the year. We do not know around the turn of which year he meant.

The Prime Minister has promised the country that he will reduce welfare spending. Today, on the lunchtime news that he always watches, his Back-Bench rebels have welcomed the news of his U-turn. The right hon. Gentleman knows that he can have the Opposition's support on this issue; so, on this issue, why does he not stop trying to govern the Labour party, and start governing the country?

The Prime Minister: That would have been a great finale if it had not been for my original answer, which was that there had been no U-turn. I am very sorry, but the only party that is serious about welfare reform is this party. The Conservative party had 18 years in which to reform welfare; instead, it left us with a situation in which poverty is up, more children are living in poverty, more pensioners are living in poverty and there are more workless households—yet spending is up. That is a record of failure that we will turn into success.

Ms Jenny Jones: Is my right hon. Friend aware that two thirds of pensioners on income support are women who therefore live out their old age in poverty? As the previous Government did nothing to tackle that problem, can my right hon. Friend assure me that the Government's pension review will give a high priority to the needs of women?

The Prime Minister: We are particularly looking at how we help low-income families and pensioners on low incomes. My hon. Friend will know that, by cutting VAT on fuel, as we promised we would do, and did, and by the additional help this year and next with pensioners' heating bills—£50 for pensioner households on income support and £20 for pensioner households that are not—we are already making sure that we put the priorities of low-income pensioners first.

Mr. Beith: Although it is understandable that the Prime Minister will give a sharp response to the party that has been in charge of the countryside for the past 18 years, during which the problems have built up, does he recognise that the anxieties are serious and deep? Half the villages now have no schools; three quarters of them have no daily bus service; and services such as the health service and those for the elderly are threatened by cuts which started under the previous Government but which he has continued against the background of a crisis in the countryside's basic industry.

The Prime Minister: Let me first say where I agree very much with the right hon. Gentleman. In relation to the countryside, issues such as health, schools, crime and transport are every bit as important to people in the countryside as many of the things that the Conservative party continually raises. Since coming to power, we have put substantial additional resources via the new deal, the release of capital receipts and extra money for schools into rural areas. It will take time to turn around the mess that we inherited from the Conservative Government. In particular, we need to make sure that we hold firm to tight public spending to get rid of the big structural budget deficit which we inherited on 1 May.

Mr. Beith: Why does it always seem to be the rural areas to which the message is delivered that the cuts must be impacted on them? When it comes to the signal that the Government give to people in rural areas, how is it that the powers of the Rural Development Commission were given to the regional development agencies and the Government set up a social exclusion unit and said that it would deal only with urban problems? Many country people now feel very excluded.

The Prime Minister: That is simply wrong. We do not say that rural areas should be discriminated against. Indeed, that is why I say that the additional money on national health, in relation to schools and in respect of the new deal is going to rural areas as well as inner-city areas. It is essential for us to make sure that we do not lose the tight grip on public finances that is at the heart of removing the threat of boom and bust that we had so many times under the Conservatives, and to make sure that we have prudent, stable economic management for the long term. When we get the public finances sorted out, we can give to rural areas and others the help that they desperately need.

Mr. David Taylor: Is the Prime Minister aware that a warm welcome will be given to today's consultation paper on wider access to the open countryside, especially in areas such as North-West Leicestershire, where so much is closed to us? In view of our disappointing experience over the decades in establishing voluntary agreements, would he care to comment on the need to establish a statutory right of access?

The Prime Minister: We have made it clear that, if voluntary means fail, we are prepared to legislate. It is also right that, if we can, by voluntary means, establish greater access to the countryside, we can obviously have that access far more quickly and far more easily. There is no intention whatever—this again has been subject to some misconstruction—to have people roaming through land that is cultivated or developed. The vast bulk of affected land is open countryside such as moorland to which people would like greater access. If it can be done by voluntary access, so much the better: if it cannot, we stand ready to legislate.

Q2.[29641] **Mr. Wilkinson:** Has the Prime Minister had time to read today's letters in *The Times*, particularly one five-paragraph letter from a justice of the peace, Mr. Wilding, who complains about financial constraints and reductions in qualified staff and courthouses, and another, a rather more dignified and discursive 16-paragraph letter from a learned and noble art connoisseur—the Lord Chancellor—about his state apartments? Which letter does the Prime Minister think that the British public believe better addresses the problems confronting the British legal system?

The Prime Minister: That was not a very wise intervention. The House of Lords Committee that approved the matter that the hon. Gentleman mentions included Conservative peers, who fully supported it.

Q3.[29642] **Mr. MacShane:** Has my right hon. Friend seen the remarkable survey by Income Data Services of many small and big business firms which shows that they are adjusting their wages to ensure that they will not be paying below a national minimum wage? Does he agree that the survey shows, first, that the business community is joining the Government in their drive to eliminate the low pay rates inherited from the previous Government, and, secondly, how out of touch the Conservative party is as it continues to defend poverty pay for the poorest of the land—which no business man is willing to support?

The Prime Minister: My hon. Friend is right: the survey is very interesting, and shows that companies are already trying to deal with the low pay of specific parts of their work force. The evidence is that companies are doing so without any ratcheting up of differentials—which was always the criticism made of a minimum wage. I believe that there is no future for Britain as a sweatshop economy, and that a minimum wage is part of any decent, civilised society. I note that the Conservative party has still not told us whether it would reverse the minimum wage legislation that we have introduced. Perhaps, at some point, Conservative Members will tell us.

Q4.[29643] **Mr. Bercow:** The Prime Minister will recall saying:

"I never try to tell people what to do for their own children."

Does he therefore agree that, if parents vote to keep the Royal Latin grammar school, in Buckingham, their children should be able to receive a grammar school education without further disruption or uncertainty for the duration of their careers at that school?

The Prime Minister: I do not know about the particular circumstances of the hon. Gentleman's school, although I should be perfectly happy to write to him about it. The rules that will apply to that school are the rules that will apply to any school. The rules have been clearly stated in the Government's proposals.

Q5.[29644] **Mr. Pike:** My right hon. Friend will know that many people are worrying about the benefits review. Will he take this opportunity to assure them that they are worrying unnecessarily, and that the Government's main objective in the benefits review is to tackle the failures of the current system and to ensure that we have a better and fairer system?

The Prime Minister: Yes, that is absolutely right. As I made it clear to disabled groups when I met them, we want to ensure that those who are disabled are given the help that they obviously need. The reason for reform is perfectly simple: as I said a moment ago, spending is up, but poverty is also up. There is a consensus in the country that the welfare system is not working. We have now to proceed to the principles of reform, which will be stated in the Green Paper which will be published shortly. We shall then move to the detailed proposals, each of which will be subject to proper discussion and debate. I think that that is the way to proceed with reform.

Sir Teddy Taylor: Is the Prime Minister aware of the problems facing Back Benchers, probably mostly Labour, in coping with representations from groups of people—such as the university students who are outside the House today, the disabled and trade unions representing national savings—who claim categorically that they were shamefully misled during the general election and have since been sold down the river? Although we fully appreciate that there can sometimes be misunderstandings and that people sometimes do not read the small print, would it not strengthen our democracy if an independent body were established—perhaps by extending the powers of the ombudsman—to look into allegations of electoral fraud? Does the Prime Minister not appreciate that—irrespective of who is the Government—if we do not something about it, our democracy will be undermined?

The Prime Minister: First, on student finance, since we said specifically, as, indeed, did the Conservatives, that we would abide by the outcome of the Dearing committee report, I think that it is the richest possible hypocrisy for the Conservative party, having supported those proposals, now to denounce them.

As for electoral fraud, a judgment will be made at the general election. A judgment was made at the last election on the party that the hon. Gentleman supported, and that judgment was pretty resounding.

Q6.[29645] **Mr. Mullin:** Has my right hon. Friend noticed that all opinion polls show that the overwhelming majority of country dwellers are opposed to hunting with hounds? Has he also noticed that there is a considerable overlap between the so-called countryside alliance and the bloodsports wing of the Conservative party? Is he aware that many of those who will be attending next Sunday's demonstration will be there not by free will but because they are employed by landowners and fear for their tied cottages and tenancies? Will he bear those points in mind when considering what weight to give to representations made to him by this so-called countryside alliance?

The Prime Minister: Unlike the Conservative party, I certainly believe that love of fox hunting is not the same as love of the countryside.

Q7.[29646] **Mr. Brady:** Does the Prime Minister recall the pre-election pledge that he gave to my

constituents that the future of their grammar schools would be decided by local parents? Will he take this opportunity to explain to my constituents why he is breaking that promise by allowing people living outside Altrincham and Sale to vote on the future of our schools?

The Prime Minister: Again, I am not aware of the situation to which the hon. Gentleman refers, but we have not broken any such promise in relation to that situation or any other.

Q8.[29647] **Ms Keeble:** Is the Prime Minister aware that most working families in my constituency live on just below average earnings? Is he also aware that the East Midlands legal services committee recently estimated that some 9,000 people in Northampton have serious debt problems? Will he set out the Government's strategy for providing support for working families so that people in my constituency can look forward to a financial future that is more secure than the time they had under the Tories?

The Prime Minister: We want to ensure that we provide greater help and support for working families. Of course, that is one of the issues that my right hon. Friend the Chancellor will address in the Budget. In addition, one of the greatest causes of family poverty throughout the country is the absence of work in households where there should be work. That is precisely why the welfare-to-work programme is so important. It will for the first time give hundreds of thousands of people the chance to get decent skills, a decent education or a job with a private sector employer and allow them to bring a wage into a household that is at present dependent on benefits. I am sure that that is the single best way in which we can tackle poverty in this country.

Q9.[29648] **Mr. Hayes:** Is the Prime Minister currently, or has he ever been, personally associated with an offshore trust?

The Prime Minister: No.

Q10.[29649] **Kate Hoey:** Does the Prime Minister realise that, among the hundreds of thousands of people at the countryside march on Sunday, there will be many thousands from urban and inner-city areas who care passionately about the countryside? Does he agree that the Deputy Prime Minister's statement this week was greatly welcomed across the country by people who want to see the end of the divide between country and town? Does he share my view that, in view of the hugely divisive nature of hunting, perhaps now is the time to set up some form of independent inquiry—a kind of royal commission—to examine the issues dispassionately and without emotion, while recognising that there are hugely different views on either side of the argument and that people feel very strongly about it?

The Prime Minister: We do not have plans to establish such an inquiry, although of course the debate will go on and people will make their points and raise the issues that are relevant to it. In relation to the countryside and the points that my hon. Friend raises, it is important to point out that the Deputy Prime Minister's announcement means that the amount of brown-field building and green-belt land will increase. In relation to the real problems that are felt in the countryside, by farmers in particular, again, additional support is being given.

I hope that my hon. Friend would agree that it is unfortunate not only if townspeople are ever ignorant of what is happening in the countryside, but if people who live in the countryside—I speak as someone with a countryside constituency—believe that all townspeople are either ignorant of or dislike the countryside. That is not the case, and attempts to divide town and country are wrong and misguided.

Government Policies (Lichfield)

Q11.[29650] **Mr. Fabricant:** What assessment he has made of the effects of the Government's policies on the people of Lichfield.

The Prime Minister: In relation to the hon. Gentleman's constituency, I would say, for example, that unemployment has fallen since the general election; that the South Staffordshire health authority is receiving a real-terms increase of £4.3 million for next year, with £1.7 million this winter; and, of course, that the poorest pensioners have been helped with their heating bills. All three things will be of enormous benefit to people in his constituency—and I am happy to give him more particulars.

Mr. Fabricant: I am grateful to the Prime Minister for that helpful answer; I am sure that the whole House will welcome the unemployment rate of 2.8 per cent. Does he accept that some businesses in my area feel that they are at risk and, more important, that the 2.8 per cent. unemployment rate in Lichfield is at risk? There have been five interest rate rises, and the pound has a high value, which means that businesses are facing great difficulties in exporting. More worryingly, the Organisation for Economic Co-operation and Development has reported that the economy—of the whole nation, let alone Lichfield—could go into recession at the end of this year as a consequence. What heart can the right hon. Gentleman give the people of Lichfield, and those from other parts of the country, who voted Labour?

The Prime Minister: I will say exactly what I would tell the hon. Gentleman on the interest rate rises and the management of the economy. As I said earlier, we inherited two significant problems on 1 May in relation to economic management. First, inflation was back in the system, as the Conservative Government had refused to raise interest rates despite being advised to do so. Secondly, there was a large structural budget deficit.

We know what happened when we did not tackle those problems at the end of the 1980s: two years on, we ended up with boom and bust under the Conservatives, 15 per cent. interest rates for a year or more and the largest borrowing requirement that the country has ever known. It is precisely to avoid the dangers of that boom and bust that we have ensured that we have sorted out the public finances and put monetary policy on a sound footing for the long term.

I say to the businesses in Lichfield and elsewhere, and to people in the country, that those measures are tough and difficult, but they are right for the country's long-term future. We shall not shrink from making the long-term decisions necessary to build British economic strength.

Ministerial Visit

Q12.[29651] **Sir Robert Smith:** When he will next visit the north-east of Scotland.

The Prime Minister: I am afraid that I have no immediate plans to visit the hon. Gentleman's constituency.

Sir Robert Smith: I am obviously sorry that the Prime Minister cannot see the delights of the north-east of Scotland, but I hope that he can tell me the Government's view of the importance of the oil industry to the economy of this country and the north-east of Scotland in particular. Will he send a message to the many small and medium businesses that contract to the industry and are building a very important export market that he wants the industry to thrive and grow, and that they should have the confidence to invest and expand?

The Prime Minister: I certainly want the industry to thrive and grow. The hon. Gentleman will remember that the last Labour Government started the oil industry and put it on its feet. Of course we want both the jobs and the benefits which investment in that industry brings.

Engagements

Q13.[29652] **Mr. Syms:** Will the Prime Minister now rule out, perhaps by a leak to *The Guardian*, cutting or taxing disability living allowance?

The Prime Minister: We have made it clear that a review is under way. When the results of that review are published, we will make them available to the House.

Liz Blackman: Can my right hon. Friend confirm the fact that the Government have excellent relations with our European partners, including Germany? Will he join me in roundly condemning the offensive remarks made a few days ago by a Conservative Member?

The Prime Minister: We do have excellent relations with our European partners—*[Interruption.]* I am sorry that that is a cause for criticism by the Conservative party. I am delighted to see the Leader of the Opposition sitting next to the shadow Secretary of State for Trade and Industry. I know that the shadow Secretary of State made the criticism that Chancellor Kohl should not be given the freedom of the City of London; perhaps it is time the Leader of the Opposition gave the shadow Secretary of State the freedom of the Conservative Back Benches.

Q14.[29653] **Mr. Whittingdale:** Has the right hon. Gentleman had time to study the petition delivered to 10 Downing street, signed by 7,914 of my constituents and calling for the maternity unit at St. Peter's hospital in Maldon to be kept open? Is he aware that the closure of maternity units in rural areas such as Maldon, Braintree, Clacton and Harwich flies in the face of the Government's policy set out in "Changing Childbirth"? Will he intervene to stop such closures, which will deny choice to thousands of mothers?

The Prime Minister: As the hon. Gentleman well knows, the reason for the present tight financial constraints is that we inherited them from the previous Government. What is more, we are putting in an extra £1.5 billion into the national health service. If the hon. Gentleman is going back and telling his constituents that, under a Conservative Government, things would be different, he is simply not telling them the truth—but then what would be new in that for the Tory party?

Mr. Derek Foster: Will my right hon. Friend the Prime Minister join me in congratulating the world-class management and work force of Black and Decker in Spennymoor, which have secured an extra 350 jobs, although the original plan was for total closure of the plant, losing 1,200 jobs? Does he agree that the northern work force has a great deal to gain from lifelong learning strategies, and will he ensure that the Government give as much priority to lifelong learning as to the schools agenda?

The Prime Minister: I am delighted with the news about Black and Decker. I know that my right hon. Friend has worked hard to play his part in helping that investment to come there. Of course, Black and Decker used to be in my constituency.

What my right hon. Friend says about lifelong learning is absolutely correct. As part of the education and skills revolution which we need in this country, we must encourage adults to upgrade their skills and learn new skills throughout their working lives. The imaginative proposals announced today by my right hon. Friend the Secretary of State for Education and Employment, plus additional money to help people get the skills that they require, especially in new technology, will play a big part in boosting jobs and ensuring that Britain is on its way to achieving our aim, our vision, which is to have the best educated, best skilled work force in the western world.

Right to Roam (Consultation Document)

3.32 pm

Mr. Tim Yeo (South Suffolk) (*by private notice*): To ask the Secretary of State for the Environment, Transport and the Regions in what circumstances a copy of a consultation document on the right to roam became available to the Ramblers Association before it was available to Members of Parliament, to whom else the document became available, and if he will make a statement.

The Minister for the Environment (Mr. Michael Meacher): The House will be aware that we have published today our consultation document, "Access to the Open Countryside in England and Wales". I held meetings with four national organisations yesterday to outline the Government's thinking in broad terms. In view of the complexity and detail of the issues, I allowed each organisation to have a copy of the document to examine overnight. I emphasised that it was for personal use only and that the contents were not to be disclosed to anybody else.

The organisations concerned were the Country Landowners Association, the Moorland Association, the National Farmers Union and the Ramblers Association, all of which have been involved in extensive discussion with my Department on this issue.

I completely understand the hon. Gentleman's concern that non-governmental organisations should have had copies of the document before it was available to the House. I have discussed this matter with my right hon. Friend the Deputy Prime Minister and apologised to him. *[Interruption.]*

Madam Speaker: Order. I will have hon. Members keep quiet when an important statement of this nature is being made to the House. I am sorry, Mr. Meacher.

Mr. Meacher: My right hon. Friend the Deputy Prime Minister made it clear that he regarded what has happened as unacceptable, and I share that view. He accepted my wish to make a full and unreserved apology to the House, and that I now do.

Mr. Yeo: I welcome the fact that the Minister has made an unreserved apology, and I was interested to hear his explanation of the circumstances. The facts are these: a policy document was in preparation for months; the timing of its release was entirely under his control; and he chose to give it to four outside organisations a full day before it was available to Parliament—presumably in order to try to buy off criticism in advance.

Does the Minister accept that he should have made a statement about the policy here in the House, so that hon. Members, including those who, like myself, are opposed to his policy, could question him on it? Does he agree that this is further proof of how power has gone to the heads of Ministers? From the Prime Minister—who, characteristically, has not waited in the Chamber to hear this exchange—downwards, Ministers refuse to answer questions in the House, they decline to debate issues in the House, and they refuse even to meet hon. Members to discuss issues of concern to our constituents.

Spin doctors and soundbites may be what the Government depend on, but parliamentary debate is what democracy depends on. Parliamentary traditions have been centuries in the making. Men and women have given their lives for them, yet they are now being consigned to the gutter by the Labour Government. Does the Minister understand that his behaviour is an insult not only to the House of Commons, but to every one of the men and women who elected us?

Mr. Meacher *rose—*

Hon. Members: Resign.

Madam Speaker: Order. We need order in the House for these exchanges.

Mr. Meacher: I have already made it clear that I apologise to the House, and I have to say that, in that rant, the hon. Gentleman has completely overreached himself. The fact is that it is not a policy document; it is a consultation document. In addition, I have already answered a written parliamentary question today.

I should also point out that the previous Government routinely made major policy statements without any recourse to Parliament. One example was the basic pensions-plus document just before the election. It was leaked to the press overnight and published on 5 March at a Government press conference in Downing street, and Ministers refused to make a statement in the Commons. If there is a desire on the part of the House to have a further debate on this document, we shall be pleased to do so.

Mr. Robin Corbett (Birmingham, Erdington): May I congratulate my right hon. Friend the Minister on doing the honourable thing and coming directly to the House to make his apology? Will he simply confirm that it has long been the practice of Governments to release not only consultation documents, but policy documents on an embargoed basis to interested organisations and the press—including that lot opposite, when they were in government?

Mr. Meacher: I have made my position clear on that. It is certainly the case that the previous Government on many occasions did exactly what my hon. Friend has said. If I am to be condemned, the hon. Member for South Suffolk (Mr. Yeo) and other persons on the Opposition Front Bench should also apologise to the House.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Given, as the Minister said in his statement, that it was perfectly proper that the request for the private notice question should have been made and then granted by you, Madam Speaker, does he acknowledge that most of us will probably think of the common-sense advice our parents tend to give us when we are growing up—that there are occasions when one should apologise, but there are also occasions when one should, with grace, accept an apology? This afternoon is a good example of that.

Going back to a question by the hon. Member for Vauxhall (Kate Hoey) during Prime Minister's questions, could not this issue and other countryside concerns be addressed by a royal commission, which would enable all

[Mr. Charles Kennedy]

the groups to make their input more openly? It would certainly enable the House to consider and reflect on any legislation which may come forward in due course. It would also give the parliamentary Conservative party the chance to make a more considered response to the document than it managed this afternoon.

Mr. Meacher: I am most grateful for the hon. Gentleman's opening remarks, with which I fully agree. The whole point of a consultation period is that there should be open and genuine consultation of all the relevant parties. I expect the Country Landowners Association, the Moorland Association, the National Farmers Union and the Ramblers Association to discuss the matters fully. They will certainly be listened to with great care before we come to our decision.

Mr. Dennis Skinner (Bolsover): Following some of the requests from the Opposition in the past few weeks as they have launched a campaign against members of the Government for making statements outside this House, I decided to do some research in advance of this statement. Is my right hon. Friend aware that I have already counted 41 occasions during the 18 years of Tory government when requests were made for statements, but the Tory Government had made them on the media? That is 41, and still counting.

Mr. Meacher: I am grateful for what my hon. Friend has said. He is a diligent Member of this House, and is well known for his research. The hon. Member for South Suffolk may, in due course, rather regret raising this point.

Mr. Nicholas Soames (Mid-Sussex): The whole House will have noted with approval the handsome apology made by the Minister. Although what he did was wrong, his coming to the House has been the right thing to do. Does he agree that the House should establish a rule whereby Ministers and Departments are forbidden under convention and by code of practice to put such documents before other people before they put them before the House?

Mr. Meacher: I listened with great interest to the hon. Gentleman, and I am grateful for his earlier comments. His proposal could be considered, but it is a matter for the House as a whole.

Mr. Nicholas Winterton (Macclesfield): The Minister has come to the House with a total and unreserved apology, and the House should accept it. Would you, Madam Speaker, protect the integrity of this House and give guidance to Government—of whichever party—about this practice, and express your view that it should be deplored?

Mr. Meacher: That is a matter for you, Madam Speaker, rather than for me.

Sir Nicholas Lyell (North-East Bedfordshire): While we welcome the unreserved apology from the Minister, did we not hear him on "Today" this morning, discussing this matter? He said that, unless landowners entered voluntary agreements, there would be legislation. We heard today that there would be full and open consultation of a genuine nature. Which is the truth? Is the former Government policy? If it is, is it not remarkably like bullying?

Mr. Meacher: The two matters are entirely consistent. I would expect someone with the legal and logical mind of the right hon. and learned Gentleman to be able to see that.

Mr. Steve Webb (Northavon): On a point of order, Madam Speaker. I am concerned that the instance of disrespect for the House that we have just heard is not isolated. When the primary school class sizes money was announced, the information was given to Labour Members the day before other hon. Members, together with a press release for them to send out, and a suggestion that they go to a primary school in their constituency to get the credit for that spending of public money. Do you share my view that that is not in order, and not an appropriate way for the House to proceed?

Madam Speaker: It is a party political matter. It is nothing to do with the Speaker of this House.

International Bribery and Corruption

3.44 pm

Mr. Hugh Bayley (City of York): I beg to move,

That leave be given to bring in a Bill to create offences of international bribery and corruption; and for connected purposes.

The Bill would make it a criminal offence for a United Kingdom resident or a United Kingdom company to bribe, or attempt to bribe, a public official in another country. It is a serious crime to bribe someone in the United Kingdom, but it may surprise some hon. Members to know that, under British law, it is perfectly legal to bribe someone abroad. It is a case of one law for the United Kingdom and another for the rest of the world.

Not only is bribery legal, as long as the act of bribery takes place offshore, but in some instances it is still a tax-deductible activity. A year ago, I introduced to the House the Overseas Development Co-operation Bill, which sought to target more of our British aid on poor people in poor countries, and to end the scandalous misuse of aid as a sweetener for arms sales, such as that which took place in the case of the Pergau dam.

Now those principles have been reflected in the Department for International Development White Paper, "Eliminating World Poverty: A Challenge for the 21st Century", and, since the 1997 general election, both the European Union and the Organisation for Economic Co-operation and Development, with support from our Labour Government, have adopted conventions against international bribery. This Bill seeks to incorporate those conventions into UK law.

There is a comforting but fictitious belief that bribery is not a serious problem in Britain—that only in the third world is it a way of life. Well, it takes two to tango. The British business man who pays a 20 per cent. commission without asking too clearly where the money goes, is as guilty as the third-world politician or general who pockets the money.

Bribery is a global problem. Only four years ago, Gordon Foxley, a Ministry of Defence civil servant in this country, was gaoled for accepting £1.3 million in bribes.

There is rapid inflation in the currency of bribery. Last year's Mr. Five Per Cent. is this year's Mr. Fifteen Per Cent. or Mr. Twenty-five Per Cent.

In the past, British business has been fairly relaxed about bribery, but no longer. Adair Turner, on behalf of the Confederation of British Industry, told the *Los Angeles Times*:

"Most British companies support the OECD goals."

He also said:

"Corruption's become a big issue because it just costs business so much these days."

However, the consequences of international bribery are most serious in developing countries. Corruption can go right to the top. Two former Presidents of the Republic of Korea have been prosecuted and indicted for bribery. A President of Brazil has been impeached on corruption charges.

The sums of money are enormous. In the 1980s, Zaire's foreign debt rose to $5 billion, but the personal wealth of President Mobutu, the country's President, exceeded $4 billion. What was true of Mobutu was true of Ferdinand Marcos of the Philippines or Emperor Bokassa of the Central African Republic.

The problem in some developing countries is not a shortage of capital but the fact that the capital is owned by a tiny elite and held offshore. That money ends up being invested in European and north American property markets and stock markets, instead of in the economic development of those Presidents' own countries.

Bribes—I mean big bribes—are always paid in hard currency, usually directly to an offshore bank account, which robs the developing country of the foreign exchange it needs to promote its development.

The cost of bribes falls primarily on the poor. When a corrupt contractor from this or some other rich country pays a 15 per cent. bribe, he adds that to the price of his contract. His power station or irrigation scheme will cost more, and the little people—those who buy the electricity or the water to irrigate their crops—will pay the price of that bribe. Bribery is a direct transfer of money from the poor to the rich.

According to the EC representative in Kenya, the French contractor who was awarded the contract to build the Turkwel gorge dam—there was no international competition for the project—charged 2.4 times the cost of a comparable dam and power station on the Tana river in Kenya. The Kenyan officials charged with monitoring the contract did not complain because they gained, in the words of the EC official, "high personal advantage".

When bribery takes root, people start buying things that they do not need. Last year, the chief of naval staff in Pakistan resigned amid allegations of bribery in connection with a £580 million purchase of submarines. To Pakistan's credit, the Government have since launched an "Accountability, Accountability, Accountability" campaign—I am glad to see that the rhetoric of new Labour has a global application—designed to root out corruption, and some 85 officials have already been suspended. The Pakistan President estimates that corruption in that country costs the Government 2 billion rupees a day. Many other developing countries—such as Botswana, Uganda and South Africa—take the problem of bribery very seriously.

The International Monetary Fund, which has been the unwitting financier of many big bribes in the past, is now taking a tough line. A "not for public use" document produced in September last year states:

"Conditionality will be attached to . . . safeguard the use of Fund resources."

That may explain why the IMF decided last week not to restore loans to Kenya, because of continuing concerns about the failure of Daniel arap Moi's Government to stamp out corruption.

In 1977, the United States took the lead in combating corruption when President Carter's Administration secured the passage of the Foreign Corrupt Practices Act. It is still the only legislation in the world that makes international bribery an offence. The Act has worked well. It has been used, and it has led to convictions and prison sentences. It has changed the culture of American business.

My Bill seeks to do the same in this country. It is needed because it will be good for business in this country. It is needed because it will be good for international development, and, above all, because it is morally right to put it on the statute book. Politics without morality is the first step towards corruption.

3.52 pm

Mr. Michael Fabricant (Lichfield): I congratulate the hon. Member for City of York (Mr. Bayley) on presenting his Bill with such passion and force. However, I oppose the Bill, because I think that it is fundamentally naive, and that it is wrong to introduce such legislation at this time.

The Organisation for Economic Co-operation and Development is endeavouring to find a package of best practice with which to address the problem of bribery around the world. The European Union is also examining that problem at present. However, the House must consider several questions before agreeing to the Bill.

How do we define bribery? If a United Kingdom contractor pays commission to an agent, which is common practice in third-world countries, and that agent passes on some of the commission to those who must decide whether they will purchase the services offered by that contractor, does that constitute a bribe—even though it is once, twice or thrice removed? Would we make it illegal for those companies to give commission? If a company finds that, in order even to be considered for a contract abroad, it must make a percentage contribution to the corporation advertising the contract, would that company also be committing an offence?

It is not by accident that it is not illegal for bribery to be paid to overseas companies from the United Kingdom. If the hon. Gentleman's Bill were enacted, it would probably rule many British companies out of applying for contracts abroad, which would simply fall into the hands of French, German, Japanese, American and other competitors in those countries. What consideration has the hon. Gentleman given to the jobs that would be lost in this country if his Bill became law?

The question of bribery is almost like the question of unilateral nuclear disarmament. Everyone would like the world to disarm itself of nuclear weapons, but Britain and now the Government have resolutely decided that to do so unilaterally would be wrong. I argue that, if the hon. Gentleman's Bill were passed into law, it would be wrong. It would lose valuable jobs, especially in high-tech areas in the sunrise industries in this country.

Although the hon. Gentleman presented his Bill with passion, it reflected an underlying naivety about the way in which business is done in this country and around the world. I say to the hon. Gentleman: wait. His dreams for a bribeless world may well come about. As I said, the European Union is examining the issue, as is the Organisation for Economic Co-operation and Development. As the hon. Gentleman correctly pointed out, the White House is examining the problem. If the Bill is passed now, it will cost jobs in this country. For that reason, I oppose it.

Question put, pursuant to Standing Order No. 19 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business), and agreed to.

Bill ordered to be brought in by Mr. Hugh Bayley, Mr. Gerald Kaufman, Mrs. Maria Fyfe, Mr. Peter L. Pike, Ms Diane Abbott, Mr. Charles Clarke, Dr. Phyllis Starkey, Dr. Ashok Kumar, Helen Jackson, Mr. Malcolm Wicks and Ms Rosie Winterton.

INTERNATIONAL BRIBERY AND CORRUPTION

Mr. Hugh Bayley accordingly presented a Bill to create offences of international bribery and corruption; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 3 July, and to be printed [Bill 128].

GOVERNMENT OF WALES BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Order [15 January],

That paragraph 1(1) of the Order [15th January] relating to the Government of Wales Bill (Programme) be amended by substituting for the words "Ten o'clock on the seventh day" the words "Eleven o'clock on the seventh day; and on that day paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to the proceedings on the Bill for one hour after Ten o'clock."—[*Mr. Pope.*]

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 82 (Business Committee),

That the further Report [24th February] from the Business Committee be now considered.—[*Mr. Pope.*]

Question agreed to.

Report considered accordingly.

Resolved,

That this House doth agree with the Committee in its Resolution.—[*Mr. Pope.*]

Following is the report of the Business Committee [24 February]:

That it had come to a further Resolution [24th February] in respect of the Government of Wales Bill, which it had directed him to report to the House:

That the Resolution of the Committee reported to the House on 19th January be varied so that—

(a) the sixth and seventh days allotted under the Order [15th January] to proceedings in Committee shall be allotted in the manner shown in the following table, and

(b) each part of the proceedings in Committee on those days shall, if not previously brought to a conclusion, be brought to a conclusion (in accordance with the Order) at the time specified in relation to that part of the proceedings in the third column of the table.

TABLE

Allotted day	*Proceedings in Committee*	*Time for conclusion of proceedings*
Sixth day	Amendments to subsection (2) of Clause 118 beginning before line 11 on page 56 of the Bill	6.00 p.m.
	Other amendments to subsection (2) of Clause 118	7.30 p.m.
	Clause 118 so far as not disposed of	8.30 p.m.
	Clause 119, Schedule 9, Clause 120, Schedule 10, Clause 121, Schedule 11, Clauses 122 to 131	9.00 p.m.
	Clause 132, Schedule 12, Clauses 133 to 136, Schedule 13, Clauses 137 to 140	10.00 p.m.

Seventh day	New Clauses standing in the name of Mr. Secretary Davies and New Clauses 1 to 13	6.00 p.m.
	New Clause 14	6.30 p.m.
	New Clauses 15 to 21	8.30 p.m.
	New Clauses 22 to 30	9.20 p.m.
	New Clauses 31 to 34	9.35 p.m.
	New Clause 35	10.00 p.m.
	New Clause 36	10.30 p.m.
	Remaining proceedings	11.00 p.m.

Orders of the Day

Government of Wales Bill

[6TH ALLOTTED DAY]

Considered in Committee [Progress, 3 February].

[SIR ALAN HASELHURST *in the Chair*]

Clause 118

EXTENSION OF FUNCTIONS

3.58 pm

Mr. Denzil Davies (Llanelli): I beg to move amendment No. 374, in page 56, leave out lines 9 to 13.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 493, in page 56, leave out lines 10 and 11.

No. 523, in page 56, line 11, at end insert—

'(aa) in paragraph (a), for "or any" substitute "and every", and'.

No. 519, in page 56, line 13, at end insert—

'(d) after paragraph (d) insert—

"(f) to promote social equity in Wales.".'.

No. 540, in page 56, line 26, at end insert—

'(e) after paragraph (i) insert—

(j) to encourage the development of exports from Wales.'.

Mr. Davies: The amendment focuses on two aspects. First, there is the insertion into section 1(2)(a) of the Welsh Development Agency Act 1975 of "and social" after the word "economic". For the future, if the clause is accepted as it is drafted, one of the purposes of the Welsh Development Agency—it has to operate through its purposes—will be not merely the furtherance of economic development throughout Wales but the furtherance of economic and social development. That being so, the WDA will take upon itself the purpose of social development as well as and in addition to its present purpose of economic development.

The second focus of the amendment is on the replacement—if the clause becomes law—of the word "industrial" with "business" and "businesses" in relation to the purposes of the WDA. When it comes to the agency's functions, "industrial" is replaced by "business". I wish to consider the definition of "business", which is contained in paragraph 2 of schedule 10 to the Bill. The definition of "business" is important in relation to the replacement of "industrial" with "business".

I shall deal first with the importance of the words "social" and "social development", as I have explained, after "economic development". We are faced with a major change in the function and the purpose of the WDA. It may seem to be a small matter, but it presents a major change.

My right hon. Friend the Secretary of State, in one of his memorable soundbites during the referendum campaign, referred to an "economic powerhouse". Perhaps that was the most memorable phrase of all. The WDA was to be, rightly, after devolution, an economic powerhouse. It was a ringing phrase that sounded well.

[Mr. Davies]

However, when we read the clause, we see that the WDA will not be an economic powerhouse. Instead, it will be a "economic and social powerhouse". To my ear, that is not such a ringing phrase as "economic powerhouse". I am not even sure whether a body can be a social powerhouse, but perhaps that is possible. It is clear that something has happened on the journey from the devolution and referendum campaign to this awful drafting of proposed legislation, which always concentrates the mind.

We now have an economic and social powerhouse—in other words, a change or addition to the functions of the WDA. The insertion of those few words—this may seem pedantic—changes the nature of the WDA. I always thought—some of us were in the House of Commons and in government when the WDA was established—that under old Labour, which was very old-fashioned about these things, it was brought into being as a wealth-producing agency or an agency to promote wealth production.

Mr. Richard Livsey (Brecon and Radnorshire): Does the right hon. Gentleman agree that it was a previous Labour Government who introduced the Development Board for Rural Wales, which has social functions? In fact, those social functions stood rural Wales in good stead, and we would have been sore put if we did not have them.

Mr. Davies: I shall refer at length to the debates that took place in the Welsh Grand Committee. These were not on the words "social function" but on the exact words that are to be inserted into the proposed legislation. Again, it was old Labour intervening in the economy.

The Welsh Development Agency was supposed to promote wealth creation. If the changes are carried out, the WDA will have a mixed role. To an extent it will have a contradictory role, not only in wealth creation but in social function or social facilities. There could be problems along that path.

The hon. Member for Brecon and Radnorshire (Mr. Livsey) is right. I take him back to the Development of Rural Wales Act 1976, which applies, until it is done away with, to a small but important part of Wales, Powys, Meirionnydd and Cardiganshire—or Ceredigion—and has been extended, perhaps, to parts of Carmarthenshire. I am not sure. The words "social development" are plain for all to see in that Act. They were taken originally from the Highlands and Islands development board legislation. I do not keep up with Scottish affairs, so do not know what happened to that board. It has probably gone, but whether it exists is immaterial.

There is no definition of "social development" in the Bill, and there is none in the 1976 Act. I do not complain about that; it is not an easy phrase to define. I do not know about the Highlands and Islands development board, as I have not checked. The hon. Gentleman will be interested to know that there was interesting discussion in Standing Committee K on the meaning of "social development". I refer to the Standing Committee debate in 1976, when these matters were debated, and to what was said by my hon. Friend the then Under-Secretary—who represented Flint, East at the time but who now represents Alyn and Deeside (Mr. Jones). At the time, amendments were tabled to change the wording from "social development" to "social needs". My hon. Friend resisted, saying:

"I must resist the amendments and I will explain why. The amended wording could be construed as restricting in some way the activities that the board might support".

These are the important words:

"The board should be able to provide facilities"—

social development facilities—

"in the form of additional physical amenities such as halls"—

I take it that he meant village halls—

"and playing fields, and that explains why the Government are right and the Opposition are wrong. The board should be able to support the activities undertaken in those halls by voluntary bodies"—

indeed, voluntary associations appeared throughout the debate—

"if they contribute to the growth and development of the area and enrich its culture."

My hon. Friend continued:

"There is no reason why the wording of the Bill should be restricted in a way which would throw doubt on whether the board could assist social activity."

We are approaching some kind of definition, or at least a description. Social development means, quite properly—I have nothing against it—helping village halls and voluntary associations, and assisting in what is called social activity. My hon. Friend said that the definition of the words was taken from the legislation governing the Highlands and Islands development board.

My hon. Friend continued:

"A check on any possible and reasonable exercise by the board of the powers"—

there was an argument that the words were too wide and that there should be some kind of check—

"to support social development is not to be found in the legal definition of the powers"—

there was no legal definition—

"but rather in the need for the consent which the board"—

the Development Board for Rural Wales—

"must obtain from the Secretary of State"—

that is, my right hon. Friend until the Bill becomes law and the orders are made—

"and the Treasury for any assistance offered".—[*Official Report, Standing Committee K*, 22 July 1976; c. 82-83.]

Will my hon. Friend the present Under-Secretary of State deal with that specific point? Where will the checks apply in future? My hon. Friend the then Under-Secretary of State properly referred to such checks. He said that there was no check in the legal definition—the courts might check that, and I shall return to that in a moment—but that rather there was a check in the need for the consent of the Secretary of State and the Treasury.

What will be the position when the Bill becomes law and we have an assembly? Will the check, if there is to be one, be transferred from the Secretary of State to the assembly, and will Treasury consent still be required? Will there be no check at all, or will the assembly be some kind of check? That is a subsidiary question, as to how any check will operate on moneys paid for social development, which would include social activity, village halls and voluntary bodies and associations.

On 28 July 1976, my hon. Friend the then Under-Secretary mentioned assistance to rural councils and voluntary service councils—I am not sure what that means. He referred to assistance to the Council of Social Service for Wales. I am not sure whether that still exists. Again quite properly, he referred to assistance to the Welsh Committee—I am not sure what that refers to either—and then to young farmers' clubs. They do a wonderful job in rural Wales. I do not decry any of that at all. But my hon. Friend, who was describing what was meant by "social development", was saying that assistance to young farmers' clubs fell within that phrase, although he seemed to imply that the requirement of the consent of the Secretary of State and the Treasury would be a check.

My hon. Friend then referred to the splendid Association of Welsh Weavers. I am not sure whether that still exists. Perhaps the hon. Member for Brecon and Radnorshire has a Welsh weavers association in his constituency. I hope that he does. I hope that it still exists. If it does, it is surely a worthy body. I am trying to explain what Ministers in the previous Labour Government who introduced the phrase "social development", which is now being taken out of the Development of Rural Wales Act and put into this Bill, understood by that phrase.

My hon. Friend continued:

"'social development' is the wider term"—

wider than social needs—

"and includes what is suggested as community development."—[*Official Report, Standing Committee K*, 28 July 1976; c. 196.]

There had been speeches by the then hon. Member for Merioneth about the importance, perhaps rightly, of community development. According to my hon. Friend the Under-Secretary, community development was encompassed by the phrase "social development".

Mr. Livsey: The right hon. Gentleman will agree that the social development work carried out by the Development Board for Rural Wales has been extremely beneficial, and if it is incorporated in the Bill, it will benefit other parts of rural Wales. For example, the development of the Brecon jazz festival and the Hay festival of literature would not have occurred without the DBRW's social development powers. It has created a lot of employment and interest in the locality.

4.15 pm

Mr. Davies: The hon. Gentleman is right. The only comment with which I take issue is that incorporation in the Bill would enable those benefits to continue to go to rural Wales. Of course, they would, but the point that I am making is that it would enable the benefits to go everywhere in Wales: to Rhymney or Llanelli—if the hon. Gentleman can have a jazz festival in Brecon, I presume that we shall get the same benefits as his constituents now get.

It would have been perfectly possible for the draftsman to incorporate the phrase in the Bill and confine it to the areas covered by the DBRW. It could have been said that social development should apply to a part of Wales, which could be defined as Powys, Ceredigion and Meirionnydd—the same areas covered by the development board. The hon. Gentleman made a good point. Indeed, he made the point for me. We are extending a measure that was properly conceived for a small but important area of rural Wales to the whole of Wales: Cardiff, Newport—

Mr. Dafydd Wigley (Caernarfon): Will the right hon. Gentleman give way?

Mr. Davies: I appreciate that Caernarfon was not included and that now it will be. I am sure that the right hon. Gentleman is delighted about that.

Mr. Wigley: Does the right hon. Gentleman accept that, during the DBRW's 20 years' existence, several areas of Wales, particularly Dinefwr, Preseli, Glyndwr and Dwyfor, which are just as rural as areas in mid-Wales, argued strongly that they needed the powers that were available to the DBRW, but were not available under the WDA? This change at least meets that agenda.

Mr. Davies: Indeed. Many areas would have liked to be encompassed within the 1976 legislation, and now they will be. Urban areas are now encompassed within the measure, including the middle of some of our towns. Tredegar, Ebbw Vale, Merthyr and Port Talbot will all now be able to ask the Welsh Development Agency for assistance for their village halls, jazz festivals or drama festivals, because those are all functions that fall within the phrase "social development".

Mr. Gareth Thomas (Clwyd, West): I have been listening closely to my right hon. Friend's argument. I hope that he will forgive me for characterising certain parts of it as overly legalistic. Will he accept two points: first, that those concerned with the regeneration of communities appreciate that there is an artificial distinction to be drawn between economic and social development; and, secondly, that the main focus of the enhanced WDA will be economic development? It will be important for the new agency to be enabled to carry out incidental and ancillary functions, including social development in all areas, and remain intra vires, to use a legal term.

Mr. Davies: I am sorry if I am being legalistic, but there is nothing incidental about the phrase "social development". I suppose that it could have been made incidental when the Bill was drafted. Although my hon. Friend might not like to read those legal words, if he bends his mind to it, he might see that "social" is put on the same plain as "economic". It is not incidental in any way. Indeed, interventions by Liberal Democrat and Plaid Cymru Members—is the party still called Plaid Cymru?—show how much they value payments to young farmers' clubs, jazz festivals and village halls, which will now become available, if the funds exist, to anyone in Wales. My hon. Friend may think that a good thing, but this is a major change in the function and purpose of the WDA. When it was established under poor old Labour, it was concerned solely with wealth creation. Now it is moving into the social field.

Mr. Nigel Evans (Ribble Valley): Does not the right hon. Gentleman agree that changes could have been made to the WDA in the past, had it been thought necessary to include social development in its remit? There is social deprivation in Swansea, Neath, Port Talbot and parts of

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Cardiff. If the changes are made, they will get in line along with the rural areas and argue for their fair share of the cake.

Mr. Davies: That is the point. I would not blame them for doing so. I take exception to my hon. Friend the Member for Clwyd, West (Mr. Thomas) chiding me for being legalistic. I am not being legalistic: dozens of voluntary associations will queue up with their tin cans outside the WDA and outside the assembly, because the proposal is a charter for voluntary associations. I do not know how many there are in Wales, but there are many. I tabled a question to my right hon. Friend the Secretary of State for Wales, asking him to list them. He did not know how many there were, but said that he would put a list in the Library. It has not arrived yet—I do not criticise him for that—but the list will be very long.

The Welsh are good at voluntary associations, and we have never had problems with social development—we are marvellous at it. Our problem has been with wealth creation. It is no good my hon. Friend chiding me for being legalistic. The Welsh economy is not the strongest in the United Kingdom. It may suffer considerable problems over the next year or two as a result of factors outside its control.

Mr. Bernard Jenkin (North Essex): Monetary union.

Mr. Davies: I do not even include that. Other, global factors could cause problems.

The Welsh economy needs wealth creation. Conservative Members may argue that the WDA was interventionist and old Labour, which believed that Governments should help with wealth creation. Such views are unfashionable these days, but that was the agency's purpose. We all agree with social development, but it is dangerous to mix it with wealth creation. That is my first point about the change to providing for social development.

I do not know where the money will come from. My hon. Friend the Minister might tell me that the WDA budget will be expanded, but if its purposes and functions increase and the sum of money provided stays the same, something will have to be cut, I do not know what. There will be considerable pressures on the WDA, from voluntary associations, for example. The WDA will be responsible to a democratic assembly, not to the Secretary of State, who will not have the economic powers that he holds at the moment.

Mr. Oliver Letwin (West Dorset): Does the right hon. Gentleman agree that the Welsh Development Agency will still depend on the Secretary of State in one respect, that is, the extent of its borrowing powers?

Mr. Davies: That may or may not be the case, but the budget will be determined by the assembly. We shall have an Athenian-type assembly that will want to obtain as much money as it can. If it can tell the WDA that its functions include building village halls, it will do so. There will be considerable pressure to cut back on economic development, as we shall all be pressing the WDA for money for social development.

It may be said that that is only incidental, and that there will be judicial reviews. I am sorry to talk about lawyers again. Sadly, local authorities are becoming fairly accustomed to people saying—understandably—"You have powers to help dyslexic children, or to provide speech therapy. You are not exercising those powers properly." They take local authorities to court on those grounds, but the courts usually say that, if there is no money, authorities cannot provide such facilities. That might well be the case with the WDA, but there will be pressure through the courts and the political system. I urge my hon. Friend the Minister to think again. It is perfectly possible to confine social development to the areas to which it is currently confined.

The other aspect that concerns me—in fact, the two aspects must be considered together—is the replacement of the word "industrial" with the word "business". I shall not be "old Labour" on this occasion, and say that we must keep the word "industrial". There is no great magic in a definition of the word, which has been used for centuries in Britain and France to cover all sorts of activity. I do not object to the change from "industrial" to "business"; indeed, I can see that it makes sense in the world we live in. What worries me is the extraordinary definition of "business" in schedule 10.

Paragraph 10(2) gives that definition. I welcome the fact that there is a definition, for a change, and I suppose that "business" is not an easy word to define. The draftsman starts perfectly sensibly, saying that "business"

"includes any industrial, commercial or professional activities".

I do not object to that. Solicitors and accountants in Cardiff who will receive large fees from the WDA will now be able to obtain other forms of assistance from it. I do not object to "professional activities" in the modern world: wealth can be created through them.

The definition continues, however, with the words—in brackets—

"whether or not with a view to profit".

The draftsman clearly felt that a business is normally carried out with a view to profit, whether or not it achieves that profit—but not, it seems, in the new WDA. Profit does not really matter. It seems that someone engaging in a professional activity without a view to profit can now obtain money from the WDA. That is a strange and unnecessary extension of the functions and purposes of the agency.

I have asked myself what sort of organisation would conduct a business without a view to profit. I hate to mention it, but I suppose that the Welsh Rugby Union could be said to be conducting a business nowadays. It has sponsorship and money; it is engaged in business activities, but certainly not with a view to profit, on or off the rugby field. Some organisations could describe themselves as businesses, but without a view to profit.

Why on earth do we need that provision, given the purposes and effect of the WDA? The WDA is there to foster wealth creation. I am sorry if this is another "old Labour" view of the world, but what the Welsh economy needs is profit, and lots of it. Let us tax it by all means, but let us have it. We have very little of it; that is the problem.

Mr. Wigley: My constituency contains a village co-operative called Antur Waunfawr, which is not geared to making profits. It employs people with learning

difficulties who would not otherwise obtain work, and it supplies commercial goods. Surely that body could legitimately be aided by the WDA.

Mr. Davies: That is a legitimate body, but my question is whether it should be mixed in with a body such as the WDA, whose ostensible purpose is to create wealth from a profit base in the Welsh economy. I understand that that is an old-fashioned view, but perhaps the legislation is a kind of third way—capitalism with a human face. The Welsh economy needs commerce, industry and professionals, all of them producing profit. There is always a place for the sort of community activity that the right hon. Gentleman mentions, and it is good to see it, but as I say, I question the sense of mixing it in with an economic powerhouse, which is what the WDA was supposed to be, although it will not be any more.

4.30 pm

Not only does the schedule mention activities that are carried on without a view to profit, but it refers to

"the activities of any government department or any local or other public authority".

The whole range of government, including quangos, public authorities, non-governmental bodies, voluntary bodies and those that do not make profits are included. Everything is to be thrown at the WDA. Local authorities will be able to ask the WDA for money. Even Departments will be able to do that. The idea is bizarre. Will the Treasury ask for some of its money back? All those bodies will be like bees at the honeypot of the Welsh Development Agency, poor thing. Apparently it will be entirely different from what it was before.

Perhaps the WDA's budget will be doubled, and that is fine, but I question the effect of what is proposed. Despite the criticisms of some of my hon. Friends, the WDA has been a successful interventionist body and has helped to create real wealth in Wales. We need more of that, but perfectly enlightened social activities are to be mixed in, and that is dangerous. I hope that the Minister will deal with those issues, which I hope will not be a by-product of the DBRW and WDA merger. That is not necessary, and the matter could have been ring-fenced in the legislation. I hope that the Minister will explain that matter, which is important for our constituents.

Mr. Evans: I should like to speak to our amendment No. 493 in this group, and I welcome the opportunity to focus on the extension of the Welsh Development Agency's functions, the possible impact on Wales and the potential for the greater devolution of the social role. I enjoyed the speech by the right hon. Member for Llanelli (Mr. Davies). He said that he thought that the WDA would be an economic and social powerhouse. For a second, I thought he said that it would be an economic and socialist powerhouse. However, I understand that we are all new Labour now, so that could not possibly be the case.

The WDA, which was set up in 1976 by a previous Labour Government, is one of the great success stories of Wales. In a recent debate, the Attorney-General said that he had had the privilege of setting up three bodies in Wales that had survived 18 years of Tory rule. He said that they had survived because the Conservative party could not think of anything better. That was a tribute to the Attorney-General, although it came from himself. It seems that the new Labour Government can think of something better.

The WDA has been built on by successive Secretaries of State for Wales, but there is a fear that the proposed changes may endanger its success. Its remit has been prescribed and the Development Board for Rural Wales has taken over a similar, but more targeted role for areas such as Ceredigion, Meirionnydd, parts of Powys and swathes of rural Wales. That will end with the fusion of the Land Authority for Wales into one super-quango.

We should not underestimate the real success story of the Welsh Development Agency. I think that the right hon. Member for Llanelli fears that the proposed changes will jeopardise the wealth creation focus of the WDA, which, in the 1980s, played such an important role in helping to restructure the traditional industries of coal, slate and steel in parts of Wales, especially steel in Llanwern and Port Talbot.

The Welsh Development Agency also met the task of land reclamation with gusto. I am sure that it would have tackled the task with even more gusto if it had had a larger budget. The WDA also worked on town developments, which were praised by the right hon. Member for Llanelli.

The Welsh Development Agency has helped to transform Wales, which has loosened its grip on its industrial past to become the enterprise centre of Europe. We fear that that role may be jeopardised by changes that will occur under the assembly.

I congratulate the chairman and the entire team of the Welsh Development Agency on its success. We can tell how good the agency has been by the fact that it is being copied not only in other parts of Europe, but across England. The new challenge will be posed by regional development agencies in England—which will receive the help and advice of secondees from the WDA, which is another enormous compliment to their skill.

Another fear is that the Welsh assembly and its 60 politicians may become overly intrusive in the agency's daily affairs. I seek assurances from the Secretary of State—

The Secretary of State for Wales (Mr. Ron Davies) *indicated dissent.*

Mr. Evans: I see him shaking his head. I am partly reassured by that, but perhaps, later in the debate, we shall receive a bit more—verbal—reassurance that that will not be the case. I am sure that he has taken heed of the fears expressed by the Confederation of British Industry about the lack of a clear demarcation between the assembly's strategic role and the performance of the WDA's daily functions.

This group of amendments seems to propose assigning many extra tasks to the Welsh Development Agency. Some hon. Members have been critical of the agency, saying that it did not pay due regard to areas outside the M4 and A55 corridors, which have acted as investment magnets. However, if we get the changes to the agency wrong and those areas no longer attract the same investment levels—for example, 20 per cent. of all inward investment into Britain has been in Wales—and if those changes divert the agency from its core responsibility, damage will be done not only to the areas along the M4 and the A55, but to other areas that had planned on

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gaining some of the extra social development funding. Those areas will be badly let down, particularly if new investment does not materialise.

If we get the changes wrong, the social deprivation that will be caused in parts of Wales—north, south, east and west—will be absolutely enormous, and the tin can that the right hon. Member for Llanelli mentioned in his speech will most certainly find its way to the agency, to the Welsh assembly and to local authorities. We must fully consider the exact consequences of what we are asking of the WDA.

The steer that was given to the WDA—asking it to concentrate on areas away from the M4 and the A55—was absolutely right. The 1996–97 figures show that of £2.2 billion of indigenous and inward investment and 18,400 new and safeguarded jobs, 6,200 of those jobs were safeguarded or created outside the eastern M4 and the A55 corridors. That is absolutely right, and it is exactly what we wanted. The same is true of the Development Board for Rural Wales. We wanted to ensure that more of its money and job creation activities went to a wider area within rural Wales, and that was starting to happen.

New regional development agencies are being created. Despite the concordats that we have heard so much about, we are still unsure about what will happen to Wales's success story when Wales has to compete with those RDAs and with Scotland. Who will be the umpire?

Other problems that will confront not only Wales, but other parts of the United Kingdom are the minimum wage, Europe and farming. Farming is a particular problem for rural Wales, and the WDA will have to pick up the pieces of the crisis that has hit Welsh farming. However, it is not only farmers who are being hit, but the small rural businesses such as tractor suppliers, builders and many others which have grown up around farming. They will now have to look to the WDA. Many small towns and villages will also have to ask the WDA for extra assistance. The greatest social development assistance that can be given to any community is to ensure that there is proper, sustainable work. Without that, there will be severe problems.

Businesses have been hit by five interest rate rises since 1 May. They are probably already working on tight margins and have now seen their borrowings increase and their charges go up. Those which were already marginal may have gone bankrupt.

We have to re-examine the whole subject of Europe if there is to be any re-evaluation, as we understand there is, of the way in which regional aid will be doled out strictly according to the unemployment figures. In many parts of Wales, the unemployment figures are looking good, but we are still told that the gross domestic product of communities in Wales is low compared to many other areas, especially areas in Europe.

We could find ourselves in the absurd situation of seeing areas such as Catalonia attract regional aid that would be taken from areas such as Wales. That would mean a £1 billion hole which the WDA would be asked to fill. We seek some assurances from the Secretary of State in that regard, although I expect that he is battling hard to ensure that any changes in Europe will not disadvantage the parts of Wales that have benefited greatly from regional aid.

I am sure that there is a reason for the way in which social development assistance was targeted on certain rural areas, and a reason why the work was not given to the WDA. If the three bodies to which I have referred are to be merged, we must ensure that social development assistance continues to be given to the parts of rural Wales that need it. The right hon. Member for Llanelli suggested that one way in which to do that would be to include in the Bill more specific references to social development areas. Another way might be to involve local authorities.

As the Minister knows, I was a county councillor in West Glamorgan for six years, and one of my joys during that time was to sit on one of the grant committees. The right hon. Member for Llanelli wondered how many voluntary bodies there are in Wales—I can tell him that there are a great many. They used to ask our committee for support month after month, and we used to dole out money for various bodies. Mention was made of the young farmers, but we gave money to the cubs, boys bands and others. All organisations have a voluntary body to assist them, especially those involving young, disadvantaged and disabled people. We used to go through our budget, which was small in relation to our other budgets, doling out what money we had to assist those good causes.

In the spirit of devolution—and in anticipation of the development of the partnership council—more power could be devolved from the new super-quango WDA to local authorities, particularly if resources are to be limited. Money could then be allocated to the areas that currently enjoy social development status.

I hope that the Minister will closely examine the role of the 22 local authorities, which know their own areas well. If the Government do not carefully reconsider their proposals, they will throw out the baby with the bath water. The WDA's capacity to create wealth could be jeopardised; it will have to fill up the holes created by the other problems that will arise. Social development money will be given to Swansea, Port Talbot and Neath, for example, where there are areas of deprivation that will require money. The WDA will spend so much of its time looking after them that it may ignore rural areas of deprivation.

4.45 pm

Mr. Ted Rowlands (Merthyr Tydfil and Rhymney): All of us who were at the birth of the Welsh Development Agency will naturally wish to scrutinise any recasting or revamping of its role such as is proposed in the clause. That is partly because we feel a sense of parenthood, but mostly because we believe that the agency has a fundamental role to play in the regeneration of the community. Having read the clause and discussed the amendments, I ask a simple question: will the changes create an enhanced WDA that is capable of doing more and better for communities such as the one I serve?

The clause recasts the agency by amalgamating it with other organisations. It also goes further, however, and I hope that the Minister will say whether the redefining of the agency's role and objectives is consequential on the amalgamation, or whether the agency is expected to play a different, wider and more significant role in the context of a Welsh assembly.

I hope that this does not sound like counter-bidding or, indeed, immodesty, but I think that even the Attorney-General, my right hon. and learned Friend the

Member for Aberavon (Mr. Morris), would concede that I was the inventor of the Land Authority for Wales. As a Minister, I devised the idea and took it through Cabinet Committees. I was able to put the Community Land Act 1975 on to the statute book only after a mammoth session in Standing Committee—the record has only recently been broken—in which we sat from 10.30 am until lunchtime the next day to push the Welsh clauses through. By that time, I was already a Minister in the Foreign Office, so I found myself in a curious position.

As a result, I have always had a fond feeling for the Land Authority for Wales, especially as it was also an early example of the Welsh Office striking out on its own in legislative terms. I do not know how many hon. Members recall the Community Land Act, but in England, the powers were vested in local authorities, so we had contentious debates with Welsh local authorities about the establishment of the Land Authority for Wales.

We managed to establish the authority, and I think that it has served a practical and useful purpose. It is one of the great survivors. The rest of the Community Land Act has all but disappeared, but the land authority has survived. Therefore, I feel some sort of fondness for the organisation.

I make no complaint about the fact that the authority is now to be incorporated into the revised and revamped Welsh Development Agency—except to say that we should not oversell the change. The land authority was doing a perfectly good and effective job on its own terms, and it was one of the rare quangos that did not cost the state anything. It was a wealth-creating, profit-making quango in that one respect.

The land authority is to be incorporated into the Welsh Development Agency, but it could usefully have continued to serve its purpose outside the agency—although I have no reason to believe that it will not do so within the agency.

Mr. Denzil Davies: I hate to carry on reminiscing, but while we are talking about the profitability of the Land Authority for Wales, may I ask my hon. Friend whether he was the Welsh Office Minister who came to me, when I was a Treasury Minister, asking for additional legislation to exempt the authority from taxation on its profits?

Mr. Rowlands: I was not, but I certainly would have been party to the attempt. I think that it was Baroness White.

Mr. Davies: The answer was no.

Mr. Rowlands: The Land Authority for Wales represents a modest practical success story, and I am sure that that should be able to continue under the aegis of the new Welsh Development Agency in the context of the assembly. All I ask of my right hon. and hon. Friends on the Front Bench is that they do not exaggerate the significance of the change. The authority is already carrying out its function, and will simply continue to do so in its revised form.

We have, however, heard many exaggerated claims for the new, revamped Welsh Development Agency. I read one recently, and in the context of the clause and the amendments tabled to it, I ask my right hon. and hon. Friends to what extent it is correct. I refer to the belief that the combination of a new assembly and an economic powerhouse will somehow create a new political momentum for a Welsh energy policy. I have heard that proposition debated in the context both of the assembly and of the proposed changes to the WDA.

When the provisions were recast, was it intended that in all the changes in the functions of the new, or rather revised, WDA, there would be any new kind of power or responsibility for devising, encouraging or developing a Welsh energy policy? Is that consequential upon the changes? I cannot see that it is.

I am sorry to say that the context in which I most recently read the claim that the changes would lead to a new momentum for a Welsh energy policy came from those who want massively to extend opencast coaling throughout south Wales. I have my doubts, therefore, about whether such a development is really consequential on the changes that we are making.

The key to that side of the policy is what will happen with consents for power stations. Will the power to give consents be vested in the assembly, or will it remain with the Department of Trade and Industry? Will the changes in the clause and the rest of the Bill, including the existence of the assembly, make any difference to who consents to power stations? If there is one instrument that could enable one to, or prevent one from, devising an energy policy, it is the power to give power station consents.

What I am about to say will be in a sort of shorthand form, because I do not really mean it in a pejorative sense. My right hon. Friend the Member for Llanelli (Mr. Davies) was right to ask seriously whether the changes proposed in the clause would dilute or deepen the role of the Welsh Development Agency. As my right hon. Friend asked, will we be setting up even more competitive pressures on its budget, both inside and outside the agency? Those pressures are already there in powerful and significant form, even on the traditional functions that we all agree are central to the agency, but which have become Cinderellas in the context of its changing role, even in its existing form.

I am thinking especially of the agency's derelict land function. My right hon. Friend will know how, when we were in opposition, we had to apply continuous pressure to ensure that the WDA's budget for the derelict land programme was safeguarded and maintained in the face of all the other pressures. Will not the new, enhanced economic powerhouse WDA lead to even greater competitive pressures? Both my right hon. Friend and I have felt that the derelict land programme has become something of a Cinderella programme as the WDA's policy, programmes and budgets have evolved. Will it not continue to be a Cinderella and have to compete with other Cinderellas?

That question is serious. I have a vivid illustration: the Deep Navigation site is tied into millennium money, and we have been begging the WDA to come up with its share of the money. We have often thought that we had got the money, but then question marks have been placed against whether the WDA will budget for it. Even at this late hour, the question mark persists and I hope that it will be erased soon. That is an example of the set of pressures that already exist within the agency, but will not those pressures multiply within the new, revised agency, with the result that the agency's role in the regeneration of

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communities such as the one I represent will be diluted and not enhanced? That is a serious question, which requires an answer.

In some ways, I suspect that the redefining of the functions and role of the agency contained in the clause reflects the changes in society and in the Welsh economy—

The Chairman: Order. I have been listening carefully to the hon. Gentleman's speech and he appears to be in danger of making a clause stand part speech. The amendments to the clause are very particularly grouped, and the hon. Gentleman appears to be ranging over them in a way that takes him outside the group that we are discussing.

Mr. Rowlands: I am sorry, Sir Alan. I had not intended to do that. I think that one will find that most of my remarks refer to the alteration in the wording, whereby the word "social" is added and the word "industrial" is changed to "business". I intended to illustrate that in the point that I was about to make when you, understandably, intervened to ensure that I stayed on the straight and narrow.

My point is this: does not redefining the word "business" and excluding the word "industrial", as my right hon. Friend the Member for Llanelli suggests, extend the WDA's role into an area in which the WDA has thus far steadfastly refused to become involved? I do not know whether other colleagues have received representations on this subject, but companies that repair motor vehicles or garages have thought that they could benefit from the WDA. Does the redefining of the role from industrial to business mean that the WDA will now incorporate activities in the service sector, in which it had previously refused to become involved? That is relevant to the amendments, Sir Alan, and relevant to the points that I have put to Ministers.

Mr. Gareth Thomas: Will my hon. Friend accept that there is a real need in Wales to invest in the service sector and the research and development sector? In that respect, why does he not welcome the broader scope of functions of the new enhanced agency in that it encompasses not only industry in the old-fashioned sense, but business in the wider sense?

Mr. Rowlands: My hon. Friend anticipates my final observations on the amendments, because I intend to address the argument concerning the industrial sector versus the service sector, as well as the indigenous versus inward investment argument, which has raged through some of the discussion that the clause has engendered outside the House of Commons.

I said earlier that the wording of the clause reflected changes in society that have already taken place. When preparing for the mighty efforts that we are going to make in respect of the new deal, I found that a portrait of the Merthyr Tydfil county borough now shows that the proportion of total employment supplied by the industrial manufacturing sector has fallen to 26 per cent.—that statistic coming from the heart of a great industrial manufacturing base. The service sector has been growing as a proportion of the total. My hon. Friend is right to draw attention to the changes, and to the fact that we must accommodate them.

We should not rest the regeneration of local economies primarily on the shifting sands of the service sector. The thing that makes our communities distinctive from service sector communities is our manufacturing role, tradition and skills. I challenge the assumption that one has not only to accept that the WDA should change its role, but to want it to change its role. I do not want it to change its role in one fundamental respect. I would like the WDA to continue to see itself fundamentally as an agency to regenerate the manufacturing sector. The agency can do that in two ways. It can support indigenous local industry—where that exists—and it can encourage major inward investment. I was interested to see the figures for new jobs created in Blaenau Gwent recently, where Tesco and Festival Shopping Ebbw Vale created 300 jobs each. That reflects the incredible changes that are taking place.

5 pm

In my area, Halla—despite its problems—is trying to regenerate and rebuild the manufacturing sector by inward investment, as are US CAN, Candy and the St. Merryn Meat company. These inward investments were achieved by a powerful partnership: the Secretary of State for Wales with a regional selective assistance budget and executive functions working with the WDA. While I do not oppose the fundamental role that the new economic powerhouse will have—especially in the development of indigenous industry—I am queasy about breaking up that powerful partnership.

My real worry about the WDA is not that it will not fulfil the tasks it has been given, but that the role it has played in inward investment—which has played a fundamental part in the regeneration of economies such as mine—will be damaged. I hope that my right hon. and hon. Friends can give me the reassurance I seek.

Mr. Wigley: The hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) referred to the fact that he was in at the birth of the WDA. I almost claim the right to have been in at the conception because, in 1970, Professor Phil Williams and I were trying to draft a plan to create such an agency. I am aware that there were many before that who also had ideas.

The WDA was opposed by the then Conservative Opposition when it was created. The Conservatives have seen the light since then, and they understand that bodies such as the WDA can play, and have played, a significant part in development. The creation of the WDA was fought tooth and nail by the Conservatives, who opposed it on Second and Third Reading. The Conservatives learned from experience—as, no doubt, they will learn from a similar experience regarding the National Assembly for Wales in due course. It may take a little longer, given the present generation, but time will tell.

Mr. Robert Syms (Poole): Does the right hon. Gentleman agree that when there is strong debate in this place on issues such as the WDA, perhaps because there is opposition and people focus on the clauses, it produces good legislation which stands the test of time?

Mr. Wigley: In that case, the Conservatives should not have voted against Third Reading. However, I take the

point. The WDA has played a significant role in Wales. I am not one of those who knock the WDA. There are shortcomings, and there is not a single body that has not make mistakes at some time. By and large, the overall benefits to Wales have been massive.

I shall now discuss amendment No. 374, in the names of the right hon. Member for Llanelli (Mr. Davies) and the hon. Member for Merthyr Tydfil and Rhymney, and amendments Nos. 523, 519 and 540, which we tabled. Although there is a need for a social dimension in the Bill, I understand the arguments made by the right hon. Member for Llanelli and the hon. Member for Merthyr Tydfil and Rhymney. I believe that the primary role of the Welsh Development Agency, in its new form as in its old, must be the economic regeneration of Wales. It must be about creating job opportunities throughout Wales.

Some aspects of the work of the Development Board for Rural Wales have had a social edge—we heard some examples earlier. I could quote examples such as the provision of television masts, with which the DBRW was able to help in the rural counties of mid-Wales, but for which there was no facility outside that area, so other areas could not benefit. Obviously, if the work of the DBRW is now to be included in the overall work of the new powerhouse agency, there needs to be some function to continue such provisions, in the areas where they are appropriate.

I agree with the right hon. Member for Llanelli that it is fundamental to get the economic emphasis right. What will happen if the focus of the Welsh Development Agency is shifted entirely to trying to respond to initiatives that are not strictly economic? Unless there is work for the communities living in the old towns and villages of the slate-quarrying areas of my county of Gwynedd, as in the old coal mining areas of the valleys of Glamorgan and Gwent and in east Dyfed, we shall have depopulation, an aging population and all the social and economic problems that flow from that. Therefore, the organisation must do a positive job in providing the economic base that sustains social and cultural life and the other aspects of life in those areas.

This has been a useful debate, in which valuable arguments have been made from the Conservative Front Bench. I am glad that among Conservative Members there appears to be a change of emphasis and approach to this issue. Perhaps the Leader of the Opposition is giving a lead in rethinking his policy on devolution. If so, I welcome it.

I hope that when the Under-Secretary of State for Wales, the hon. Member for Neath (Mr. Hain), replies to the debate, he will put to rest the issue of the balance between the agency's social and economic responsibilities. I hope he will tell us that the Welsh Development Agency will have primarily an economic role, and that the social role will facilitate the economic role but not take over from it. It is a question of getting the balance right.

I shall now speak to the amendments standing in my name and those of my hon. Friends. Amendment No. 523 inserts, instead of the words "or any", the words "and every". That may seem a very simple amendment. It refers to the need for economic regeneration to occur in all parts of Wales, not just in the pockets of Wales that have benefited so much recently. I shall not bore the Committee by repeating our arguments about unbalanced development in Wales. I summarise by saying that, until fairly recently, during the period of Conservative government, the Welsh Office had a strategy that accepted that 80 per cent. of new jobs coming to Wales by way of inward investment went to two small pockets—one around the M4 corridor in south-east Wales and one around the Wrexham-Deeside area in north-east Wales.

I grant that, in March 1997, a month before the general election was called, the Conservative Government had a change of mind—a deathbed conversion—and changed that distribution to 50:50. I believe that the incoming Government have changed the distribution a little more, but the pockets of severe unemployment in Wales are to a large extent outside those two catchment areas.

Development needs to take place so that there are economic opportunities and job opportunities within reasonable travelling distance of every part of Wales. I am not saying that it is possible to have equal development in every town and village—obviously, that would be nonsense—but it is reasonable to expect that there should be a fair range of job opportunities within travelling distance.

In areas such as south-west Wales, in Pembrokeshire and other parts of the old county of Dyfed, in north-west Wales—in my constituency and that of my hon. Friend the Member for Ynys Môn (Mr. Jones)—and in other pockets, there are severe on-going levels of unemployment. The strategy is not yet meeting that challenge. Perhaps the Minister will announce some good news for some of those areas. I hope that there will be a change of emphasis in that direction.

We are seeking to alter the wording in the Bill so that the new powerhouse agency will know from the start that it is not a matter of ensuring that the overall figures for Wales look all right and forgetting the pattern throughout Wales. The agency has a responsibility towards every part of Wales—not just those lucky corners that have done so well recently. Amendment No. 519 would

"promote social equity in Wales."

In undertaking its economic responsibilities, the agency must guard against the gulf that can grow between areas of severe social and economic deprivation and those that are doing very well thank you. As I have said, we must strike a balance.

Amendment No. 540 is timely. It deals with encouraging the development of Welsh exports and the interface between the Welsh Development Agency and the rest of the world. I am very much aware of the press reports this week about that issue. Yesterday's edition of the *Financial Times* referred to the apparent need for the Welsh Development Agency to cut expenditure and overseas staff. The report said that the agency is facing a £3 million cut in administrative costs. The *Financial Times* states:

"After staff costs, the area being targeted for savings is expected to be the 11 overseas offices, where the agency is believed to be considering using Invest in Britain Bureaux".

Mr. Letwin: On a point of order, Sir Alan. I may have misunderstood, but I thought that the timetabling

[Mr. Letwin]

prevented discussion at this stage of amendments that relate to lines beyond line 11. The right hon. Gentleman is discussing amendment No. 540, which relates to line 26.

The Chairman: Order. The hon. Member for West Dorset (Mr. Letwin) may not realise it, but he is questioning my selection of amendments. The fact is that the amendments are perfectly in order if I have selected them in this way.

Mr. Wigley: I am grateful, Sir Alan. I think that the Minister wishes to contribute.

The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain): I am grateful to the right hon. Gentleman for giving way. I take this opportunity to deny specifically the *Financial Times* report. There is no truth whatsoever in the claim that the WDA intends to close its overseas operations, which have played an important role in encouraging investment to Wales under both this and the previous Administration.

Mr. Wigley: I am very glad to hear that. On Monday morning, I met Brian Willott, the chief executive of the Welsh Development Agency, to discuss the implications of the cut—I had heard rumours of them before the story appeared in the *Financial Times*. Mr. Willott was concerned about having to cut costs by £3 million. I assume that the Minister does not refute the idea that there will be a £3 million cut—it is simply a matter of where it will hit.

Mr. Hain: I do not refute the fact that the Government have asked the three quangos that will join to form the new powerhouse under the WDA to make administrative savings. I am sure that the right hon. Gentleman will agree that we must have an efficient operation. There must be scope for savings among three bodies that performed similar functions, many of which were duplicated.

Mr. Wigley: I am sure that there will be scope for savings—the question is whether it will come from the overheads at the headquarters of those bodies in Cardiff and elsewhere or whether it will come from the administrative budget and undermine the WDA's activities at the sharp end. That matter concerns the agency and hon. Members who represent Welsh constituencies. We want the agency to build on its established track record.

We are aware of the on-going attack on the ability of the Welsh Development Agency to attract overseas investment to Wales. There is constant sniping from certain people outside Wales whose agenda seems to be to pull down the work of the Welsh Development Agency. I realise that Wales has benefited: we have received 20 per cent. of inward investment to the United Kingdom, which is more than "our share". However, we certainly needed it. If there is a feeling in north-east England that Wales is doing particularly well, surely that area should rise to our level rather than trying to pull Wales down. This structure is helping to deliver the goods in Wales. If there are lessons to be learned about attracting inward investment to the north-east or the north-west, I wish those areas the best of luck. However, the Welsh Development Agency must not be shackled.

5.15 pm

I have read and heard of the rumblings in the Department of Trade and Industry, which—even before the advent of the new Welsh Development Agency—is trying to tie up the new super-body and establish a hold over it. That would be a severe disservice to Wales. I ask Welsh Office Ministers to provide some assurances in that regard when they respond to the discussion.

I have tabled parliamentary questions about exports. Encouraging exports is the flip side of attracting inward investment. The creation of the interface and the networks and the generation of faith in the economy that provides the exports can be significant factors in identifying and helping to develop overseas investment in Wales. Manufacturing opportunities in Wales or in other parts of the United Kingdom may be identified and products may be exported to the country of origin or to other parts of the world.

Mr. Evans: The WDA is already doing that to a great extent through "Source Wales". Those activities would be damaged if the WDA pulled back any of its people from abroad, particularly from countries such as Japan. The WDA is doing a good job, but there is a fear that indigenous Welsh companies will suffer.

Mr. Wigley: We must develop the "Source Wales" approach. There is immense untapped potential. Much good work has been done, but there is scope for more. Components imported from Japan, Taiwan and the far east that are used by companies such as LG and ACER could be made in Wales—or at least nearer the source. That would benefit the economy of the United Kingdom in general and of Wales in particular. That area must be developed. Proactive work must be undertaken in countries such as Japan, South Korea and Taiwan to achieve our objectives.

I hope that the WDA office in Tokyo is receiving the full, proactive support of our embassies and other United Kingdom organisations. We must not see the sort of infighting that sometimes occurs—the petty jealousies, the empire building and the desire to take credit for any achievements. It is true that the Welsh Development Agency has done some tremendous work, but it would be hamstrung if it were not working as part of a team. I seek the Minister's assurance that the team approach will continue and that the WDA will receive support from all United Kingdom representative bodies, whether they are embassies, the Invest in Britain Bureau or the DTI.

I received an interesting answer from the Scottish Office when I asked a question about the statutory provisions that enable it and its agencies to help firms located in Scotland to develop export markets overseas. The Minister for Education and Industry, Scottish Office replied:

"My Department, through Scottish Trade International, a joint organisation between The Scottish Office and Scottish Enterprise, assists the delivery to Scottish-based companies of support from the Government's Overseas Trade Service, funded by my right hon. Friend the President of the Board of Trade. In addition, Scottish companies benefit from export advice and assistance from Scottish Enterprise on the basis of section 1(a) of the Enterprise and New Towns (Scotland) Act 1990 and from export advice now funded by my own Department under the Industrial Development Act 1982."—[*Official Report*, 10 February 1998; Vol. 305, c. *147*.]

In other words, the Scottish Office has a positive, proactive role which will transfer to the Scottish Parliament to develop overseas trade. That is clearly beneficial.

I asked a similar question of the Welsh Office and the Under-Secretary of State for Wales, the hon. Member for Neath, replied on 10 February. He stated:

"Section 1 of the Welsh Development Agency Act 1975 provides the necessary statutory powers for the activities of the Agency. The Agency has a number of initiatives and schemes which assist companies in Wales to develop overseas business opportunities."—[*Official Report*, 10 February 1998; Vol. 306, c. *156*.]

The Minister said that he would arrange for me to have a letter from the chief executive of the agency and for a copy to be put in the Library. Such a letter has not come, nor has it reached the Library, but no doubt it will arrive some time.

From comparing those two answers, I get the strong impression that the role of the Scottish Office has been considerably more advanced than the role of the Welsh Office in developing that trade aspect, and that that is beneficial to Scotland's attempt to attract inward investment. The best of luck to Scotland—I do not begrudge it. The Scottish Office is going out and doing the job. On three occasions during the past two years, I happened to be in places overseas where Scottish Office Ministers had just been, trying to draw in investment. That has helped to create the networks that Scotland needs to attract inward investment.

We need that same proactive approach. Bodies such as the Department of Trade and Industry and Invest in Britain must understand that our agenda is to achieve as advanced a model as the one from which Scotland benefits, not to be reined in because of the agenda that the DTI seems to have.

If the Welsh Development Agency and its successor body are to do the job that we need, they will need resources. I hope that the Under-Secretary will respond to the points made by the hon. Member for Merthyr Tydfil and Rhymney and the right hon. Member for Llanelli about the need for resources to deliver the objectives.

In recent months, we have seen the danger of large-scale projects such as LG, which of course is valuable and worth having in its own right, swallowing up the available resources; resources are not available for other parts of Wales where, by now, there is an even greater need for economic stimulation and job creation. If the new body is to have a chance of attacking the agenda that awaits it, it needs those resources. I hope that some assurance will be given that, although we read in the *Financial Times* about cuts in resources, adequate resources will be made available.

Finally, as this is our debate about the WDA, I hope that there will be some clarification of the appointment of people who will take over the responsibilities in the new super-body, and what will happen with regard to the senior jobs in the new structure. There is great uncertainty in all the bodies. People in post want to know where they stand. Will they be appointed by existing bodies, or can the appointments be made only after the new body has come into existence? I realise that that is tangential to the debate, but it all comes together in our amendments. We need a structure in place to develop exports and promote balanced development throughout Wales.

The Chairman: Order. I remind the Committee that this is not the only debate about the Welsh Development Agency. There are several groups of amendments that relate to it.

Mr. Rhodri Morgan (Cardiff, West): Taken as a whole, the amendments in this group relate to the question of how social, as well as economic, the Welsh Development Agency cum economic powerhouse should be, after the merger with the Land Authority for Wales and the Development Board for Rural Wales.

I shall not reminisce about the period in the mid-1970s, almost a quarter of a century ago, when the three agencies were set up under the previous Labour Government, because obviously I was not there, unlike my right hon. Friend the Member for Llanelli (Mr. Davies) and my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), but I recall the period. The curious fact about our debate today about a three-way merger and the terms on which it should take place is that that was also true at the setting up of the WDA.

The WDA was a merger of the derelict land unit, the Welsh Industrial Estates Corporation, which built the factories, and the Development Corporation for Wales, which was the punter-hunter for the body that marketed Wales in England and the rest of the world. It tried to draw companies in to occupy the factories that would be built by the Welsh Industrial Estates Corporation, sometimes on cleared land that used to be covered in slag heaps from the coal mines.

In that three-way merger, probably the same consideration of priorities took place that we are undertaking in debating the amendments. We should not expect the functions of a body on day one of a merger to remain the same over the next quarter of a century. Clearly, the priorities will change. When the original merger took place, one of the main priorities back then would have been to clear the slag heaps. It was not all that long after the Aberfan disaster, and people were still conscious of it from eight years previously.

People saw that as a high priority for two reasons: first, it released land; and, secondly, it improved the environment and made the environment in the valleys of north-east Wales and especially in industrial south Wales more attractive to industrialists. Accordingly, factories were built on the cleared land, and the parts that could not be made flat enough on which to build factories were landscaped.

Rather than discussing how social the Welsh Development Agency cum economic powerhouse should be, at that time we would have been discussing how environmental it should be, and to what extent it should be allowed to dilute—

Mr. Denzil Davies: That is made perfectly clear in the Welsh Development Agency Act 1975. One of the four purposes set out in the Act is

"to further the improvement of the environment in Wales".

[Mr. Denzil Davies]

That means clearing the slag heaps. Another purpose is "to further the economic development of Wales".

Mr. Morgan: That is precisely my point. The question was how environmental the WDA should be. The question now is whether the social aspect dilutes that function. That was the point made earlier by my hon. Friend the Member for Merthyr Tydfil and Rhymney. In other words, if functions are added to an economic development agency, is its focus diluted?

There was great criticism of the environmental aspects of the early WDA. *[Interruption.]* My right hon. Friend the Member for Llanelli denies that, but I can tell him that it is true. I wrote an article on the subject. My right hon. Friend is not the whole of the human race and he may not remember that, so he should not rush to denials too quickly. He may not remember my article in the *Western Mail*, but that is his problem, not mine.

The issue is the same: is the focus of an economic development agency diluted when functions are added to it? Is it better for the agency to concentrate solely on economic agencies, and for other agencies to specialise in other functions? Are merged functions a good idea, because they would help along the general process of improving the wealth and prosperity of the Welsh nation? Should that be done by several agencies, or by a merger of three agencies, as we did when we set up the WDA in the mid-1970s and as we are doing now?

The issue is complicated by the fact that one of the predecessor agencies had a social function. For the DBRW, the main problem was not unemployment, but depopulation. Unemployment was quite low, but the young people would not stay because they had none of the facilities of town life. The DBRW thought that, with more social development, people would not mind staying in the area. People did not want to stay on the farms and little villages.

Mr. Lembit Öpik (Montgomeryshire): Does the hon. Gentleman agree that exactly the same problem persists, particularly in areas such as mid-Wales, and that that is one of the most powerful arguments for the proposals in hand?

Mr. Morgan: I think that the hon. Gentleman is confirming what I thought about the basis of "social". If the word is put into the Bill, will there be a dilution throughout Wales in both rural and urban areas? That point was made by my right hon. Friend the Member for Llanelli. Such a dilution would put pressure on the social side of the budget. If the word is not inserted—I think that that is what the Tory amendment seeks to achieve, although I did not hear the hon. Member for Ribble Valley (Mr. Evans) arguing this—and social development does not feature at all, it cannot be applied in mid-Wales, let alone urban Wales. It seems that that is the meaning of the Tory amendment. The hon. Gentleman may not wish to advance that argument but it seems that that is the meaning of the amendment.

5.30 pm

Mr. Evans: I am not sure whether the hon. Gentleman was listening carefully enough. The right hon. Member for Llanelli (Mr. Davies) suggested that we could either demarcate the rural areas that now receive social development aid to ensure that they, and only they, continue to receive it, rather than places such as Swansea, Port Talbot or Neath, which would have arguments to advance for social development, or devolve down to the local authorities. Both suggestions could be carefully considered.

Mr. Morgan: The hon. Gentleman is saying that he was speaking in defence of the amendment tabled by my right hon. Friend the Member for Llanelli. I was saying that the hon. Gentleman was not speaking to the Conservative amendment, which would remove the ability of the economic powerhouse or super-agency even to continue what the three predecessor agencies are now able to do, especially the Development Board for Rural Wales, in promoting social development in mid-Wales.

I hope that my hon. Friend the Minister will deal with whether the addition of the words "and social" will allow the merged agency to continue what the DBRW does now in mid-Wales and with whether the intention is to extend the social development function to rural areas of Wales that are not in mid-Wales. Finally, is it intended that there should be social development in any part of Wales, be it urban, non-mid-Wales rural or a continuation of the area of mid-Wales?

Mr. Denzil Davies: There is no question of intent; we are dealing with what the legislation will provide. Social development will cover the whole of Wales. It will not be restricted to Powys or rural areas generally. It is not a matter of intent. Perhaps my hon. Friend will read the proposed legislation.

Mr. Morgan: I do not know why my right hon. Friend thinks that I do not understand that. Perhaps the issue is whether ministerial replies have any purpose. I am saying that ministerial replies have a function in the proceedings of the House of Commons. That being so, there is some purpose in asking the Minister to explain what the clause is intended to mean in terms of the operation and budgeting of the agency and what the merged agency will be told to do, for as long as he has any influence over it. My hon. Friend will be aware of the influence of judicial reviews in grey areas. We know that what Ministers say at the Dispatch Box counts in grey areas. That is why I am asking the Minister to perform the usual function that Ministers undertake when they reply to debates in Parliament.

It is obvious from the way in which the Bill is structured that we are terminating, through the legislative structure of the Bill, the DBRW and the Land Authority for Wales. We are making the WDA the taking-over body, legislatively, of the other two agencies to which I referred. This may be a merger in the minds of Ministers, but legislatively there will be a takeover. That is clear from the structure of the Bill.

The issue is whether we should try to buy off the possible opposition of those who work in or are served by, in the case of mid-Wales, the DBRW, including those who have a particular interest in urban regeneration and land development, by saying, "Do not worry. As we are making the WDA the superior agency, we shall try to curry some favour with you by doing something for you in the wording of what will be an Act—for example,

adding the words 'and social'—so that it is clear that the DBRW will have a continuing influence even though its legal being has been terminated."

The same process is occurring with staffing levels. My right hon. Friend the Secretary of State has already said that the chairman of the WDA will be the successor chairman, and that the chief executive will be the successor chief executive. Including the words "and social" could be seen as the quid pro quo for these two processes. Even this is being said, "The WDA can take over the other two bodies and we shall be the superior body, but we shall draw back from some of the activities of the WDA that the DBRW never undertook, including inward investment from abroad by having offices abroad." The international division of the WDA feels very much under threat precisely because of that quid pro quo.

We have the words "and social"; a parallel in terms of the staffing structure is that the WDA gets the chairman and the chief executive. At the same time, the DBRW-type attitude that business services are important while inward investment is not so important will be reflected in the staffing structure. That is an alarming prospect. The parallel structure to what is proposed in the amendments will gnaw away at the international division and the overseas representation of the WDA.

The WDA is already the smallest of the bodies that serve the British Isles through overseas representation. The development authority for Northern Ireland has 57 people working abroad. The Locate in Scotland office has 37, the Northern Ireland Industrial Development Board has 33 while the WDA has 25 from 1 April. Perhaps these words are being used, "We know that the WDA will have the chairman and the chief executive, but do not worry. There will be a lot of DBRW and LAW influence below that level. We are showing you that by shrinking the international division. The DBRW was never so involved in mid-Wales because the WDA always acted for you. The styling of the agency is to withdraw from some of the overseas markets and no longer to have a presence abroad." That would be a tragedy.

The parallel that can be drawn from the amendments is a structure that will work away at staffing levels. Given the staffing structure being devised in the merged arrangements and the announcement that was made a few days ago about the chairman and the chief executive, we shall have not an economic powerhouse but an economic power mouse. There will no longer be the ability to draw in firms from abroad. The pass will have been sold. In effect, it will be said, "The WDA can have the top jobs, but after that we shall start drawing in the horns of the old WDA function because it was expensive. There were offices in Seoul, Tokyo, north America and elsewhere. If we pull out of that, the Invest in Britain Bureau in London will be very happy, as will the Department of Trade and Industry. We shall pull out of all that."

That having been done, the WDA will not be an entirely dominated organisation in future, because it will not involve excessive resources and savings of £3 million will be achieved, at least partly by pulling out from some of the admittedly expensive offices abroad. However, if the WDA is already the smallest of the big four organisations that represent the parts of the United Kingdom—Northern Ireland, Scotland and Wales—and is already operating at a level that barely amounts to a critical mass in most of the key markets for inward investment, there will be difficulties. If there were a cut while trying to maintain a share, which the right hon. Member for Caernarfon (Mr. Wigley) was talking about—cutting a body with only 25 staff abroad to 15, for example—the agency would not be viable. There would then be pressure from the IBB to wind the whole thing up because it would not be worth running.

Mr. Livsey: I am grateful to the hon. Gentleman to allow me to intervene, because it seems that I shall not be able to make a speech during the debate. I apologise for being absent earlier. Some Territorial Army units in my constituency are under threat and I had to leave the Chamber on that account.

The news yesterday was that the international division of the WDA might be cut by four people while the DBRW might be cut by 60. If that is true, the social development and business connect functions of the DBRW are under threat. I hope that the Minister will reassure us that these cuts will not take place as a result of amalgamating and restructuring the WDA into a powerhouse.

Mr. Morgan: If what the hon. Gentleman is saying is true, we want to know from the Minister from where the savings of £3 million will come. Will each part share the cuts and misery proportionately so that ex-DBRW parts are subject to a cut, along with the WDA and its international division? Will it be proportional? The suspicion is that the international division will be subject to the biggest cut and may, as a result, fall below the level of a critical mass in overseas matters.

Mr. Letwin: I shall be brief, as time is pressing. My speech flows from the remarks, as has often been the case during the Bill's consideration in Committee, of the right hon. Member for Llanelli (Mr. Davies). I draw the Committee's attention to a constitutional question that arises as a result of the definition of social development.

I remind the Committee that there is something procedurally odd about what is going on in this clause, as clause 29(1) gives the Welsh assembly enormous powers to redefine, as the Secretary of State has eloquently described on other occasions, the role of the Welsh Development Agency, and, indeed, to terminate its functions entirely, if I am not mistaken. It is therefore odd that the Government have chosen to extend the WDA's role by statute of the House rather than allow the assembly to make that decision, as the assembly will be allowed to do in relation to the continuance or restriction of the WDA's function. We must therefore look at what importance will be attached to the change in the WDA's function.

Like the right hon. Gentleman, I have looked at different sources for a definition of "social development". The European literature, which will be extremely important guidance to United Kingdom courts in determining this, has a much wider definition than that suggested by the right hon. Gentleman. The transfer of functions order lists all the classes of activity that could be classed as economic.

When one sees the classes of activity that will be transferred to the assembly, it could be argued—if time permitted, I would do so—that each and every one of the remaining non-economic functions could be classed as social development. There is at least a risk—perhaps a severe one—that the WDA, if it so chose, could gradually establish a right to intervene in every area of government in which the assembly will also have a right to intervene.

[Mr. Letwin]

Section 1(6) of the Welsh Development Agency Act 1975 states what the agency's powers are in relation to its scope. It says:

"The Agency shall have power to do anything"—

a remarkable statement—

"whether in Wales or elsewhere, which is calculated to facilitate the discharge of their functions . . . or is incidental or conducive to their discharge."

That is the widest definition that could be given of the powers that a body could have, given to it by statute. If the scope of power given to it by statute broadly approximates that given to the Welsh assembly, there will be two bodies in Wales—one will be reformed; the other established—both of which appear to have, within roughly the same scope, broadly unlimited powers to do broadly anything, so long as they do it procedurally in the right manner.

We must then look at where the money flows. We have, I fear, a confused picture. Perhaps the Minister can reassure us that I have misunderstood the position. I believe that, although the assembly will be responsible for the current expenditure of the WDA, under section 18(3) of the Welsh Development Agency Act 1975, which does not appear to contain an order-making power that is being transferred under the transfer of functions order, the Treasury and the Secretary of State will determine the total expenditure of the WDA, because it falls to them to determine its aggregate level of external financing.

Looking some years ahead, to an assembly that is dominated by a political party or parties different from those that dominate the House and constitute the Government of the United Kingdom, we see the classic recipe for constitutional tension: an agency which can do everything which, broadly speaking, the assembly can do; which has the widest powers in relation to that scope; which is funded, at least in part, directly from the Government of the United Kingdom; and which can set itself up in opposition to the Welsh assembly.

The assembly will, of course, in part be the agency's paymaster. What a fertile field in which constitutional problems can arise, for example, if the Secretary of State of the day or the Treasury seek to use the WDA as a means of directing funding through the external financing limit powers, against the interests of its nominal paymaster—its current expenditure paymaster—and the body that is meant to be in charge of it.

I am not trying to argue that all these problems will arise at once; I am trying to argue that, by inserting the word "social", with its wide connotations—I doubt that whatever the Minister says at the end of the debate will much influence the judges in this matter—the Government will have created the ability for the two bodies to be in tension in a way that the Government, or their successors, will come to regret.

5.45 pm

Mr. Hain: I am sorry to have to reply to the debate at this point. I realise that I might have stopped some of my hon. Friends from speaking, for which I apologise.

Amendments Nos. 374 and 493 would mean that the social development powers of the Development Board for Rural Wales were lost with the abolition of the board. That is the important point. The White Paper "A Voice for Wales" set out the Government's plan to consolidate the functions of the DBRW and the Land Authority for Wales into the WDA, to provide a unified and comprehensive range of services for the whole of Wales. Indeed, that is done at local authority level, where regeneration plans reflect a comprehensive approach, involving economic, social and environmental development.

In the past, the DBRW has made effective use of its social powers to contribute to the development of rural communities, complementing the role of local authorities—for example, a £25,000 project in Ceredigion to convert a warehouse into a sports centre. Other instances include support for jazz and music festivals, opera performances and youth clubs.

The Bill clearly establishes the powers of the new agency to be a full and effective partner in economic and social development schemes all over Wales. Obviously, the way in which this power is used in the future will be subject to the wishes and guidance of the assembly, but these amendments would deny any prospect of progress in that direction.

I shall respond specifically to the typical probing and forensic points made by my right hon. Friend the Member for Llanelli (Mr. Davies). He raised legitimate points, in contrast to the somewhat legalistic points of the hon. Member for West Dorset (Mr. Letwin). I would not for a moment accuse the hon. Gentleman of misunderstanding the Bill, but he missed its point entirely and sought to confuse it in an argument—one that is fundamental to the Conservatives' opposition to the Bill—about tension between Westminster, which sets the funds for the assembly, and the assembly, which would control the new WDA powerhouse agency.

The social activities envisaged are pretty small-scale. I gave examples a moment ago. They would not threaten the overwhelming industrial and economic focus for the activities of the powerhouse. The new WDA will, of course, be accountable to the assembly. Its programmes, including social development, will therefore be subject to scrutiny by the assembly under section 1(14) of the Welsh Development Agency Act 1975. No Treasury consent will be required. If there were any question about the activity of the powerhouse veering too much, say, in a social direction, the assembly would be able to call it to account. It would scrutinise that and deal with any problems that arose.

My right hon. Friend the Member for Llanelli and my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) asked about the definition of the term "industrial" and the balance between business and industry. We propose to substitute the term "business" or "businesses" for "industry" or "industrial", which is used in the Welsh Development Agency Act. We have made that change simply to use a more up-to-date expression which better captures the nature of the modern Welsh economy.

I note that my right hon. Friend accepted that that change was fine, but he made some specific points, to which I shall come later. The change does not imply that the term "industry" provides too narrow a definition of the type of body that could be supported under the Welsh Development Agency Act or any other legislation.

With regard to my right hon. Friend's point about profit, the definition in the Bill, in particular in paragraph 10 of schedule 10, is really to ensure that there is no attempt to exclude, for example, co-operatives. The intention was to make the WDA's remit as wide as possible. Other examples might be a business conducted by a charitable trust on a break-even basis, or a village shop run by a local community. Therefore, there is not a great deal to be concerned about, although my right hon. Friend was right to press us on that.

Mr. Evans: Why does the definition of "business" also include public bodies? Does not that mean that even the Welsh Office could apply for grants for, for example, business efficiency? Why is the definition so broad as to include public bodies?

Mr. Hain: The hon. Gentleman should read the Bill carefully.

Mr. Jenkin: Answer the question.

Mr. Hain: If the hon. Gentleman will allow me to do so, I shall answer the question.

The definition in schedule 10 is clear. It rightly gives the new WDA extremely wide powers. Unlike the hon. Member for Ribble Valley (Mr. Evans), we do not want to shackle it.

My hon. Friend the Member for Merthyr Tydfil and Rhymney asked about service. I agree that the heart of any successful economic strategy for revitalising the Welsh economy must focus on manufacturing and industry. That has been terribly neglected in the past couple of decades—a point on which we have often agreed, and I continue to do so. I think that my hon. Friend claims that the birth of manufacturing took place in Dowlais, and he may have a point there.

It is important that service industries are included. For example, a call centre might well be classed as a service business rather than a manufacturing industry, self-evidently. I agree that manufacturing must be given priority, both in terms of inward investment and indigenous investment, which has particularly been neglected in the past 18 years.

Mr. Rowlands: In the past, when motor vehicle repair businesses or garages applied for some support from the WDA, it said that that was not a service sector which it should support. In the changes that have been made, would it now be included in the responsibilities of the WDA?

Mr. Hain: It is quite possible that it would be. The broad remit for the powerhouse would reflect that. It is an attempt not to shackle it, but to empower it, so that it can conduct the necessary economic support activity.

The right hon. Member for Caernarfon (Mr. Wigley) raised some pertinent points, for which I thank him. I emphasise that the balance must be in favour of economic, industrial and business activity. We have set specific targets to shift investment westward. It is difficult, but we are determined to continue with that.

As to the wish to make it a function of the agency to promote social equity in Wales, I remind the Committee that, for the first time, the Bill empowers the agency to address social development. Social equity is better achieved by a cohesive partnership between public and private bodies involved in service provision. That means not just the agency but the assembly, local authorities, the voluntary sector and many other bodies. I am sure that the social development powers of the Development Board for Rural Wales, which the Bill will transfer to the agency, will help it to contribute to the effort. Amendments Nos. 374 and 493 would prevent that transfer.

Mr. Letwin: If the Minister is admitting that social equity could be included within social development, can he name any activity that would devolve to the Welsh assembly which might not be considered as falling within the remit of the WDA?

Mr. Denzil Davies: Not many.

Mr. Hain: That is probably true. We intend to create a powerful agency.

The hon. Member for Ribble Valley made an important and legitimate point—for a change—about whether the assembly would be meddling in the WDA's activities. The answer is no. The assembly will set clear targets for the new powerhouse. It will monitor it and hold it accountable for delivering the strategy which it determines as an assembly. But decisions on day-to-day matters, such as inward investment and the level of grants in attracting inward investment, would be made by the powerhouse, not by some Committee of the assembly.

I am aware of the interest of the right hon. Member for Caernarfon in the comparative arrangements for export promotion and development in Scotland and Wales. He made some important points. I am pleased to reassure him that the existing WDA legislation provides the necessary powers for it to undertake export promotion activities, so his amendment is not necessary.

At the moment, the Welsh Office is the main provider of export and advice services throughout Wales, while the services provided by the WDA are often sector specific. Other bodies, such as the chambers of commerce, training and enterprise councils and export associations, have been working with the Welsh Office to review and improve services to help small and medium enterprises in Wales to export more. We will bear the right hon. Gentleman's points in mind.

I also listened with care to the right hon. Gentleman's points about the WDA's vital international role, and his Scottish point, which we note with interest. My right hon. Friend the Secretary of State has made it clear that there will be no Whitehall veto over his powers in respect of financial arrangements and so on, and therefore over the assembly's powers with regard to inward investment.

My hon. Friend the Member for Merthyr Tydfil and Rhymney asked whether there would be a Welsh energy policy. The power to give consents for power station development will still reside with the Department of Trade and Industry, but the WDA will obviously have an interest, as it has at the moment in promoting the power station development at Baglan.

Mr. Denzil Davies: Will my hon. Friend give way?

Mr. Hain: I am sorry, but I have only a couple of minutes left.

[Mr. Hain]

I can tell my hon. Friend the Member for Cardiff, West (Mr. Morgan) that I deny emphatically that there is any attempt to run down the international activity of the WDA. I owe my hon. Friend a letter on that point, and I shall write to him addressing the points that he raised.

My right hon. Friend the Secretary of State has asked for the resignations of all 27 members of the three quangos which are to be merged to form the economic powerhouse for Wales—the WDA, the DBRW and the Land Authority for Wales. They will stand down this autumn, when the new body is created and a new body is appointed. We shall shortly advertise those appointments, and, in addition to new candidates, I have no doubt that many of the existing members who have given dedicated service to Wales will wish to put their names forward.

We are determined that all other board members of the new powerhouse will be appointed in the same fair and open way as the chair of S4C. The new board will not be open to accusations of cronyism; nor will any other appointments made in the new Wales. People are looking to Wales to give a lead in establishing new, more open and accountable ways of managing public bodies and the Government are giving the lead. We are making a clean break from the old, scandal-ridden quango state, and I urge my right hon. and hon. Friends not to press the amendments.

Mr. Denzil Davies: My hon. Friend the Minister made it clear that the Government have no intention of shackling the WDA, and that the purpose of the changes was not to do so. There will thus be a considerable extension of the WDA's powers.

I realise that I will not get an answer now, but may I ask my hon. Friend rhetorically whether the money will still be shackled? If the powers are to be unshackled, will the moneys be similar in quantum to the current powers?

Mr. Hain *rose—*

Mr. Davies: I am sorry, but I shall not give way to my hon. Friend. I have one minute, and I intend to use it. I am sure that he wants me to withdraw the amendment when the time comes.

Let us have extra powers for social development, but let us also have the extra money that goes with it.

Mr. Hain *indicated assent.*

Mr. Davies: My hon. Friend is nodding, so I presume that the Secretary of State will go to the Treasury and say that we want more powers.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

6 pm

Mr. Cynog Dafis (Ceredigion): I beg to move amendment No. 517, in page 56, line 11, leave out from 'Wales' to first 'and' and insert

'leave out "economic" and insert "sustainable economic, environmental".'.

The Temporary Chairman (Mr. Barry Jones): With this, it will be convenient to discuss the following amendments: No. 518, in page 56, line 13, at end insert—

'(c) after paragraph (d) insert—

"(e) to promote the environmental sustainability of economic activity in Wales; and".'.

No. 522, in page 56, line 26, at end insert—

'(3A) After subsection (4) there shall be inserted—

"(4A) In allocating its resources and setting its priorities, the Agency shall have regard to the need for sustainable economic development throughout the whole of Wales.".'.

Government new clause 38—*Sustainable development.*

New clause 18—*Principle of sustainable development—*

'(1) The Assembly shall make appropriate arrangements with a view to securing that its functions are exercised with due regard to the principle that there should be economic and social development which is environmentally sustainable.

(2) The arrangements referred to in subsection (1) shall include an annual review of the implications for Wales of any relevant quantitative targets for the United Kingdom set by Parliament or by Ministers of the Crown.

(3) After each financial year of the Assembly, the Assembly shall publish a report containing—

(a) a statement of the arrangements made in pursuance of subsection (2) which had effect during the financial year, and

(b) an assessment of how effective those arrangements were in promoting sustainable development.'.

New clause 37—*WDA board member to have responsibility for sustainable development—*

'.—Section 2 of the Welsh Development Agency Act 1975 shall be amended by inserting the following subsection—

"(3A) One member of the Agency shall be responsible for monitoring progress on the sustainable development aspects of the Agency's work.".'.

Mr. Dafis: I welcome the opportunity to debate at last, after several attempts, sustainable development. There is hardly a more important topic in considering a national future for Wales and the roles of the national assembly and the new development agency.

Some of the amendments and new clauses in this group apply to the assembly and others apply to the development agency, but none applies to both. We welcome the Government's long-awaited new clause 38, which applies to the assembly but not to the development agency. Inserting that new clause in the Bill may mean that our national assembly will be the first national legislative body to have a statutory duty to consider sustainable development. That is welcome and, if it is taken seriously, it could be highly significant for the future of Wales. We strongly believe that both the assembly and the development agency should be subject to such a duty, and I shall explain why later.

Amendment No. 517 inserts the words, "sustainable economic, environmental" in place of the word "economic" in relation to the WDA's functions. Amendment No. 518 would add the words:

"to promote the environmental sustainability of economic activity in Wales"

in line 13. Amendment No. 522 refers to the need to allocate resources and set priorities for the agency, and says that those

"shall have regard to the need for sustainable economic development throughout the whole of Wales."

The concept of the "whole of Wales" has already been discussed and I am sure that it will be discussed under the next group of amendments when we consider rural policy.

New clause 37, which I like to think is ingenious, would require one member of the agency's board to be responsible for monitoring the progress of the sustainable development aspect of the agency's role. Just as some organisations have a sustainable development unit, it would be useful to have one person on the board with the job of monitoring progress.

New clause 18 concerns the assembly and would have a similar effect to the Government's new clause. By the way, a small error appears in new clause 18, subsection (3)(a), in which reference should be made to subsection (1) rather than subsection (2).

Sustainable development is not just environmental protection, important though that is. It is certainly not just preservation, which has its place. Nor is it about keeping matters as they are. It is about making improvements in efficiency, prosperity and people's quality of life in a way that sustains and strengthens the natural environment and social equity. The concept of social equity was discussed briefly under the last group of amendments. I shall not spend too much time on it, but it might be worth bearing in mind the development advocated by David Adamson of the university of Glamorgan as part of the process of economic regeneration. He advocates taking hold of an area where there is social deprivation, helping the people to acquire skills, empowering them to use fashionable terms, and bringing about economic regeneration from the bottom up as well as from the top down. That example of using an agency's powers for social purposes is functional in relation to economic development. It is also an aspect of sustainable development.

Thus, sustainable development means integrating—that is the important word—environmental and social equity considerations into all aspects of policy. Implementing sustainable development means identifying and then actively pursuing opportunities for development that bring those three elements together. It is not possible for the Welsh Development Agency or the assembly to pursue only sustainable development. We live in a world where a great deal of development is unsustainable. That may come to an end at some stage, but if one is committed to sustainable development, one is always looking out for opportunities that bring those three elements together. It is not always easy, but the scope is great and it will become greater as policies change at all levels: global, European, British and Welsh.

I am confident that the national assembly will meet as sustainable development rises to the top of the political and economic agenda. Achieving the transition to sustainable development will be the dominant theme of the new century. We are all caught up in that global process to a greater or lesser extent. The latest phase is the Kyoto agreement on greenhouse gas emissions. The process extends from the global to the local level through the Agenda 21 process.

We have a serious opportunity to put Wales at the forefront of that transition to sustainable development, just as Wales was at the forefront of the transition to industrialism 200 years ago, when our resources of energy were a crucial consideration. The assembly therefore has every reason to adopt sustainable development as a central theme for Wales. Until now, there has been a significant failure in Welsh Office policy in that regard. In 1993, the Government published their first sustainable development strategy and established an advisory panel on sustainable development, chaired by Sir Crispin Tickell. It established a useful round table, which has been meeting regularly and proposing policy recommendations. Both those bodies have done useful work.

On the day in February when that launch occurred, the Scottish Office, when Ian Lang was Secretary of State for Scotland, set up an advisory panel on sustainable development and a sustainable development unit within the Scottish Office. I am told that both do useful work within the Scottish Office. That did not happen in Wales. The then Secretary of State for Wales refused to do that, and opportunities have been lost as a result. No working group was set up and the previous Administration rejected my request in a debate in this House, and requests from others, to establish such a process. We have had nothing of that seriousness in Wales.

Consultations on the Government's new sustainable development strategy document, "Opportunities for Change", which was published a fortnight ago, will be completed by the end of the year. That process must be used to develop a distinctive Welsh agenda on this subject: it should not be an appendix or a pale imitation of what is happening in England or throughout the United Kingdom.

If the Government have ideas that are ready for implementation and that will put Wales at the forefront, the assembly will hit the ground running when it meets in the summer of next year. A distinctive agenda could be part of the brand image of Wales and establish Wales's reputation in Europe and the world. How will the Secretary of State use the consultation process for such purposes?

The energy sector is relevant to sustainable development. Wales has major sustainable and renewable energy resources. The Government are committed to generating 10 per cent. of electricity from renewable resources by 2010. That would enable us to develop diversity and security of supply at competitive prices.

Mr. Denzil Davies: I am following closely the hon. Gentleman's argument about energy and sustainable development. Does he agree that nuclear power stations do not transgress the principles of sustainable development?

Mr. Dafis: No, I do not. Some people suggest that nuclear energy enables us to meet CO_2 emission targets because carbon is not used. However, it is unsustainable because of problems with decommissioning nuclear power stations and disposing of wastes. There is a debate on the issue. My view is that substituting nuclear for fossil fuel-based energy is not sustainable, but other options are.

Sustainable or renewable energy involves a dispersed and decentralised pattern of production and offers significant wealth creation and job opportunities in rural areas. Many of those opportunities are frustrated by the nature of the debate on renewable energy in Wales. The assembly and the agency should ensure that we have a more sophisticated understanding and a more intelligent debate. Wales could take a lead. The debate is not just about renewable energy. Offshore oil and gas resources will not be subject to decisions of the assembly, but it should influence the way and degree to which they are exploited.

[Mr. Dafis]

Environmental technology—pollution control, emission measurement, end-of-pipe technologies and alternative clean production systems—is an expanding industrial sector that is set to overtake the chemical industry at the global level by the end of this century. The WDA should target this key sector for inward investment. There will be important opportunities in forestry and agriculture and the Secretary of State's initiative on the all-Wales agri-environmental scheme will be helpful.

Sustainable tourism—which is the right sort—and links with economic activities such as farming should be encouraged, and sustainable agricultural areas and woodlands could be a focus for tourism. Sustainability is a pervasive theme that will be terribly important in the planning process. The planning process should actively facilitate rather than frustrate renewable energy projects. Sustainability should be prominent across the curriculum at all levels of education and a key factor in research. Organisations such as the Institute for Grassland and Environmental Research are involved and universities in particular are doing good work and could do more.

6.15 pm

Mr. Rowlands: Wind farms are contentious in certain communities. Is the hon. Gentleman suggesting that the right to object should be reduced to make planning more positive and proactive? What is he suggesting in that respect?

Mr. Dafis: I am suggesting that the planning process should be part of an all-Wales strategy. There should be targets for electricity produced from wind power, and that might lead to a search for, and designation of, appropriate sites. I do not favour removing the right to object—that would be dictatorial—but the planning process can be used positively. Planners must understand the significance of a scheme when they make their decision. I believe that many planners are not sufficiently well informed.

Mr. Öpik: Does the hon. Gentleman agree that acrimony arises in local communities over issues such as wind farms precisely because of the absence of a sustainable energy development strategy? If there were such a strategy, perhaps wind farms would not be built piecemeal and communities would not be upset.

Mr. Dafis: I do not want to get into a protracted argument about wind farms.

The Temporary Chairman: Please do not.

Mr. Dafis: If we are to have a sustainable development strategy for Wales, we must also have a sustainable energy strategy.

The assembly will have transport responsibilities. Wales needs an integrated transport policy to reduce road traffic. As the Government are committed to achieving a reduction in road traffic, how will the assembly develop such a policy? The Welsh road and rail network was conceived outside Wales. It is peripheral to the English network—no wonder we have poor north-south links. A sustainable communications policy must contain the right mix of transport modes—road, rail and air—which the Welsh Office has been promoting recently.

Getting investment priorities right will be difficult because the assembly will no more be responsible for rail than is the Secretary of State. There is a clear case for further devolution. The assembly will have to co-operate closely with the Office of Passenger Rail Franchising, the franchising authority. Opraf should be in that list of bodies, set out in schedule 4, that the assembly can require to attend its meetings. I hope that the Minister will consider tabling an amendment to bring that about. The successor body to Opraf—the strategic railway authority—will subsume the franchising functions.

Electronics play a crucial role in communication policy, enabling communication without physical movement, rendering distance irrelevant and reducing the need for road traffic.

Sustainable development is about opportunities, and opportunities for all parts of Wales. It is about industrial areas just as much as rural areas. We shall discuss rural policy later, but it is worth noting that Professor Gareth Wyn Jones, an expert on the subject, suggests that

"a comprehensive strategy for the sustainable use of renewable natural resources in rural Wales could create about 10,000 new jobs".

Given the multiplier effect, the professor reckons that as many as 14,000 jobs could be created.

That is just one reason why I consider it essential for sustainable development to be a duty for the new WDA, not just for the assembly. A revamped WDA will, after all, be up and running before the assembly meets, and sustainable development should be one of its key considerations from the outset—it has not been one in the past. The agency needs to build a sustainable development culture. It needs to get its head around the philosophy and the principles of sustainable development, and it needs to develop expertise.

The Welsh Development Agency Act 1975, which the Bill amends, refers to the environment, but the wording shows that the agency's environmental functions are seen separately from its other functions. It has tended to interpret the Act's provisions in aesthetic rather than deep sustainability terms. After all, the Act predates Brundtland, Rio and the process that has resulted from all that.

I understand that sustainable development is to be a duty of the English regional development agencies. That is in the Bill, and I want to know why the same does not apply to the WDA. May I also ask whether the Secretary of State has received any representations from the WDA opposing the duty of sustainable development? It should be at the heart of the agency's responsibilities, not at the fringe. It should not be an add-on, as it has tended to be in the past. The agency should be able to explore the environmental implications of development at an early stage, in order to avoid many of the damaging, costly conflicts that can develop during the process of pursuing a particular kind of development.

The subject is linked to the question of land use planning. I hope that the Secretary of State can assure us that the assembly will have the power to produce strategic planning guidance for Wales, which would help the agency—for instance, in relation to the location of inward investment projects. It would be stimulated, or indeed required, to locate inward investment projects, and other development projects, on previously developed land—what the Deputy Prime Minister now calls recycled land;

it used to be called brown-field sites. In that way, we could integrate land use in industrial development. The use of such areas, rather than green-field sites, should be preferred, if not exclusive.

We have a major opportunity to make sustainable development a defining theme for Wales and its assembly. I hope that I have shown how important it is that the WDA, as well as the assembly, has a duty to bring about such development.

Would the Secretary of State consider strengthening the wording of new clause 38 at a later stage? It uses the word "promoted", but it has been suggested to me that we should instead refer to the "achievement" of sustainable development, as other legislation does. For example, the Environment Agency has a responsibility to bring about—or aim to bring about—the achievement of sustainable development. It is a small point, but that duty should be seen as really important, and there should be no way of avoiding its implications. However, I admit that some of our amendments also refer to "promoting".

I look forward to hearing from the Secretary of State, and from other hon. Members.

Mr. Chris Ruane (Vale of Clwyd): I intend to make only a short speech, based on my personal experience of the area that I come from in north Wales.

I welcome new clause 38, which recognises the importance of sustainable development. If the Welsh assembly adopts a strong sustainable development policy, we shall lead the way in the United Kingdom on the issue. Sustainable development is important in all areas of Wales, but especially in areas that depend on the environment for employment. In my constituency, the towns of Rhyl and Prestatyn developed, grew and prospered because of their location and their seaside environment. As well as its coastal environment, however, my constituency is blessed with an area of outstanding natural beauty, which straddles the Clwydian range and sweeps down into the vales of Clwyd and Elwyn.

Unsustainable economic development has had a devastating effect on all parts of Wales. The whole north Wales coast has suffered from environmental degradation caused by past Governments, councils and industries that have used the environment as a cheap means of disposal. There has been a knock-on effect for subsequent generations—including this one—and on today's environment and economy.

Let me give an example drawn from my own constituency in the 1960s. Rhyl urban district council decided to use a 60-acre salt marsh on the River Clwyd—one of only three north-facing rivers in north Wales—as a rubbish dump. It was seen as a cheap option. Domestic and industrial waste was taken across north Wales and dumped on that haven for wildlife. No record was kept of the rubbish that was dumped there over a 20 or 25-year period, and no one knows to this day what was dumped. It is a chemical time bomb. The rubbish was piled 40 ft high, and bulldozed over with a metre of topsoil. The land is now so polluted that it cannot be used for housing or industrial purposes. Methane is bled out of the rubbish tip by valves, and rain water washes out leachates into the surrounding mud banks and into the Irish sea. The land has been polluted for over a generation, and will probably be polluted for many generations to come.

That is just one example. I could give many others. There is the dumping of sewage into rivers and the Irish sea; the dumping of radioactive waste from Sellafield into the Irish sea; chemical and industrial dumping along the River Mersey; the dumping of armaments, including chemical weapons, into the Irish sea over the past 50 years; and the cleansing of ships' tanks in Liverpool bay. A Welsh assembly armed with a sustainable development policy will drastically reduce the possibilities of such environmental degradation in the future.

I am pleased that the implementation of the new clause will not be delegated to a committee or an individual. I am glad that the sustainable development policy will be monitored and updated regularly, and I am also glad that the assembly will consult appropriate bodies before making, remaking or revising the scheme. I hope that the assembly will consult widely and listen carefully to the expert advice that it is given, in order to draw up a policy that will learn the lessons of the past and serve this and future generations.

Mr. Evans: I support new clause 38. I hope that the Secretary of State will not fall off his seat when he hears me say that. [*Laughter.*] Even I do not believe what I am saying. I think that the new clause is a sensible way of approaching an issue that is vital not only to all of us, but to future generations. That is what sustainable development is all about. It involves thinking about present and future generations.

Everybody is "green" nowadays and it will be interesting to see whether the Secretary of State chooses a green-field site, or recycles city hall or the guild hall in Swansea for the assembly. I understand that there will shortly be an announcement about how green he intends to be on its siting. I am told that Ministers are giving up cars and walking. As Gwydyr house is not far from here, I expect that the Secretary of State is doing that. Perhaps his car follows him carrying his red box or perhaps he carries it himself.

Mr. Dafis: The hon. Gentleman speaks about the assembly building. I hope that he and the Secretary of State agree that it presents an opportunity for energy efficiency. It may produce some of its electricity by means of new technology such as photovoltaics, and it is important that it should be accessible by public transport.

6.30 pm

Mr. Evans: I am sure that if the hot air from the Chamber was recycled, it would heat the Palace of Westminster and some other buildings. The hon. Gentleman makes an important point, and if the Secretary of State chooses a green-field site for the development, it will be necessary to examine the project at the planning stage. That is the best way to ensure energy efficiency, and I hope that that will be taken into account.

We are building on Agenda 21 and the second Earth summit, which was preceded by the Rio summit in 1992. New clause 38(6) refers to a yearly account to show exactly how the assembly has implemented its proposals, and that will enable people to measure how seriously the assembly takes sustainability. I hope that the partnership council's discussions with local authorities will give direction and a fresh impetus to an all-Wales strategy. The

[Mr. Evans]

hon. Member for Ceredigion (Mr. Dafis) spoke about that. It will also enable people to see how local authorities are fulfilling their agendas.

Mr. Ron Davies: The hon. Gentleman mentions an interesting concept. Perhaps he will explain why he and his colleagues voted against the partnership council.

Mr. Evans: We voted against it because we thought that it would not have any teeth and that it was to meet only once a year. As the right hon. Gentleman knows, I spoke about it meeting perhaps eight times a year. I hope that the other place can look again at the partnership council and give it some real teeth. There should be proper discussion between local authorities and Members of the Assembly on matters such as sustainable development. One of the assembly Committees could examine sustainability as part of its environmental remit. It must be given impetus in Wales rather than lip service.

The hon. Member for Ceredigion mentioned other areas that we should examine; one of them is traffic. I know that local authorities will look at traffic problems in their areas; we appreciate that large cities are not the only places with such problems. The assembly can offer guidance and support to local authorities on traffic management. For example, perhaps the railways could carry much of the freight that will result from new investment in Wales.

I was born in Swansea, and I suspect that if sustainability had been on our consciences in the 1960s, the Mumbles railway would still be operating in Swansea. Because of a wanton act of vandalism, that railway is no more. It is unlikely that it will be brought back, but at least its fate enables us to learn from our mistakes and discover ways in which we can protect other features in Wales for future generations. If the Mumbles railway had been retained, it would not have produced the amount of exhaust gases that are currently pumped out by cars using the Mumbles road.

The hon. Member for Ceredigion spoke about giving the WDA a bigger role. The assembly can give guidance and encourage development and new investment on brown-field sites. At the design stage of buildings for new industries, more heed could be paid to sustainability and more environmentally friendly ways of building. On energy policy, we all carefully follow planning policy guidance 22. Wind energy was mentioned, and it would be remiss of me if I did not speak about that, because Wales has suffered more than most areas from the erection of wind turbines in places where they should not be.

Mr. Dafis: Does the hon. Gentleman agree that Wales enjoys a large amount of wind energy development? Such energy is clean, and involves no extraction, transport, processing, combustion or emissions. Can the hon. Gentleman think of a better way of producing electricity?

Mr. Evans: As the hon. Gentleman knows, I disagree with him on that issue. I am president of Country Guardians, and I was in touch with Ann West, who lives in Powys and has written to me today about the problem of wind energy generators in Wales. If the wind turbines are put in suitable areas in accordance with guidance that is issued by the Department of the Environment, Transport and the Regions under PPG22, they are acceptable. If changes are proposed, I should be interested to hear about them.

The assembly could give its views on sustainable energy. The hon. Member for Ceredigion spoke about a target of 10 per cent. of renewable energy by 2010. We support that, but it could mean that an area the size of Birmingham would be covered in wind turbines. We must examine all renewable sources and concentrate not just on an inefficient one, which is the wind turbine. Hydro power is far more efficient. Future wind turbine technology may make that system more efficient, so that fewer turbines are required.

As the Minister knows, some wind turbines are 300 ft high and create noise problems. Sunshine is reflected from them into houses, and they scar the countryside because they can be seen for miles. They cannot be hidden because their purpose is to catch the wind. People who live close to large farms of wind turbines take a certain view of them. I hope that any scheme or strategy that is presented by the assembly will ensure that people can have a say about the sustainable or renewable energy that they want for the future.

The hon. Member for Ceredigion spoke about the new branding for Wales. Of course, it is a green and pleasant country. We want to ensure that it remains just like that.

The Welsh assembly has a great opportunity. I am delighted that the Government have tabled new clause 38, and I hope that the people of Wales and the assembly will grasp that opportunity.

Ms Julie Morgan (Cardiff, North): I am pleased to speak in the debate, and I especially welcome the Government's new clause 38 on sustainable development. Like the hon. Member for Ceredigion (Mr. Dafis), I think that the new clause will provide an opportunity for Wales to be in the forefront of thinking, by enshrining the principle of sustainable development in legislation. We do not want the public to continue to think that it is always a matter of the environment versus the economy: we want them to realise that one is strongly linked to the other. We want also to integrate successfully economic and environmental goals with social objectives, and to safeguard the environment of Wales.

The debate on this group of amendments and new clauses—especially new clause 38—is therefore a very exciting occasion. I think that sustainable development will be at the heart of the assembly's policies, and I hope that it will be considered as a part of every action taken and policy developed by the assembly.

I have thought about the sustainable development issues that might arise in my constituency of Cardiff, North, which should be dealt with within a strategic framework. In my constituency, the town is gradually encroaching up the M4 towards the mountains, and the A470—which is probably one of the busiest roads in Wales—comes down from the valleys, surging through the Taff gorge and into the constituency, with traffic pouring down towards the centre of Cardiff.

We want a strategic plan to deal with those issues: to preserve the green belt; to maintain the gap between Cardiff and Caerphilly, and between Cardiff and Newport; to allow development in specific areas; to encourage a strong integrated public transport corridor; and to deal with issues such as transportation of radioactive waste, which is one of the big issues in my constituency. If we have an integrated strategy to deal with all those issues, we shall be able to make not only my constituency but all of Wales a much more pleasant and better place to live in.

The location of the assembly has been mentioned in the debate. I should like to say very strongly that I hope that the assembly will be located on recycled land in the centre of a city, in a recycled building and very close to good transport links—such as a five-minute walk from a major station. Only one place fits that description.

Environmental groups have raised some issues on certain aspects of new clause 38, and I should like to have the Secretary of State's reassurance on some of them. One is the use in the new clause of the phrase "with due regard". Does that mean that a duty will be placed on the assembly? Will it require the assembly to promote sustainable development? I am not accustomed to the legalistic language used in Bills, and I should therefore like the Secretary of State to clarify that point.

The new clause also does not mention any measurable targets or indicators. I therefore assume that the Secretary of State expects that the assembly will include such targets in its annual reports. Nevertheless, I should like his reassurance on the matter.

The hon. Member for Ribble Valley (Mr. Evans) mentioned establishing some sort of forum in which environmental groups could meet, and referred to the partnership council. Does the Secretary of State think that the assembly will establish such a forum? Does he think that establishing one should be encouraged?

The Government's new clause represents an historic occasion, putting sustainable development at the very heart of the National Assembly for Wales.

Mr. Öpik: One of the greatest things about living in Montgomeryshire is that it is such a beautiful place: unspoilt, with such a good quality of life that—*[Interruption.]* I shall deal in a moment with wind farms, although I am not terribly convinced that the hon. Member for Ceredigion (Mr. Dafis) was entirely feasible on the subject. *[Interruption.]* With the potential exception of wind farms, the view is quite nice, if one looks on misty days or in certain directions—

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): Yes—towards Meirionnydd.

Mr. Öpik: I shall take the hon. Gentleman's advice and look toward Meirionnydd, and be grateful that I do not have even more wind farms than I currently have.

6.45 pm

The quality of life in Montgomeryshire is good. In the rural areas of Wales, that quality of life is determined largely by the cleanliness and rejuvenating nature of those areas. I agree with the suggestion of the hon. Member for Ceredigion that we could use an environmental theme as a branding point for Wales. In the company that I formerly worked for, Procter and Gamble—I stress that I have no vested interest in saying this—

Mr. Evans: Whiter than white.

Mr. Öpik: Yes, it has a very white image, even at today's lower temperatures. It woke up to the fact—*[Interruption.]* It awoke—

Mr. Ron Davies: Ignore them.

Mr. Öpik: I shall take the Secretary of State's advice and ignore the comments on Procter and Gamble, which realised that there was a marketing opportunity in being serious about the environment. The same is true for the Welsh assembly and for all of Wales.

We should remember that Wales, particularly rural Wales, is experiencing difficult times economically—it is perhaps even in a deep recession. In the past two months, we have lost almost 100 jobs in Montgomeryshire. Therefore, there is a most urgent employment and economic aspect to including environmental considerations in decision making. Perhaps we could tie in our work on the environment with job creation. However, I shall not dwell on that matter, as it diverts from the main point dealt with in this group of amendments and new clauses.

We should remember also that we are not debating sustainability simply as a nice-to-have policy: it will crucially determine our descendants' quality of life. If we do not wake up to the fact that, as a society, we must include sustainability in our strategic outlook, we shall—at the very least—bequeath serious problems to future generations, and they will have to pay dearly to clean them up.

Wales has great opportunities in many spheres such as energy, which has already been mentioned in the debate. I whole-heartedly support any suggestions that hydro-electric and solar energy should be pursued emphatically as alternative energy sources.

I must now refer to wind power, which—although it has a place—has been non-strategically implemented. In Montgomeryshire, we have had the most terrible divisions in local communities, for the simple reason that wind turbines are a form of pollution. It is incorrect to suggest that there is no social or environmental cost to covering hillsides with wind turbines. I recognise that there is benefit in having a sensitive approach to wind farm power generation, and there might be some creative solutions that offend no one—for example, coastal farms could make a substantial contribution. However, we should make it clear that a visual scar on a hillside should be regarded as every bit as damaging as some other forms of environmental pollution.

The hon. Member for Ribble Valley (Mr. Evans) made some good points about noise and other concerns. It may not always be possible to quantify them in financial terms,

[Mr. Öpik]

but if we are serious about sustainable energy production, we must also be serious about taking into account the more unusual consequences of investing in, for example, wind turbines. There are also some concerns about safety. I am currently holding discussions with at least one of the wind farm companies, because there was recently a fire at a wind turbine. I dwell on that point only because I do not want the Committee to be misled into thinking that there are no social or environmental consequences of wind farm generation. Having said that, I believe that it is appropriate for the Welsh assembly to consider how best to mix its energy generation solutions in the context of a green Welsh agenda.

We sometimes forget that if we could reduce the need for energy, we could adopt an even more sustainable approach. We could have greatly reduced our energy needs in the United Kingdom, as could western society as a whole, if, in the early stages of planning buildings and an integrated transport system, we had thought of the environmental consequences of what we were doing. In that sense, we should encourage the Welsh assembly in its deliberations on sustainability to adopt a formal strategy for reducing energy requirements across Wales, thereby obviating the need for quite so much energy production.

In the context of sustainability, I shall deal briefly with transport, brown-field development and agriculture. We all agree that we must create an integrated public transport system, and I applaud Ministers' comments in that regard. I must point out, as I always do when I mention transport, that there are potentially substantial environmental benefits to be gained from having an integrated air network across Wales. A well-used twin-engine commercial aircraft can use less energy getting people from north to south Wales than a car, which is probably the alternative.

It goes without saying, of course, that any such network would be guaranteed success if it used what I hope will one day be Welshpool international, or at least regional, airport. I have nothing but praise for Ministers' enlightened attitude to that proposal, which I have made many times.

We have discussed various aspects of creating a sustainable economy in the countryside. As I said at the beginning of my remarks, it is vital to recognise that the crisis in agriculture also presents Wales with an opportunity to invest in agri-environmental schemes, which might create not only jobs but a sustainable agri-environmental strategy. I hope that the Welsh assembly will be absolutely wedded to the idea of creating a more sustainable agricultural environment.

We might even recognise that having a sustainable environment in the countryside might not mean having the most efficient system in terms of the number of people employed on the land. We might want to increase the number involved in producing food, on the basis that that might be the most sustainable way to run the countryside.

I deal now with brown-field sites. I agree with hon. Members who have suggested developing the perhaps slightly more expensive brown-field sites rather than running to the countryside when we need new buildings and areas for industry. I must sound a word of caution, however. Our policies for sustainability have to recognise that some development on green-field sites is necessary. We have to strike a careful balance between the need for rural housing and the necessity of not giving in to the temptation to build on green-field sites when brown-field sites are available.

Finally, I shall cite a rather persuasive document provided by the Royal Society for the Protection of Birds. It states that sustainable development

"means pursuing those options for development which maximise the benefits for present and future generations."

It goes on to mention the quality of life, an integrated approach and landscape improvement. All those things underline the importance of taking account of the big picture. We must think of the environment not as a separate issue, but as one which should affect all the work of the assembly.

New clause 38 will greatly improve the Bill. Proposed subsection (6) states:

"After each financial year of the Assembly, the Assembly shall publish a report of how its proposals as set out in the scheme were implemented in that financial year."

They are perhaps the most important words that we are debating. I should like to think that they are our insurance policy, to ensure that the Bill's provisions do not simply end up as more rhetoric about the environment, but are implemented.

The future will be our judge, but we have a great deal to be responsible for at this point. We must ensure that the Welsh assembly cannot run away from some of the difficult decisions that it must make with regard to the environment. If we carry out the actions that go with our fine words, we have a good chance of achieving the dream of the hon. Member for Ceredigion, which is to create an attractive brand image of Wales as a green and pleasant place.

Mr. Martin Caton (Gower): Like all hon. Members who have spoken, I warmly welcome new clause 38. The requirement on the assembly to carry out its functions with

"due regard to the principle that sustainable development should be promoted"

is an historic measure in the constitutional history of this country.

Sustainable development has become one of the buzz phrases of the past decade. Like much terminology that becomes fashionable, it is in danger of losing its real meaning in knee-jerk repetition. The thought discipline and philosophy that gave birth to the concept risk being lost behind the jargon. People legitimately ask, "Are there theories at the bottom of your jargon?" To be honest, one of the problems with sustainable development might be that there is a whole family of theories at the bottom of our jargon.

Definitions range from "an intention to maintain and even accelerate economic growth, while seeking to protect the environment as far as possible" through to "a commitment to leave future generations with the same capacity as now for improving human well-being by living within this planet's environmental limits". Like the hon. Member for Ceredigion (Mr. Dafis), I think that we should be aiming to move towards the latter. However, despite the breadth of interpretation, I would not want to narrow the term "sustainable development" any further in the Bill.

I believe that it will be up to the assembly clearly to identify its objectives for environmental protection and improvement when it establishes the scheme that the new clause requires. It will then be up to Members of the Assembly to make sure that, in every aspect of their work, their environmental objectives, as set out in the scheme, are adhered to.

The annual report, to which the hon. Member for Montgomeryshire (Mr. Ôpik) referred, is an important safeguard for ensuring that the sustainable development scheme is more than just fine words, but I hope that the assembly will consider developing further mechanisms for keeping environmental sustainability at the heart of its decision making. I hope that it will look to develop means of measuring every action that it proposes to take against its sustainable development policies—a sort of environmental impact assessment for every proposal.

It is vital that the assembly finds a way in which to hold sustainability at the centre of all policy making, because the subject and service areas for which the assembly will have responsibility are some of the most important in terms of environmental protection and improvement: agriculture, forestry, fisheries, economic development, highways, housing, transport, industry, tourism, planning, water and flood defence, and health. Almost all the policy areas that will be dealt with by the subject Committees of the assembly are crucial for the future of the environment in Wales and for ensuring that our contribution to the global environment is positive. The new clause provides us not only with theories at the bottom of our jargon, but with the basis for best practice.

7 pm

Mr. Letwin: The hon. Member for Ceredigion (Mr. Dafis) spoke, as the Committee would expect, powerfully and thoughtfully about sustainable development. Like many other Conservative Members, I greatly sympathise with his argument. Listening to the debate, however, one would have thought that we were talking about certain matters of substance, not about a constitutional Bill which will establish a set of bodies.

Amendment No. 517 and Government new clause 38 illustrate beautifully the problem that the Government face. As my hon. Friend the Member for Ribble Valley (Mr. Evans) said, new clause 38 is a slight but admirable restriction of the sort that might be applied to a local authority. Amendment No. 517 moves in the opposite direction. Although the arrow of the hon. Member for Ceredigion is excellent, he aims at a target that I think he would dislike if he contemplated it further, as the amendment would further extend the scope of the Welsh Development Agency.

Who would run what and who would pay for what in terms of sustainable development if, as the hon. Member for Ceredigion suggests, both the amendment and the new clause were agreed to, or if, as is more likely, only the new clause were accepted? Under clause 80, the

"Secretary of State shall from time to time make payments to the Assembly . . . as he may determine."

He will be the all-powerful paymaster of the assembly. Under the Welsh Development Agency Act 1975, the Secretary of State and the Treasury can grant unlimited borrowing powers to the WDA.

What will happen if the WDA chooses to move in a direction, in terms of sustainable development, wholly opposite from that of the United Kingdom Government and the Welsh assembly, regardless of whether the assembly is constrained by new clause 38? Which body will prevail in this hypothetical case? Manifestly, the United Kingdom Government will prevail, as the Secretary of State and the Treasury will be able to ensure that their favoured policy is pursued through the WDA; they will fund the agency through the borrowing power and deny funds to the assembly.

Before we debated these measures, I had naively understood that the Government wanted to avoid creating a quangocracy. However, the Bill will allow a quango, based on the great powers retained by the Secretary of State and the Treasury, to fight against an ostensibly democratic institution, which, because it will be limited by the new clause as if it were a local authority, will be entirely subject to the fiscal powers of the Secretary of State and the Treasury.

In those circumstances, the assembly will be the loser, which might not be a bad outcome for those of us who favour the integrity of the United Kingdom. However, if the democratically legitimate body opposes the quango, which is the servant of the UK Government, there will be a devil of a fight, and the matter may be referred to our old friend the Judicial Committee of the Privy Council as a devolution issue. Who, in such circumstances, will genuinely hold the power over sustainable development in Wales?

The Secretary of State may shake his head but, given that the Minister spent little time on this question earlier, it would help the Committee if, instead of concentrating on the important matters of substance—which, in fact, will largely be for the assembly to debate at a later date—he said who will be in charge of this domain, regardless of whether new clause 38 is accepted.

Mr. Paul Flynn (Newport, West): The hon. Member for West Dorset (Mr. Letwin) repeats the depressing cry that we have often heard from the Conservative Benches—that every situation that could arise when the Senedd is established will lead to conflict, and not, as we believe, to co-operation. People throughout Wales will be happy to see the new clause included in the Bill. By voting for the parties that currently represent it in the House of Commons, Wales has taken a great lead in understanding the need for sustainability.

This weekend, there will be a conference in Merthyr to commemorate the 16th anniversary of a remarkable declaration by the people of Wales speaking with one voice. Every county council, representing the entire population, resolved to make Wales a nuclear-free zone. That was long before the decision was taken elsewhere. Democratic Wales had spoken, and if it had spoken on other issues at the time, it would have made a similar resolution about sustainability. The man who took the declaration to Strasbourg has now become immensely successful—and possibly prosperous—in organic farming in Ceredigion.

When I heard what the Estonian Biggles, the hon. Member for Montgomeryshire (Mr. Ôpik), said about sustainable air flights in mid-Wales from the Heathrow at Welshpool that is bound to be developed, I was fascinated by the prospect.

Sustainability is understood in Wales. Labour Members share the fears about the future for farming, especially as we face a particularly difficult problem in Wales. If we

[Mr. Paul Flynn]

lose the small farmers, we lose the language, which is a terrible threat. Labour Members support the Government's policy, as we realise that, although many of the changes in farming are painful, they are inevitable—there is a shrinking market for many products. Nevertheless, we want small farms to be preserved, as they have a special cultural importance to Wales.

I urge farmers to achieve sustainability by planting new crops and farming organically. The British Isles imports 60 per cent. of its organic products. Moreover, organic farming is highly labour intensive, and it works well in areas without especially promising land. Several farms in remote communities in Ceredigion have, despite a difficult start 20 years ago, defied all the critics and been prosperous and successful. Why cannot farmers realise that they can cultivate other harvests, which have a future? I am thinking, for example, of flax and hemp, which has unique properties other than those that prompt people's desire to smoke it—farmers could plant hemp with non-addictive qualities and low-quality THC.

The new clause will muster great support. It will give the assembly a new impetus and role, and express what Wales has shown that it can do when, on those rare occasions, it speaks with a united voice. We want to ensure a sustainable future that will be in harmony with nature.

Mr. Ron Davies: I hope that my hon. Friend the Member for Newport, West (Mr. Flynn) will forgive me if I do not follow him down the path of the prospect that he opened up. When he was describing the growing conditions in remote farms in Ceredigion, I suspected that he would suggest some novel crops—I was not disappointed. However, I would get into difficulty with my Cabinet colleagues if I suggested that the sole purpose of devolution, was to bring about a different policy in Wales on growing cannabis. Nevertheless, I welcome my hon. Friend's support.

The term "historic" has been used several times this evening, and I must use it again. The debate has been historic. The policy advocated by the Government has been endorsed not only by the spokesperson for Plaid Cymru—or should we now call it Plaid Newydd?—and by the Liberal Democrats but, I was astonished to note, by four of our own Back Benchers. In our debates on devolution, that is a rare and welcome occurrence. Moreover, not only did four of our Back Benchers speak in support of Government policy, but not one spoke against it. This truly is a historic debate.

I welcome the contribution by the hon. Member for Ribble Valley (Mr. Evans). In the absence of the right hon. Member for Devizes (Mr. Ancram), he found himself waxing eloquent in favour not only of the Government's policy in new clause 38 but of the assembly.

Mr. Evans *indicated dissent.*

Mr. Davies: The hon. Gentleman spent several entertaining moments telling us of all the great benefits that would come to Wales as a result of the assembly. Indeed, during the referendum campaign not even the Under-Secretary, my hon. Friend the Member for Neath (Mr. Hain), in his most enthusiastic of speeches, would ever have dared suggest that if we voted yes on 18 September we would be able to bring back the Mumbles railway, yet it appears that that is the conclusion of the hon. Member for Ribble Valley. We welcome support from whichever quarter it comes. The hon. Gentleman is a late convert to the cause of devolution, but he is an enthusiastic one, and he is welcomed as such.

The debate was opened by the hon. Member for Ceredigion (Mr. Dafis). I am grateful for the way in which he spoke. Of course he has a great and deep conviction on such matters and he has argued his case consistently, as he did this evening. Later, I shall answer some of his specific questions.

My hon. Friend the Member for Vale of Clwyd (Mr. Ruane) was supportive and gave us some good examples of how the Welsh assembly, in pursuance of the duty placed on it, will be able to give expression to the principles of sustainable development. He made it clear that he regarded the principle of protecting the environment as an important, but not exclusive, part of sustainable development.

I welcome the support of my hon. Friend the Member for Cardiff, North (Ms Morgan). She was right in her assertion that sustainability must now be at the heart of politics. What we can do, as we frame the legislation, is to place the duty on the assembly. However, as my hon. Friend the Member for Gower (Mr. Caton) said, it is those in charge of the political process who must develop the politics and policies to give expression to the duty that we shall lay on the assembly to have regard to the principle of sustainable development.

My hon. Friend the Member for Cardiff, North asked three questions. She asked whether we would set targets and whether there would be a forum for the matter to be discussed by the assembly. The answers, of course, will be a matter for the assembly. What we shall do is to place a duty on the assembly. My hon. Friend's third question was what precisely that meant. I refer her to new clause 38(1), which makes it clear that the new clause will impose a duty on the assembly to have regard to sustainable development in the exercise of all its functions.

The hon. Member for Montgomeryshire (Mr. Öpik) raised that point too, and I agree with what both he and the hon. Member for Ceredigion said about the branding of Wales. It is important that, at the heart of the new Wales that we want to create, we put the idea of respect for the environment and for the principles of sustainability. Both transport and agricultural systems should work with the grain of the environment and according to the principles of sustainability.

Several hon. Members have gently teased me about the site of the assembly. I know that it will come as a great surprise and regret to the hon. Member for Ribble Valley when I say that I shall not tell him this evening the outcome of our consultation and discussion process.

I can make one important announcement to the Committee. I know that everybody will be greatly interested to know that the assembly will not be on a green-field site. As colleagues who have followed our deliberations carefully will know, all the sites under consideration are brown-field sites, so that information will not come as a great surprise.

I am afraid that the hon. Member for West Dorset (Mr. Letwin) rather spoiled the debate, which was well informed and considered until his intervention. I am sorry

about that. The substance of his contribution is something for the hon. Member for Ceredigion to take up, but he also returned to the idea of trying to raise conflict all the time.

I genuinely suggest that the hon. Member for West Dorset has have chat with the converts who now sit on the Opposition Front Bench. They will be able to explain to him that the idea of eternal conflict being institutionalised into our constitution is fantasy. The new arrangements will not work like that.

The hon. Gentleman asked the question about the Welsh Development Agency in our previous debate, and my hon. Friend the Under-Secretary, in reply to that debate, told him the position.

7.15 pm

Mr. Letwin: He did not.

Mr. Davies: Of course he did. The position is clear. The responsibility for funding the Welsh Development Agency will pass to the assembly, as will the responsibility for laying down the strategy for the agency. The responsibility for monitoring the WDA will also pass to the assembly. There is no possibility whatever of a conflict developing between the wishes of the Secretary of State and those of the assembly, because the Secretary of State's responsibilities in respect of the WDA will have passed to the assembly.

Mr. Letwin: Will the external financing limit powers under the 1975 Act pass to the assembly?

Mr. Davies: The responsibility for funding the assembly now rests with the Secretary of State. The funding for the Welsh Development Agency comes out of the block grant. Under the new arrangements, it will be the responsibility of the Secretary of State to consider the expenditure that is necessary and appropriate for the Welsh assembly in the exercise of all its functions. It will then be a matter for the assembly itself to decide what proportion of the grant that it is given shall be allocated to the Welsh Development Agency.

As for raising the WDA's external financing limits, the hon. Member for West Dorset will know that, about 12 months ago, the Conservative Government passed an amendment to the provisions, to allow an increase by means of secondary legislation. That power will pass to the assembly.

Mr. Letwin: I am grateful to the Secretary of State; he may actually be helping me. Is he saying that, from now on, the agency's external financing limit will be a matter not for the Treasury but purely for the Welsh assembly?

Mr. Davies: When the assembly is established, in more than 12 months' time, it will be for that body to decide how to use the powers that it has been given. The hon. Gentleman is now asking a particular question about the Treasury's residual role. My present understanding is that the ability to raise the financing limit of the Welsh Development Agency will pass to the assembly, but the hon. Gentleman is asking a specific question—*[Interruption.]* I am trying to deal with the hon. Gentleman on the basis of the information tnat I currently have.

My understanding is that the responsibility will pass to the assembly. If there is any requirement for the assembly to seek approval from the Treasury, I shall write to the hon. Gentleman and let him know. Without having had the opportunity to check, it is my understanding that such consent will not be required, but I shall write to the hon. Gentleman and let him know.

Mr. Rowlands *rose—*

Mr. Davies: I shall give way to my hon. Friend, but I want to return to the substance of the debate now. I do not want to be sidetracked into the funding of the Welsh Development Agency, because we have already had a lengthy debate on that subject.

Mr. Rowlands: As I recall, we recently changed the legislation. Originally any increase in the borrowing powers of the WDA required primary legislation, but now that can be done through an order-making power.

Mr. Davies: That is precisely the point that I just made in answer to the hon. Member for West Dorset.

If there are any questions that I have not answered—apart from those asked by the hon. Member for Ceredigion—I apologise. If there are hon. Members who feel that I have omitted to respond to their questions, perhaps they will let me know and I shall attempt to deal with them in correspondence.

I shall talk about our new clause 38. It is appropriate that the hon. Member for Ceredigion who, as I said earlier, has a long record in such matters, has provided us with the opportunity to debate sustainable development as part of our proceedings on the Bill. I agree with the hon. Gentleman that sustainable development is about ensuring a better quality of life, both now and for generations to come. I also agree with his definition of sustainable development, which encompasses economic, social and environmental goals. It is concerned with achieving economic growth, while protecting and, where possible, enhancing the environment. It is about making sure that those economic and environmental benefits are available to everyone and not just to a privileged few. Sustainable development is about a new and integrated way of thinking that influences choices across government and throughout society.

The Government have committed themselves to placing the environment at the heart of their policy making and are engaged in a wide-ranging consultation process which will lead to a revised strategy for sustainable development. The hon. Member for Ceredigion raised that point and I assure him that it is my desire that that development work should continue between now and May next year, so that when the assembly is established much of the preparatory work will have been done.

Paragraph 1.24 of the devolution White Paper states:

"The Government will . . . ensure that the Assembly . . . promotes sustainable development".

On 8 December last year, I told the House that one of the Government's amendments would

"most certainly place a duty on the assembly to have regard to the principle of sustainability."—[*Official Report*, 8 December 1997; Vol. 302, c. 752.]

The new clause gives expression to that intent and I am genuinely grateful for the wide support that it has received from all parties represented in the Chamber.

[Mr. Davies]

New clause 38 meets the commitments that we have given. It places the assembly under a duty to publish

"a scheme setting out its proposals for securing that its functions are exercised with due regard to the principle that sustainable development should be promoted."

The hon. Member for Ceredigion was quite right when he said that here was a case of Wales breaking new ground. No such duty applies to the UK Government in exercising their executive functions or to the UK Parliament in framing legislation.

Mr. Dafis: New clause 38(1) is somewhat convoluted and there appear to be several stages between the words "scheme" and "sustainable development" where the whole process might fall down. Are we talking about the assembly drawing up a sustainable development strategy for Wales?

Mr. Davies: The hon. Gentleman has to accept that the wording of new clause 38 makes it clear that the assembly will have to draw up a scheme, just as the Welsh Language Board requires public authorities in Wales to draw up schemes. The question of strategy is a wider matter and it will be for the assembly to decide that for itself through the development of its policies. It will want to develop separate strategies for sustainable development in the countryside, for sustainable development of transport policy and for sustainable economic development generally, and those strategies will inform all aspects of assembly policy.

What we are talking about here is a statutory duty to be placed on the assembly to produce a scheme to give expression to the desire that it should promote sustainability across all of its functions. That is the scheme; the strategy will be the way in which the assembly develops all of its policies, and that is a matter for the assembly and the elected representatives who sit in it.

Mr. Dafis: Will the Secretary of State confirm that, in reality, the scheme will amount to nothing if it does not generate, or oblige the assembly to generate, a strategy? He spoke of several strategies, but surely those would have to be encompassed within an overall strategy, which the UK Government already have and which Governments all over the world were obliged to draw up after the Rio agreements?

Mr. Davies: No, I do not accept that interpretation. It is clear that there will be a requirement on the assembly to produce a scheme. That scheme will have to be published, subjected to the normal processes of accountability and reviewed regularly, so it cannot be set aside, as the hon. Gentleman suggests would be possible. The assembly will have had that duty placed on it. However, I acknowledge that what counts will be the enthusiasm with which the political parties that contest seats in the assembly embrace the principles of sustainability. It will be their policies, for which they will seek the electorate's approval, that will determine how successful and meaningful the scheme becomes.

I agree with the hon. Gentleman that this is a case of Wales breaking new ground. No such duty applies to the UK Government in exercising their executive functions or to this Parliament in framing legislation. The scheme that the assembly must prepare will extend across all its functions, although—this is the point raised by my hon. Friend the Member for Cardiff, North—obviously the "due regard" to be given to the principle of promoting sustainable development may vary from function to function. As the hon. Member for Montgomeryshire said, there will be a need to develop strategies for transport, for agriculture, for economic development in the countryside, and so on. The assembly will also be under a duty to keep its scheme under review and to publish an annual report setting out how its proposals in the scheme were implemented in each financial year.

The other amendments in the group express Plaid Cymru's concerns for the environment in Wales and the wish to ensure that all economic development is sustainable. Naturally, the Government prefer their own provision, new clause 38, to new clause 18, although there are similarities between the two.

New clause 18 raises the additional point that the assembly should review annually

"the implications for Wales of any relevant quantitative targets for the United Kingdom set by Parliament or by Ministers of the Crown."

That recognises that there are policies that affect sustainable development in Wales over which the assembly will have no control, because they will continue to be dealt with by the UK Government—for example, taxation issues, such as the level of duty on petrol and value added tax on domestic fuel. When he opened the debate, the hon. Member for Ceredigion asked whether schedule 4 should be extended to include Opraf. I shall consider that question and, when I have taken advice, I shall get in touch with him.

In exercising its functions, the assembly will need to have regard to the international obligations into which the UK has entered, for example, after the Rio and Kyoto summits. However, it is unnecessary for the Bill to refer explicitly to such matters, as the assembly could take account of them in framing its scheme under new clause 38.

The Welsh Development Agency is required under existing legislation to further the improvement of the environment in Wales. The overarching requirement on the assembly to have due regard to sustainable development will inform the strategic guidance and targets that it sets for the agency. That and the agency's own governing legislation are sufficiently robust to ensure that environmental concerns are taken into consideration by the agency in the exercise of its functions. Given those two additional provisions, the Government's view is that amendments Nos. 517, 518 and 522 are unnecessary.

New clause 37 provides for a board member of the agency to be assigned specific responsibility for environmental sustainability. I can say only that that has to be an organisational matter for the agency. The hon. Gentleman asked whether I had received any representations from the agency in respect of that matter and the answer is, no, I have received no such representations. I have recently announced to the House of Commons that I shall appoint members to the agency on the basis of fair and open competition. I shall not make any predecisions, but I hope to be selecting from a pool of candidates with a wide range of skills and experience, so I hope that someone on the board will have a measure of experience and competence in this area. It will then be for the agency itself to assign particular responsibilities to individual members.

On the basis of the reassurances that I have provided in respect of the assembly and the Welsh Development Agency, I hope that the hon. Member for Ceredigion will ask leave to withdraw his amendment.

Mr. Dafis: I am grateful to the Secretary of State for his response and I have enjoyed the debate. The amendments have served their primary purpose, which was to give us an opportunity to debate sustainable development. It is good to know that there is widespread support for the principle and that the idea that the assembly should take sustainable development as an informing theme and that Wales will do so has been widely accepted here. I certainly acknowledge that the Government's new clause will ensure that the issue is high on the assembly's agenda when it meets, which is very important.

The debate has been useful, although not all of it has been well informed. The debate about energy illustrated the need for people to become much more well informed about the options that we face on energy supply. No development is without its impact. If we talk about dispersed development—which sustainable development is, by definition—the visual impact will be real, although much less than the visual impact that exists in our environment. I had better leave it there. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

7.30 pm

Mr. Llwyd: I beg to move amendment No. 520, in page 56, line 13, at end insert—

'(2A) After subsection (2) there shall be inserted—

"(2A) The Agency shall establish a department with the responsibility of drawing up and ensuring the implementation of, policies in furtherance of the purposes set out in subsection (2) appropriate to rural areas.".'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 524, in clause 121, page 56, line 40, leave out from beginning of line to end of line 2 on page 41 and insert

'be transferred to the Welsh Development Agency.'.

No. 525, in clause 122, page 57, line 6, leave out 'cease to exist' and insert 'are transferred.'.

No. 526, in clause 123, page 57, line 19, leave out 'or Schedule 11.'.

No. 527, in page 57, line 21, leave out 'cease to exist' and insert 'are transferred.'.

No. 528, in page 57, line 28, leave out 'cease to exist' and insert 'are transferred.'.

No. 529, in page 57, line 33, leave out 'cease to exist' and insert 'are transferred.'.

No. 530, in page 57, line 41, leave out 'cease to exist' and insert 'are transferred.'.

No. 531, in clause 124, page 58, line 2, leave out 'and Schedule 11.'.

No. 532, in page 58, line 11, leave out 'cease to exist' and insert 'are transferred.'.

No. 533, in page 58, line 13, leave out 'cease to exist' and insert 'are transferred.'.

No. 534, in page 58, line 16, leave out 'cease to exist' and insert 'are transferred.'.

No. 535, in page 58, line 22, leave out 'cease to exist' and insert 'are transferred.'.

No. 536, in page 58, line 25, leave out 'cease to exist' and insert 'are transferred.'.

No. 537, in page 58, line 35, leave out 'cease to exist' and insert 'are transferred.'.

No. 538, in page 58, line 40, leave out 'cease to exist' and insert 'are transferred.'.

No. 539, in clause 125, page 59, line 11, leave out 'ceasing to exist' and insert 'being transferred.'.

Mr. Llwyd: Amendment No. 520 is straightforward, saying, in other words, that there should be a Department charged with formulating policies of relevance to the rural economy.

I wish to draw attention to amendment No. 524. Clause 121 currently reads:

"The functions of the Development Board for Rural Wales shall cease to exist."

The amendment is a probing amendment. I believe that the functions do exist, but I accept that, if it is meant in terms of functus officio, that it is a right and proper use of the word. I would prefer the Bill to refer to the transfer of those functions to the new body, which would secure the position. The Minister, being a Latin scholar, will no doubt deal with this point in due course—or perhaps not.

I ask the Government to consider my proposal that the word "transfer" is preferable to the phrase "cease to exist". Surely the functions are still very much in existence—perhaps more than ever in view of the agriculture crisis. The Minister should give thought to that matter in his response.

Many people in rural areas in Wales are worried because of the changes occurring in the agencies charged with ensuring the economic development and well-being of rural areas. I speak as a Member representing a constituency which was very well served by the Development Board for Rural Wales. Other hon. Members in the Chamber were equally well served by that board, and they have shown in the past, and will show in the future, their concern about this matter.

People who live in mid-Wales have for some time enjoyed great assistance from the Development Board for Rural Wales, a body specifically set up to tackle the problems of rural Wales. Over the years, the board amassed considerable expertise and experience. The task of economic regeneration in rural areas is far more difficult, and requires more application and creativity than in an urban area, where at a stroke of a pen—frequently on a cheque—many hundreds of jobs can be created.

Many of us look with envy at the recent developments in north-east and south-east Wales. Who would not accept 6,000 new jobs at a plant such as LG at Newport? That underlines the dichotomy. In that instance, 6,000 jobs were created, thus having a dramatic effect on the unemployment figures and the economy of that area—which is to the good. To create 6,000 jobs in rural areas is, by comparison, a mammoth task. A more sympathetic approach is required, together with an intimate knowledge of the needs and requirements of rural areas.

[Mr. Llwyd]

One grave concern is the fact that WDA and the Development Board for Rural Wales moneys have been used to bring in such plants as Sony and LG, but, without being niggardly—I do welcome their arrival—I must question what price has been paid for their success. There is no doubt that, proportionately, far higher spending has occurred in the eastern areas of south Wales and in the industrial eastern area of north Wales than in the rest of Wales. By and large, the rural areas of Wales are and have been let down.

I am not saying that that was in any way intentional, but the budget was finite, and a great deal of money was taken out of the overall cake and went into some of those schemes.

Mr. Gareth Thomas: Does the hon. Gentleman believe that the lack of democratic accountability and transparency in the development of economic policy in Wales may have had a bearing on the fact that there has been an imbalance not only between east and west, but between rural and urban, and between small businesses and large projects?

Mr. Llwyd: The hon. Gentleman makes a good point, and he may be correct. I am hopeful, as he will be, that the new set-up under the assembly will put paid to that aspect, and will introduce a more equitable distribution of funding for inward investment throughout Wales.

I know that political influences can come in to play, as I almost lost a plant in my constituency. I prefer not to give all the details, but I was called at the eleventh hour to try to save the plant. The persons running the plant were told that, if they relocated to Breconshire, everything would be fine and they would have all the money they needed. In Bala, they could not have it. It was only by sheer good fortune that I intervened. A local councillor in Bala rang me that evening, and, the following morning, that was reversed. There was an admission that some skulduggery was afoot, and I hope and pray that the assembly will ensure that that kind of nonsense will not recur.

Several of us campaigned for a change of direction in terms of funding of the agencies in Wales as there was an acknowledged imbalance between east and west. For example, the hon. Member for Swansea, East (Mr. Anderson) said last week that, for every £1 spent on job creation and inward investment in the Swansea area, £5.25 was spent in Cardiff. We now know that the WDA agreed to expend a moiety of its inward investment budget in the western areas of Wales. That was agreed last year, and sanctioned by the Welsh Office. That was announced and it was most welcome, especially to those of us who had campaigned for it.

However, it shows that different parts of Wales were dealt with differently. Following the LG announcement, the Welsh Development Agency and the Development Board for Rural Wales received savage cuts to their budget. To put it simply, some money had to be obtained to honour the cheque that was paid to bring in those new plants. There is great anxiety throughout Wales that such inward investment is brought in at too high a price—certainly at a very high price to rural Wales. In my view, that imbalance must be addressed, and I am sure that many hon. Members share my unease. We must all ensure that every part of Wales receives its fair share.

I always use the word "inclusiveness" in these debates. I always feel obliged to do so, as Ministers always do. If it is to mean anything, we must ensure that it means an equitable distribution of all moneys throughout Wales; I am sure that that will be a guiding principle of the national assembly.

However, rural Wales has extra problems, for the reasons that I have given, and because it is a far more difficult task to create growth in the small and medium sector than in large enterprises. We have the problems of remoteness. Infrastructure is inadequate. The sparsity factor is of great importance, and that translates into a higher cost of delivery of services, especially in remoter areas.

The Bill provides for the creation of a powerhouse—a new body which will be an amalgam of the Welsh Development Agency, the Development Board for Rural Wales and the Land Authority for Wales. That is acceptable, but the loss or dilution of the expertise that was possessed by the Development Board for Rural Wales should never be acceptable. Some of the worries in that sphere have been identified by many Welsh bodies in the past few months.

For example, the Country Landowners Association in Wales briefed various hon. Members a few months ago. I shall quote briefly from a letter that it wrote. The association questions whether the assembly's

"procedure for determining and managing its spending priorities"

will recognise and protect the special needs of rural Wales. It questions whether there will be sufficient

"provisions to ensure that the advice of the regional committees will be heard in the Assembly".

It seeks an assurance that the enlarged new authority, having taken over the functions of the Development Board for Rural Wales,

"will address the particular needs of rural areas".

The association also sought assurances that the subject and executive Committees of the assembly and the board of the WDA would have rural representatives. That is very important.

Mr. Tam Dalyell (Linlithgow): Pardon an intrusion from a Scot. Much of this is familiar, but what can a Welsh assembly do to overcome the very real problem that the hon. Gentleman outlines that enlightened Ministers in the Welsh Office cannot?

Mr. Llwyd: I believe that the basic problem has been the tug of war between the Department of Trade and Industry, the WDA and the Welsh Office. We all know that it has been going on behind closed doors, and we know that there is a finite budget, even in a Welsh context, but equally in a United Kingdom context. There has been far too much toing and froing, and far too much of that tug of war between Departments.

At least when we have a national assembly, there will be no tug of war within that body. I hope that, within the assembly, there will be an overall view of the needs of the whole of Wales, and I trust that the assembly will be guided by expert committees on the needs of rural areas and so on. Does the hon. Member for Linlithgow (Mr. Dalyell) wish to raise another point?

Mr. Dalyell: Is not the proposed Welsh assembly stretching the goodness of human nature rather far?

Mr. Llwyd: That is not an unusual comment from the hon. Gentleman. He has been saying that for 25 or

30 years. I say that with respect, because I have a great deal of respect for him. I have heard it said that the assembly might well be a cure for flu, and I have heard other people say that, if we had had an assembly, we should not have had the miners' strike.

Surely, with respect to the hon. Gentleman, it is not beyond the ken of any type of national assembly to address the real economic needs of rural and urban areas. I realise that finance will be needed, but at least we shall not have this tug of war, which has taken much time and energy.

I remember, with my right hon. Friend the Member for Caernarfon (Mr. Wigley), arguing with the late great right hon. Member for Wokingham (Mr. Redwood), who at one time walked the streets of Cardiff very occasionally. The first thing we discussed with him after he became Secretary of State for Wales was the idea of giving a new development status to the southern part of my right hon. Friend's constituency and the northerly part of mine, following the closure of a large plant. Everyone, including the Welsh Office, seemed to support that proposal, but it was stopped at the last minute by the Department of Trade and Industry. I hope that that type of thing will not happen when we have the national assembly. It is inconceivable to me that it will happen.

I realise that there is a finite budget, and that there will be a certain amount of creative tension regarding that budget, as there is in the setting of priorities, but at least we shall do away with that time-wasting exercise.

Mr. Wigley: My hon. Friend mentioned one example of difficulties with the DTI. He will remember that, as recently as last year, Steven Spielberg wanted to make a film in Wales. The Welsh Office supported the idea, but unfortunately it could not carry other Government Departments with it, and the film was made in Ireland. Surely, in a similar situation, we should have much more clout with our own assembly.

On rural or urban matters, a consensus can be achieved in the Welsh Grand Committee on what is needed in Wales—a consensus that cannot be achieved on the Floor of the House. I believe that, in our own national assembly, there will be an opportunity for a consensus in a Welsh context that, unfortunately, we cannot get within the existing structures.

7.45 pm

Mr. Llwyd: I am grateful to my right hon. Friend. Needless to say, I agree with what he said.

To return briefly to what I said earlier, I believe that it is highly desirable that the national assembly has an explicit duty to promote and sustain the interests of rural Wales. Rural Wales amounts to more than 85 per cent. of the land mass of the country, and Wales has a very strong rural character.

I shall not repeat an argument made some weeks ago, but the Environment Act 1995 sets a clear precedent. Under the 1995 Act, national park authorities have a duty to foster the economic and social well-being of local communities, and to co-operate with public agencies whose functions include the promotion of economic and social development in their areas.

Surely we cannot leave the situation as it is. It is a very, very important—indeed, all-important—remit, and if we merely leave it to the area committee structure, we shall fail the people who voted in favour of the national assembly. I believe that there must be a thorough appraisal of current thinking and current policy in creating sustainable economic and social development in rural areas.

The Government have responded positively to many of the far-sighted suggestions of my hon. Friend the Member for Ceredigion (Mr. Dafis) about sustainable growth. Surely what I am now suggesting is part and parcel of the same important debate.

We are in the teeth of a fierce storm in agriculture. We know that there will be a change in the very near future, because common agricultural policy reform is imminent and the industry will have to change; of that we can be sure. However, our rural communities and rural economies will also have to change. It is vital that the national assembly is able, and is speedily given the right and the responsibility, to input policy suggestions into that discussion. I hope that there will be a subject Committee dealing with agriculture and rural development, as that would seem to be a sensible vehicle to assure sympathetic and effective development.

Recently, via the European Commission, the European Union issued a plan for agri-environmental policies and those dealing with the development of the rural economy to be brought within a single framework. The National Assembly for Wales would do well to emulate that move.

I hope that I have established that there is a vital need for forward thinking in terms of the rural economy. Agriculture is a central consideration, but so is transport infrastructure, the creation of sympathetic light industry, telematics, electronic infrastructure and agricultural diversification. There are numerous other important facets. I trust that the Government will look favourably upon the amendment, which would introduce into Wales the same sort of forward thinking exercised by the Countryside Commission in England.

I am not too proud to say that I would seek to borrow some of the commission's ideas—I would also like to borrow some ideas from the English rugby team—because they tackle a breadth of subjects regarding rural life and the economy. The commission deals with those issues very effectively under the one roof. Huge challenges will face rural Wales in the coming months and years, and they must be met. If we begin by giving the agency responsibility for addressing those issues, it will be a valuable step towards meeting that all-important challenge.

Mr. Gareth Thomas: In speaking in opposition to amendment No. 520, I acknowledge that it raises the converse of the issue explored so well by my right hon. Friend the Member for Llanelli (Mr. Davies) and my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). They asked whether, under the enhanced WDA, there would be a lack of focus in terms not only of the industrial economy of Wales but of rural areas. I resist the amendment because I do not believe that it is simply a question of structure: it is more a matter of educating Members of the Assembly and Welsh citizens about the need to strike a balance between the treatment of rural and urban areas in Wales.

Establishing a regional affairs department, which is the subject of this amendment, will not of itself guarantee adequate funding or attention to rural areas. We must

[Mr. Gareth Thomas]

accept that there is a risk with devolution that the role of the Secretary of State as an honest broker or umpire will be lost. However, hon. Members—including my legalistic friends on Labour Benches—and I support devolution because issues must be exposed to the light of day and debated openly.

One of the strengths of the Government's proposals is that they will allow genuine, open, democratic debate about issues that have arisen under the quangocracy fostered by the Conservative party for 18 years. The imbalance between north and south Wales in terms of economic development might be defined more precisely as an imbalance between west and east, as there is substantial inward investment in north-east Wales—especially along the A55 corridor. We must address that matter.

I welcome the establishment of the National Assembly for Wales as an opportunity to consider that issue openly and democratically. We must also address the imbalance of investment between urban and rural areas in Wales. If there is genuine, open debate, I feel confident that the quality of decision making will improve and that both rural and urban areas will feel well served by the new institution.

How does the Minister view the role of rural policy within the enhanced WDA? It seems that the Government are not minded to pursue a policy of ring-fencing funds for rural development. None the less, there must be some focus on rural areas. I would be interested to hear the Minister's comments in that regard. I would also be interested to hear his views about the issues raised by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd).

Do the Government intend to require the WDA to comprise persons who have experience in agriculture and rural affairs? I am sure that the Minister is aware that that matter has caused great concern. I appreciate that the Government have adopted the legitimate position that they cannot be too prescriptive and tie the assembly's hands—after all, it is a democratic institution that will be capable of making its own rules and decisions. However, in view of the difficulties facing Welsh agriculture at present, some clarification or an idea of the policy would be appreciated.

I also seek clarification of whether the Government, through Standing Orders or some other means, will require the WDA to have regard to the requirements not only of agriculture and efficient land management—I refer to section 1(4) of the Welsh Development Agency Act 1975—but of the economic and social well-being of rural areas. I should be grateful if the Minister would clarify those issues.

Mr. Evans: I wish to make a short contribution in the guise of a few questions to the Minister. He will be delighted to learn that normal hostilities have resumed after new clause 38. I apologise for my raw voice, but I was at Twickenham on Saturday: never has so much energy been expended for no good purpose.

I asked earlier about the vital European Union regional aid that is channelled to rural Wales. What has happened in the discussions about revising the way in which that aid is calculated? The calculation is to be based only on unemployment, which will disadvantage whole swathes of Wales in favour of other areas, including some parts of Spain, that are thriving. It could put a £1 billion hole in expenditure for Wales.

The Development Board for Rural Wales was established in 1977, and has successfully examined specific problems, such as depopulation in rural areas, and vital issues such as public transport, social housing and industrial investment in rural areas. It serves 40 per cent. of Wales. When the board is meshed into the super-quango, how will the Government ensure that its remit extends sufficiently to rural areas? A favourable reply would render these amendments unnecessary.

We must not lose sight of the reason why the Development Board for Rural Wales was invented. Rural areas must not be disadvantaged or forgotten because of extra demands on the WDA. Much has been said about LG coming to Newport and creating 6,100 jobs. That employment is vital—as is the spin-off of between 9,000 and 15,000 extra jobs—and the whole of Wales will benefit from it. Do the Government have any plans to bring the Wales tourist board within the remit of the Welsh Development Agency? Tourism is vital for rural Wales.

Another remit of the DBRW was its support for farming. Will that remit be taken on by the Welsh Development Agency? That question is particularly important in the crisis currently facing Welsh farming.

In an earlier debate, it was mentioned that the DBRW had a remit to steer a certain percentage of development away from the M4 and A55 corridors. That is extremely important, as there are parts of south-west Wales into which it is difficult to attract inward investment, whereas it is much easier to attract it into areas such as Newport and along the M4 and A55 corridors.

Can the Minister tell us what is to be the steer for the new super-quango? Will it be to ensure that a specific percentage of the inward investment that comes into Wales finds its way into rural areas, away from the main corridors? As new clause 38 deals with sustainable development, I assume that it is intended to allay fears for rural areas.

Having kept my contribution brief, I hope that that will leave a little more time for the Minister to cover those points.

Mr. Denzil Davies: I have considerable sympathy with the amendment which, as my hon. Friend the Member for Clwyd, West (Mr. Thomas) said, seeks to ring-fence rural affairs within the DBRW. For economic, cultural and social reasons, it would be a tragedy if the new quango neglected rural affairs. It may be unrealistic, as my hon. Friend suggested, to expect that the agency would ring-fence rural affairs.

I shall put two questions to my hon. Friend the Under-Secretary. First, what about the money? We are discussing not just a merger of three bodies—quangos—but an extension of powers. With regard to social development, there will be an extension of powers wider than the present Meirionnydd, Powys and Cardiganshire. Social development will go to all the rural areas outside that area covered by the development board, and to urban areas.

The new super-quango will have increased powers over those areas in that sphere. Will it have to make do with the same amount of money, plus annual increments, as is

now geared to its existing powers, or will it have more money to enable it to perform its new functions, as set out in the amendment? Those new functions will need money. If new money is not forthcoming, money will be taken from existing functions. People will put pressure on the new quango for social development money, if I may so describe it, in areas outside the present development board areas.

My second question, which was also raised by the hon. Member for Ribble Valley (Mr. Evans), is: what about farming? Farming was not thought of as industrial, and so was probably not considered to be within the original remit of the WDA. Now that the reference is to business, which can be industrial, commercial or professional, it must obviously cover farming, especially when it is said that the business does not need to make a profit—we all know that farmers do not make any profit.

On a legalistic reading of this legalistic document, farming would be included under economic or social development. There are clear social ramifications to farming in rural Wales. I should have thought that farming would fall within the remit of the new social and economic powerhouse, unless the European Community claims that it is the only body allowed to spend money on farmers. If that is not the case, there should be a glimmer of hope for farmers under the new, more powerful super-quango. Will more money be provided for that purpose?

Mr. Livsey: I commend the remarks of the right hon. Member for Llanelli (Mr. Davies). One of the huge problems of the DBRW was that it could not support farming because it did not have the powers under the legislation that set it up. There were many frustrating moments when we were unable to support the agricultural industry with co-operatives for the marketing of lamb and so on during the 1980s. It would be a great advantage if farming as a business could be incorporated into the remit of the agency.

I strongly support the amendment and congratulate the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) on tabling it. There must be redress in the rural areas, through the creation of a rural affairs department. I have long advocated an additional Welsh Office Minister responsible solely for the rural areas. The Under-Secretary is responsible for other matters, such as education under the previous Administration, and health under the present Government. Such is the importance of the rural areas that they deserve a strong focus.

I agree with the hon. Member for Clwyd, West (Mr. Thomas), who said that the resources should be ring-fenced. As a consequence of amalgamating the bodies, resources may find their way to the centre. I hope that I am wrong. We have heard an analogy with rugby. It is significant that one of the reasons why the English rugby team is so successful is that a certain proprietor of *The Sun* has enabled an £85 million deal to be done. It is ironic that the Government gave an £85 million support package to agriculture recently, but that was across the United Kingdom. Only £12 million of that came to Wales, so we are losing out again.

We must demonstrate the needs of rural Wales. Agriculture is vital. In some parts of Wales, 25 per cent. of the population is engaged directly in agriculture or in support industries. Family farms are in crisis. The farm management survey figures for the year 1997–98 suggest that farmers in Wales will earn only £2.50 an hour on a 40-hour week, and in 1998–99 are unlikely to make anything at all. We have heard reference to sustainability—we need sustainable incomes as well.

I know of many instances where rural businesses have collapsed in mid-Wales.

Mr. Öpik: Does my hon. Friend share my view that there has never been a more important time to get support right? The closure of DC Evans in Newtown and Welshpool has cost 35 jobs, and the closure of the former Laura Ashley factory—now called Merchant Design Manufacturing—in Machynlleth cost 60 jobs. People are looking to the Bill to provide real support, so that a rural crisis is not allowed to turn into a deep and lasting recession.

Mr. Livsey: I know that my hon. Friend has had many problems in his constituency as a result of the crisis to which I have referred.

Social development, which has already been debated, is extremely important. In the context of rural affairs, national parks are similarly important. One of the purposes of a rural affairs department must surely be to hammer out a rural strategy in conjunction with the assembly. That will create something coherent for the rural areas of Wales.

Amendments Nos. 524 to 539 relate to the transfer of powers from the Development Board for Rural Wales to the Welsh Development Agency. The use of the word "transfer" is extremely important as it identifies what will and should happen. As I have said, we have already debated the transfer of powers for social development.

Business Connect for Wales has given an excellent service throughout the DBRW area and it has been a great success, but it requires staff to service it with expertise. A report yesterday referred to the possibility of 60 jobs being lost in the DBRW. If that happens, it will not be possible to service a business connect network throughout rural Wales. That is serious. We must demand answers.

I have two questions for the Minister. How does he intend to maintain the rural premium in funding the new agency to ensure that the Government's stated aim, which is to see effective business development delivered throughout Wales through business connect, is achieved? Secondly, how is the Minister using the funding mechanism of the new agency to ensure that its new divisional structure delivers the quality and extent of service that he says he wants to see, given that there is the possibility of staff reductions? I should say that that possibility was denied yesterday, but I hope that the Minister will refer to it.

The rural premium, because of sparsity, has been £100 per person in the DBRW area. It used to be £605 per person in the WDA area, but that premium has been subsumed. It has found its way into local authorities and has been lost. Will that happen to the rural premium, which has been made available with success, in the DBRW area? Perhaps that puts the question of the ring-fencing of resources back into the park.

The Government should accept the amendments as a form of insurance for rural Wales, for agriculture, for rural businesses and for people living in the rural areas. Present powers must not be lost. Instead, they must be

[Mr. Livsey]

transferred. If the hon. Member for Meirionnydd Nant Conwy puts the amendment to the vote, we shall support him.

Mr. Caton: I shall speak in favour of the policy for rural areas as set out in the Bill and, therefore, against the amendments. In doing so, I have much sympathy for the fears and concerns of Members who represent constituencies which come within the area of the Development Board for Rural Wales, which is to be merged into the Welsh Development Agency.

I used to live just outside Aberystwyth. That being so, I am aware of the high-quality work that the DBRW has done, including the use of its social powers. Its special expertise in taking up economic problems in our country towns and villages has proved valuable. The Mid-Wales Export Association, which was established and funded by the DBRW, has undertaken superb work recently.

I represent and live in a rural constituency that is not included within the DBRW boundary. Like many of my colleagues in rural south Wales, west Wales and parts of north Wales, I am concerned that the current situation is not sustainable, to borrow a word that was used in a previous debate. We do not have access to the expertise and experience that was once available to us. In the perception of the DBRW, we have in the past been overshadowed, often understandably, perhaps, by the acute problems faced by neighbouring urban and industrial areas.

8.15 pm

The new WDA must make rural development policy one of its key functions, using best practice from both the DBRW and the WDA. We must use the experience and the expertise of both. It must serve the whole of rural Wales, not a particular geographical segment. If we do that, I am sure that the whole will produce rather more than just a sum of the parts.

The agency must have a dedicated rural section, call it rural affairs department, a rural policy unit or whatever.

Mr. Llwyd: That is precisely what the amendment seeks to achieve.

Mr. Caton: The hon. Gentleman interrupted me just as I was about to say that I do not believe that this is a matter for legislation in the way that is set out in the Bill.

The assembly and the agency should give serious and sympathetic consideration to the proposals of Professor Peter Midmore and Joan Asby of the Welsh Institute of Rural Studies in Aberystwyth, which are that an integrated rural development fund should be established to foster co-operation and indigenous growth, which realistically will be the main source of new jobs and economic activity in most of rural Wales in the coming years.

I can understand that subsumation into an all-Wales Development Agency for some people in mid-Wales represents a threat. I believe that for them, as for the rest of the people of rural Wales, it provides a tremendous opportunity. I hope that we grasp it.

Mr. Ieuan Wyn Jones (Ynys Môn): I am grateful for the opportunity to say a few words in support of my hon. Friend the Member for Meirionnydd Nant Conwy (Mr. Llwyd), who made an excellent speech in support of the amendment. Having listened to the debate, I think that there is general agreement that there is a need for the Welsh Development Agency to have a rural remit, although there is disagreement about the way in which that is best achieved.

I cannot support any move towards the ring-fencing of cash within an organisation such as the WDA. Although I have supported ring-fencing in the past, I now believe that it can be an extremely rigid way of allocating money. It does not allow flexibility for any agency in any particular way, and that flexibility is important.

I make a particular plea—this has been touched upon by the right hon. Member for Llanelli (Mr. Davies)—for agriculture. He was right to say that it is a vital industry in rural Wales. It is now the biggest employer of any productive industry throughout Wales. In Wales, 53,000 people are employed directly in agriculture. The Development Board for Rural Wales has estimated that, over the next 10 years, 5,000 of those jobs will be clearly under threat.

We are facing a crisis in the rural economy, which is a crisis in rural Wales. Rather than approaching those matters in the disparate way that we have done historically, with some money coming from the common agricultural policy, some through structural funds, some from the Welsh Office and some from local authorities, we should adopt an integrated rural approach. I believe that the new powerhouse agency will have an opportunity to integrate within Wales all of the money that should be coming through into the rural economy. We should consider agriculture as the basis upon which we drive up the rural economy while ensuring that we consider the ancillary industries.

I hope that the Minister will acknowledge the strength of feeling about the need for particular concern to be paid to rural Wales and to drive forward the agenda for an integrated rural policy.

Mr. Hain: I begin by thanking everyone who has contributed to an excellent debate. I acknowledge that there is a real crisis in agriculture and in rural economies generally. I hope that some of my remarks will provide some reassurance. However, there is no point in denying that a crisis exists. The Government are doing their best to tackle it.

I thank the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd) for the way in which he moved the amendment. In doing so, he made some extremely pointed and inclusive remarks. In asking him and his hon. Friends not to press this group of amendments, I do not for a moment wish in any way to underplay the valuable and much-praised work of the Development Board for Rural Wales over the past two decades. However, much of the rationale for its establishment was a reflection of the need to develop new towns in mid-Wales. That work was completed some time ago, and the board's activities now very much overlap, and, in some cases, duplicate, those of the WDA.

That overlapping and duplication is, in the Government's view, inefficient and is a waste of public money: such waste is one of our key motivations in attempting to reduce the number of non-departmental public bodies in Wales. The legislation as it stands

provides for those functions of the DBRW and the Land Authority for Wales that are not at present enjoyed by the WDA—I stress that point—to transfer to the agency on merger. I am convinced that the skills and experience of the DBRW's staff will provide an invaluable addition to those of the agency, in particular in rural affairs. The transfer of all the board's functions rather than just those not currently enjoyed by the agency would not enhance the agency's powers or functions in any way. That is an important point.

I shall pick up on a point that the hon. Gentleman raised—whether or not I am a Latin scholar—about the issue of "cease to exist". I understand his concerns in that respect, which were echoed by hon. Friends behind me. I shall clarify what the Bill means. In saying that the functions cease to exist, all it is saying is that the DBRW ceases to exist. That is how the Bill achieves that objective. There is, however, a selective transfer of functions that the DBRW exclusively has at present, which the WDA does not have, to the new agency under clauses 121 to 125. That achieves the objective that the hon. Gentleman is seeking.

Mr. Llwyd: The Minister used the word "selective". Does he mean that some powers currently enjoyed by the DBRW will not transfer? Or does he mean that all the powers over and above those that the WDA has, which the DBRW has, will transfer? To what does selective refer?

Mr. Hain: There is an overlap of powers and functions at present, so there is no need to transfer all of them; only those that are not enjoyed by the WDA at present will be transferred.

I now take up the issues raised, quite rightly, by my hon. Friend the Member for Clwyd, West (Mr. Thomas), who made several valid points. I hope that Members of the Assembly will have expertise in agriculture and rural affairs. That is essential. I cannot guarantee it by legislation, but I hope that all the parties will ensure that that is secured.

My hon. Friend also raised a point about the importance of agriculture in the assembly's objectives, and, indeed, those of the WDA. The assembly will be obliged to set out a clear strategy to safeguard—indeed, defend and improve—conditions in rural communities. Section 1(4) of the Welsh Development Agency Act already says:

"In exercising their functions the Agency shall have regard to the requirements of agriculture and efficient land management."

That will remain. I think that that answers the point, which was also made by my right hon. Friend the Member for Llanelli (Mr. Davies).

The point was well made by many hon. Members, but in particular by the hon. Member for Brecon and Radnorshire (Mr. Livsey), that rural areas have been facing a crisis. That is why the Government announced today that they will fund the entire start-up costs and first-year running costs of the new British cattle movement service. In addition, the Government have decided that the charges for implementing new specified risk material controls on cattle, sheep and goats will not be recovered from the industry from 1 April. That amounts to the Government giving £70 million to agriculture. I can assure all hon. Members that a substantial portion of that money will go straight into Wales because of its needs.

Mr. Denzil Davies: As my hon. Friend said, the agency shall now have regard to agriculture, but that is not the same as making it one of its main purposes. Section 1(2)(b) of the Act talks about promoting industrial efficiency. If "industrial" is replaced with "business", which has been defined, surely agriculture must mean promoting agricultural efficiency.

Mr. Hain: I expect that it does. It is valuable that my right hon. Friend has put that on the record. He made the point powerfully.

Mr. Livsey: May I thank the Minister for his announcement about SRM materials and expenditure? It was a helpful statement.

Mr. Hain: I am grateful for that kindly intervention.

Amendment No. 520 relates to the functions of the WDA and its organisational structure. Although I appreciate the concern of the hon. Member for Meirionnydd Nant Conwy, and that of his hon. Friends, I cannot agree that the level of detail is a matter for legislation.

I understand and share the view that the needs of rural areas throughout Wales should be very much part of the focus of the exercise of enlarging the agency's functions that we are undertaking. My right hon. Friend the Secretary of State has already spoken of his wish to see a rural policy unit established within the agency, possibly to be located within one of the regional directorates. It is inconceivable that the rural policy unit—this may be of particular interest to the hon. Member for Montgomeryshire (Mr. Öpik)—could be located in Cardiff. It is a matter for the agency, which is currently reviewing all those issues.

My hon. Friend the Member for Clwyd, West was concerned that there might be a lack of focus for the new agency, and that agriculture may lose out as a result. I can assure him that that should not happen. I hope that all that I have said so far will go towards ensuring that it does not.

There is a problem with ring-fencing. Although my hon. Friend raised the matter, the hon. Member for Ynys Môn (Mr. Jones) replied adequately to it.

It is important that we do not compartmentalise rural policy. One of the advantages of the proposals, as my hon. Friend the Member for Gower (Mr. Caton) said, is that rural policy will assume centre stage in the economic powerhouse. Instead of being confined to one particular but important part of Wales dominated by agriculture, it will be part of the major strategic objectives of the agency as it drives forward its economic strategy, as set by the assembly.

The hon. Member for Ribble Valley (Mr. Evans) asked constructive questions—I must stop praising him, as it will get him pushed off the Front Bench—about regional aid and the definition. Those important points are relevant to Wales's needs, where gross domestic product is, of course, the key factor, and where there is much hidden joblessness. We are pursuing this vigorously with the European Union.

[Mr. Hain]

The hon. Gentleman also asked whether the WDA's remit sufficiently covered rural areas. I think that it does, but it will be for the assembly to hold the new agency to account and ensure that it does. I am confident that, with huge representation from rural areas, that will occur. He asked why the Wales tourist board is not coming under the powerhouse agency. I am not sure that that is a matter for this debate. We decided that the tourist board has enormous responsibilities in the coming two years with the summit, the World cup and other initiatives. It will, of course, be for the assembly to decide whether some reorganisation is necessary or desirable in future. We have set clear new targets for investment to spread not just westward but up the valleys and into much of the neglected rural areas.

My right hon. Friend the Member for Llanelli raised important points about money. There will be a budget of £200 million for the new powerhouse agency, bringing together the existing budgets. He raised important points about extending powers and social development functions to all areas. That will have to be taken into account by the assembly. His points will be carefully examined.

All the points raised by the hon. Member for Brecon and Radnorshire will be addressed in the assembly's economic powers. In the light of those comments, I hope that the hon. Member for Meirionnydd Nant Conwy will withdraw the amendment.

Mr. Llwyd: We have had a good and useful debate, although I believe that the Minister is wrong about agriculture. However, his response has been positive and I therefore beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

It being half-past Eight o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [this day], put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 118 ordered to stand part of the Bill.

Clause 119 ordered to stand part of the Bill.

Schedule 9 agreed to.

Clause 120 ordered to stand part of the Bill.

Schedule 10

WELSH DEVELOPMENT AGENCY: OTHER AMENDMENTS

Question proposed, That this schedule be the Tenth schedule to the Bill.

Mr. Denzil Davies: We have already debated schedule 10 in relation to the definition of the word "business". My hon. Friend the Minister was asked why it was necessary to include

"the activities of any government department or any local or other public authority"

in the schedule. The Committee will recall that "business" is now defined not only as

"activities (whether or not with a view to profit)"

but as the

"activities of any government department or any local or other public authority".

I do not criticise my hon. Friend for not dealing with the matter, because time ran out. However, I, the hon. Member for Ribble Valley (Mr. Evans) and others asked why on earth a Government Department, perhaps Her Majesty's Treasury—who knows, the public sector borrowing requirement may flip over again; we do not know—should stand outside the WDA with a tin can looking for money. This is a drafting matter. Why is it necessary to include a Government Department? I can understand the need to include a local authority a little better than a Government Department, but why is it necessary to include a public authority?

According to the definition, everyone in the world will now be able to rattle a tin can to obtain money from the WDA. The difficulty is that it has only £200 million. We were told that if it is to satisfy all the requirements built into the legislation, the money will have to come from somewhere else.

I hope that my hon. Friend will be able to say why it is necessary for

"any government department or any local or other public authority"

to be included in the definition as recipients of money. It may well be that this is a back-door way of legitimatising the joint venture agreements that the WDA had with local authorities. They were clearly illegal right from the beginning. It was not necessary to pay the large sums that some councils did to silks in Wales to tell them that they were illegal.

The WDA then moved to some kind of partnership agreement, although I was never quite clear what the difference between a joint venture and a partnership was. Those agreements are probably illegal as well. I do not know whether this is an attempt to cure that illegality—probably not—but will my hon. Friend explain why it is necessary to have the

"activities of any government department or any local or other public authority"

included in the definition of "business"?

Mr. Rowlands: I have listened to my hon. Friend the Minister's replies to a succession of amendments and watched the extension of the WDA's role, and I want to enter a caveat. I understand that the economy and the world are changing, but one of the qualities of the WDA was its industrial focus. I can remember the old-fashioned standard industrial classifications. Do I now understand that all that has been swept aside?

Mr. Hain: My hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) asks a relevant question. We have defined business in a broad way—as we saw in the previous debate, agriculture is included in a certain context—precisely to recognise that, with the development of modern economies, there is a great deal of overlapping between the different areas, which previously may have been segmented off into traditional categories. We wanted to ensure that the new powerhouse drove forward the Welsh economy and that it had sufficient functions and powers to deal coherently with all the different sectors of the Welsh economy.

I reassure my right hon. Friend the Member for Llanelli (Mr. Davies) that there is certainly no intention to introduce any back-door method of legitimising illegal agreements. He is right to suspect that that is not the case. I am sorry that I did not respond to the question earlier,

but I did run out of time. The specific reason why Government Departments or any local or other public authority are included is that it may be necessary, as happens in the case of local authorities, for them to enter into an agreement with a private operator or a joint consortium. I think, for example, of waste management companies. They may then receive WDA support or advice or business services. The same is true for a Government Department. We wanted to ensure that we allowed the new powerhouse to engage in such activity and not be prevented from doing so. That is the purpose of including the reference in the schedule.

Question put and agreed to.

Schedule 10 agreed to.

Clause 121 ordered to stand part of the Bill.

Schedule 11

DEVELOPMENT BOARD FOR RURAL WALES

Mr. Hain: I beg to move amendment No. 490, in page 104, leave out lines 42 to 44.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss Government amendments Nos. 491 and 492.

Mr. Hain: The Government have tabled the amendments in order to keep alive certain references to the DBRW in the Housing Act 1985 and the Landlord and Tenant Act 1985. I have been advised that to repeal the references might have undesirable knock-on effects on former tenants of the board, or on bodies to which the board may have assigned leases.

For example, without the changes it is possible that former tenants of the DBRW would effectively lose their time as such tenants in calculating their right-to-buy discount. It might also be the case that certain terms of existing tenancies would change simply because the DBRW's functions had been taken over by the WDA.

I hope that hon. Members will agree that those consequences would be undesirable and unfair, and I therefore urge the Committee to accept the amendments.

Amendment agreed to.

Schedule 11, as amended, agreed to.

Clauses 122 to 124 ordered to stand part of the Bill.

Clause 125

ABOLITION ETC.

Mr. Wigley: I beg to move amendment No. 274, in page 59, leave out lines 18 to 20.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 275, in clause 131, page 62, leave out lines 8 and 9.

No. 276, in clause 135, page 64, leave out lines 27 to 29.

No. 512, in clause 141, page 66, leave out line 30.

Mr. Wigley: I am grateful for the opportunity, in the brief time that I have available before the witching hour at 9 o'clock, to deal with this group of amendments. Amendment No. 512 does not belong to us, so I shall leave that to those who claim paternity to it—*[Interruption.]*—if anyone wants to claim paternity to it. Ours are the type of probing amendments that would be relevant for the Committee stage of any Bill. Had the proceedings been taken in Standing Committee, we would have gone into such detail much more.

Amendment No. 274 seeks to delete lines 18 to 20 to ascertain the exact intention of clause 125, particularly the interplay between subsections (3) and (4). I suspect that that amendment, which deals with the Development Board for Rural Wales, and amendments Nos. 275 and 276, which deal respectively with the Land Authority for Wales and Housing for Wales, are the type of provisions that were heralded in the White Paper. Paragraph 3.23 of the White Paper says:

"Where necessary the Bill will give the Assembly limited powers to amend existing primary legislation."

That is what is happening by virtue of those clauses.

I want to ensure that we know the extent of that power to amend. As we heard in a number of our debates this evening, the DBRW has important functions for the parts of Wales for which it is responsible. Those responsibilities might well have been applied in other parts of Wales, as was suggested earlier. The question of amending other legislation because of the effect of the repeal of the Development of Rural Wales Act 1976 is fairly significant. If it is felt that, because of the absence of that Act, there is a need to amend other legislation that impinges on a range of economic and social powers—social powers are within the purview of the 1976 Act—these provisions enable such primary legislation to be amended by order introduced by the Secretary of State to this House.

Subsections (3) and (4) must be taken together in order to understand what we are discussing. I shall select just one part of the wording so that the provision makes sense, because the way in which the draftsmen have attacked this part of the Bill has not resulted in the most attractive English. Subsection (3) says:

"The Secretary of State may by order make any consequential . . . provisions . . . in connection with . . . the repeal by this Act of any provision of the Development of Rural Wales Act 1976."

It goes on:

"An order under subsection (3) may include provisions . . . of amendments . . . of any . . . other enactment."

Any other enactment could be amended by order if it was deemed to be dealing with any matter that was incidental to or consequential on the abolition of the Development Board for Rural Wales. That is fairly far-reaching, but it is necessary because many aspects will come to light that should have been covered by the legislation. This provision allows a fast route for changes to primary legislation.

Mr. Öpik: Is the right hon. Gentleman trying to ensure that we do not drop the ball when powers are transferred from the Development Board for Rural Wales to the new organisation? Is that correct?

8.45 pm

Mr. Wigley: Yes, that is correct, but I am going beyond that. These are probing amendments. I want to know what the effect of leaving out those lines would be,

[Mr. Wigley]

but first I want to establish what they facilitate. They seem to facilitate the far-reaching changes that may be necessary.

Amendment No. 275 deals with the Land Authority for Wales. Clause 131(3) and (4) give the Secretary of State the power to amend any enactment relating to land that it is felt appropriate to amend according to the wishes and policies of the National Assembly for Wales. Amendment No. 276 deals with Housing for Wales. Clause 135(3) and (4) enable the Secretary of State by order to make any incidental provisions that he deems appropriate.

Those three clauses could have substantial significance, because they allow the Secretary of State to make orders that change whole sections of housing, land or rural affairs legislation. I welcome that. The White Paper included that proposal: the Government said that they would enable primary legislation to be amended by order. The House will not lose its veto over changes to primary legislation, because an order will have to be approved by the House. An order is the vehicle for enabling provisions that would otherwise have to be included in primary legislation to be taken quickly through Parliament, to meet the requirements of the National Assembly for Wales to change the law in those three areas. The proposed mechanism is fast and effective.

Mr. Letwin: Does the right hon. Gentleman agree that the Secretary of State could make the process even faster if, by a transfer of functions order or subsequent such order, he were to transfer the order-making power in those clauses to the assembly?

Mr. Wigley: Yes, that would be a mechanism whereby the assembly could change primary legislation of its own volition without reference to the House of Commons, but the Government are not proposing that. Under the Government's proposals, the House of Commons will ultimately have a veto over such changes to primary legislation. Scotland is allowed to change primary legislation, and we want our assembly to be able to do likewise, but the clauses do not allow that.

Mr. Letwin: Does the right hon. Gentleman agree that the structure is in place to permit that change? Under the Bill, the Secretary of State could, by order, transfer those powers to the assembly so that it could thereafter by order change primary legislation.

Mr. Wigley: Yes, but only for such matters as are covered by the Bill. There is no provision for a general facility along those lines.

Mr. Letwin *indicated dissent.*

Mr. Wigley: The hon. Gentleman is shaking his head, but the clauses and amendments that we are discussing deal with the activities of the Development Board for Rural Wales, Housing for Wales and the Land Authority for Wales.

Mr. Letwin: Will the right hon. Gentleman give way?

Mr. Wigley: By all means.

Mr. Letwin: I apologise for intervening again, but the matter that I wish to raise is of some constitutional significance. Clause 22(1) makes it explicit that

"Her Majesty may by Order in Council . . . provide for the transfer to the Assembly of any function so far as exercisable by a Minister of the Crown in relation to Wales".

Clearly, the provisions to which the right hon. Gentleman draws attention are "in relation to Wales". They concern the power

"exercisable by a Minister of the Crown".

Therefore, under clause 22, the powers involved could presumably be transferred by a transfer of functions order to the assembly, which would then have the power, by order, to overturn an Act of Parliament.

Mr. Wigley: At the risk of trespassing on our earlier debates—I remember that the subject was touched on, although I think that we got into time trouble—let me say that there are restraints on clause 22.

I was not aware that primary legislation, in its generality, could be amended by order, but if that is the case, and if the arrangement is open-ended, the hon. Gentleman is clearly right. The amendment may be redundant, having already been dealt with by that mechanism. In the case of three of the four areas specified in part VI, however, there are mechanisms to allow changes in primary legislation.

I think that right and proper, and I believe that it should apply to other areas, too. I will not pursue the argument, because I would be trespassing on the Committee's time; but, if responsibilities that lie firmly with the assembly need to be modified, it would be nonsensical not to modify them. The modifications would relate only to Wales, and there is a long stop on the order in this part of the Bill. There are other long stops in other parts with regard to the financial implications. If we do not allow such a development, we shall create a structure that could lead to tensions between the assembly and the House of Commons.

If we want a devolved structure—I realise that Conservative Members may not—we must ensure that it takes on proper responsibility, carries that responsibility and does not merely lead to sniping between one Chamber and another. That is why I welcome the facility provided in the three subsections to which our three amendments relate. I hope, however, that the Minister will tell us how he envisages the working of those subsections, in the context of my comments. I hope that he will justify the need for them, given that—as the hon. Member for West Dorset (Mr. Letwin) pointed out—clause 22 may provide an overarching mechanism that makes those requirements redundant. Some clarification is needed.

Mr. Michael Ancram (Devizes): I am grateful to my hon. Friend the Member for West Dorset (Mr. Letwin) for succinctly raising one of the major points at issue in the amendments. In our view, it is clearly the beginning of a slippery constitutional slope, which is why the right hon. Member for Caernarfon (Mr. Wigley) was so keen to support the principle behind them. What my hon. Friend warned against, however, is even more evident in clause 141, which our amendment No. 512 addresses.

Clause 141 states:

"The Secretary of State may by order make in any enactment contained in . . . an Act passed before or in the same session as this Act, or . . . subordinate legislation . . . such amendments or repeals as appear to him to be appropriate in consequence of this Act."

If my hon. Friend is right, that is also a power that can then be transferred to the assembly under clause 22. In effect, that would allow the assembly—or, indeed, the Secretary of State, which is bad enough—to change primary legislation not on the ground that it was necessary to do so, but on the ground that it appeared to the Secretary of State

"to be appropriate in consequence of this Act."

We have discussed Henry VIII clauses before, but this is a Henry VIII clause of which not only Henry VIII but Cardinal Wolsey would have been proud. According to the Delegated Powers and Deregulation Committee's report of 1992-93, a Henry VIII clause is

"a provision which enables primary legislation to be amended or repealed by subordinate legislation with or without further Parliamentary scrutiny."

All the authoritative statements on such clauses make it clear that they were not intended to be used in this rather loose and informal way. They are intended to be used restrictively. The report of the Delegated Powers and Deregulation Committee in the other place summed up the definition. It stated:

"the case for using Henry VIII clauses for updating lists, or uprating for inflation and for making consequential and transitional provisions was recognised. In any event the Government should be expected to justify the use of such clauses as being necessary: they should not be used simply for convenience."

I think that the Committee will agree that if such a mechanism is to be used, those criteria might apply, but they are not contained in clause 141. The clause states:

"such amendments or repeals as appear to him to be appropriate in consequence of this Act."

That is a judgment by the Secretary of State, and there are no criteria by which to judge it. The clause could allow him, by order, to change primary legislation through a one-and-a-half-hour debate without amendment. As my hon. Friend the Member for West Dorset said, if that power were transferred to the Welsh assembly, that body could change primary legislation, whether by amendment or repeal, and Parliament would not have a chance to consider the matter.

That is a dangerous precedent, and I do not think that the Committee should lightly allow it to pass. I hope that even if the Minister cannot accept the amendment, he will bear in mind the seriousness of my statement and will at least agree to look at the issue again.

Mr. Hain: I can reassure the right hon. Members for Devizes (Mr. Ancram) and for Caernarfon (Mr. Wigley) that their concerns are misplaced. The amendments relate to residual order-making provisions in the Bill that allow the Secretary of State, by order, to amend primary legislation as a consequence of the quango reform provisions in part VI or the enactment of the Bill generally. All major Bills have an impact on existing statutes and require repeals and amendments. Although we have tried to provide for those in the Bill as, for example, in schedules 8 and 14, it is possible that some detailed matters have not yet been identified. That is why the safety net powers are necessary.

I understand the concerns of hon. Members who have tabled the amendments and I reassure them that the powers are intended to be used and, I stress, could be used only as a means of tidying up the statute book where other provisions in the Bill make that necessary. The alternative would be to return with fresh primary legislation to cover minor and technical matters. I hope that all hon. Members will agree that that would not be a fruitful use of parliamentary time.

Amendment No. 512 was tabled in the name of the right hon. Member for Devizes and some of his hon. Friends. I have heard the phrase "slippery slope" so often during the Bill's passage that by now the slope is well oiled. It is pure fantasy. The amendment would remove from clause 141 the Secretary of State's power to amend primary legislation by order when the Bill's other provisions made that necessary or desirable. The power represents a far better approach than burdening Parliament with fresh primary legislation to effect technical amendments.

Mr. Ancram: Will the Minister give way?

Mr. Hain: No, because I do not have much time.

I recognise the right hon. Gentleman's concern, but there is no scope for such a power to be misused. As I have said, it may be used only as a consequence of the Bill's provisions. Clause 144 provides that any orders made under clause 141, which amend primary legislation, would be subject to affirmative resolution here and in the other place.

Mr. Ancram: Will the Minister give way?

Mr. Hain: No, and I regret that I cannot give way. I have not been left much time.

The same arguments apply to the clauses that the right hon. Member for Caernarfon seeks to amend. A Secretary of State who, for whatever reason, sought to use the power unreasonably, could be checked by Parliament, which could also reject a draft order if it considered that the matter would be more properly dealt with by fresh primary legislation.

The amendments tabled by the right hon. Member for Caernarfon would remove the Secretary of State's order-making powers in the merger of the Welsh Development Agency, the Development Board for Rural Wales and the Land Authority for Wales and in the abolition of Tai Cymru, which would seriously impede the smooth implementation of those proposals. If further technical matters were uncovered during the merger process, we should then have to introduce new primary legislation to deal with them. I am sure that the right hon. Gentleman would not wish that to happen, and therefore invite him to withdraw his amendment.

Mr. Wigley: I am very grateful for the Minister's response, and I have taken note of the points made by the right hon. Member for Devizes (Mr. Ancram). The point is that—although different arguments may apply to clause 22—the clause would provide a safeguard for the House and avoid the need for primary legislation each time there was a need for consequential changes arising from the Bill.

It being Nine o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [this day], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 125 ordered to stand part of the Bill.

Clauses 126 to 131 ordered to stand part of the Bill.

Clause 132 ordered to stand part of the Bill.

Schedule 12 agreed to.

Clause 133 ordered to stand part of the Bill.

Mr. Letwin: On a point of order, Mr. Martin. I wonder whether you will give some guidance to a new Member on a genuine point of order. Earlier in the Committee's proceedings, the Secretary of State wrote to me—he deposited the letter in the Library—stating that there neither were nor would be powers other than those that I had mentioned for the assembly to overturn primary legislation passed by the House. The Minister—in failing to respond to what was said, and by what he has or has not said—has virtually implied that that letter was false or was inadvertently misleading. I wonder whether you can give us some idea of how one should deal with such a situation in the Committee's proceedings.

The First Deputy Chairman: Perhaps the hon. Gentleman can table questions to the Minister to get some elucidation on what he meant. The hon. Gentleman will understand that we have now passed that matter because of an instruction of the House.

Clauses 134 to 136 ordered to stand part of the Bill.

Schedule 13

AUDIT ETC. OF WELSH PUBLIC BODIES

Mr. Tim Collins (Westmorland and Lonsdale): I beg to move amendment No. 510, in page 118, line 20, at end insert—

'12. The Arts Council for Wales.

13. The Sports Council for Wales.'.

The First Deputy Chairman: With this, it will be convenient to discuss amendment No. 511, in page 118, leave out lines 28 to 31.

Mr. Collins: This group of amendments would correct a seemingly rather serious anomaly in schedule 13: the Arts Council of Wales and the Sports Council for Wales are exempted from the provisions of clause 136 on accountability.

Under clause 136, for those bodies which are specified in parts I or II of schedule 13, which do not include the Arts Council of Wales or the Sports Council for Wales, the Secretary of State may by order make provision about the accounts of any such body,

"the audit of any such body's accounts, or . . . reports by any such body on its exercise of its functions."

The clause goes on to specify that this could include the making of provisions relating to

"the giving of directions by the Assembly"

and

"the publication and public inspection of documents."

Given that in his introduction to the White Paper, the Secretary of State said that one of the primary purposes of the Bill—the creation of a national assembly—was to bring

"the quangos under control and into the open",

it seems curious that these two particular bodies should be exempted. It is especially curious because annexe B of the White Paper lists all 19 executive bodies reporting solely to the Secretary of State for Wales, but, if one excludes bodies such as the Development Board for Rural Wales which are to be wound up or merged with other bodies, every one of those 19 is to be subject to the full provisions of clause 136, with the exception of the Sports Council for Wales and the Arts Council of Wales.

The Minister is an amiable soul and a likeable fellow, and no doubt has a good reason for the special status of those two bodies, so we shall probe a little to find out what that may be. Does he regard these bodies as autonomous, executive bodies which should not be subject to clause 136? In one of its customarily excellent papers, the House of Commons Library quotes the constitution unit which has, appropriately, classed the Arts Council of Wales and the Sports Council for Wales alongside the Higher Education Funding Council and the Further Education Funding Council as autonomous bodies. However, the funding councils are fully subject to clause 136, so that cannot be the reason.

Is it because heritage and cultural matters should be given special status? That does not quite work either. Under schedule 13, the National Library of Wales and the National Museum of Wales are properly subject to clause 136. Is it because the two bodies have some advisory functions? That does not work either, because the Ancient Monuments Board for Wales and the Historic Buildings Council for Wales are subject to clause 136 and they have advisory functions.

Could the reason be that the Government regard the Arts Council of Wales and the Sports Council for Wales as unimportant? That is a little difficult to reconcile with the figures in the White Paper which show that, in the current financial year, the Arts Council of Wales is to spend something like £14.7 million and the Sports Council for Wales something like £9.1 million. Those figures exclude lottery awards which the two bodies make in Wales. The Arts Council of Wales reports that, in the last full financial year, it made a total of 228 awards, worth more than £14 million of lottery money. The Sports Council for Wales distributed similarly large sums.

I am sure that the Government would not argue that the two bodies were unimportant because I have in my possession a copy of a speech made 12 months ago by the Prime Minister when he was Leader of the Opposition. It was a speech made at the Mansion house to the British Screen Advisory Council. He said:

"Art is important for the standing of the nation. When Britain is culturally successful it matters to the rest of the world. It is part of our national pride."

I am sure that the Minister agrees that, if that is true of Britain, it must be true of Wales, so the two bodies are important and must be properly subject to the provisions of clause 136.

Is the reason for the exclusion that the Government believe that cultural matters should be kept out of the political sphere? There are some who hold the view that such things should be kept out of the hands of grubby

politicians of any party. Sadly, if that were the contention now, the Prime Minister demolished it in his speech 12 months ago when he said:

"New Labour wants to put the arts on the political agenda",

so there is no question of the arts being kept out of the political sphere. One is left to wonder exactly what has led the Government to give special treatment to the two bodies.

The Minister, who on the whole has conducted himself amiably in these debates, will forgive me if I venture the somewhat partisan thought that the explanation may lie in the fact that the Government are embarrassed about their record on the arts and sport. That is why they do not want these bodies to have to produce reports or allow their documents to be inspected under clause 136. The Government have every reason not to want such reports to be published. Before taking office, the Prime Minister said in that speech of 12 months ago:

"Arts organisations have had a huge boon from the Lottery—now we need to build on what has been achieved."

We found out a few months later what "building on" that meant: it meant taking £50 million away from the arts and £50 million away from sport in order to put it in the Government's coffers.

On the other hand, perhaps the Government do not want reports from these bodies because they are rightly embarrassed by their announcement last December of a further reduction in the grant made to them. The Minister may argue that we should not criticise the Government for that, as Labour is only carrying on with the previous Government's spending targets. He will forgive me for reminding him, however, that it was his party, not ours, which inflicted on the airwaves and ears of the nation for several weeks last year that dreadful pop song "Things can only get better". For the arts and sport, things are getting worse, not better.

Another possibility is that the Government may be embarrassed by what these bodies may have to say about January's announcement by the Secretary of State for Education and Employment to the effect that music, art and physical education are to be struck out of the national curriculum. *The Times* described that as striking

"a blow at the heart of British culture",

and closing

"the book on culture for millions of children".

The Government have every reason to be worried about what would happen if the Arts Council of Wales and the Sports Council for Wales were encouraged to produce open publications and to be subject to clause 136. That is no reason why we should accept the status quo that the Bill would maintain.

I believe that the amendments will enable the Government to come clean about their pledges to the Welsh and UK arts and sport communities. They will also enable them to deliver their pledges in the White Paper; they were quite clear in that document that they wanted all quangos to be open and accountable. Just in case the Government are worried that the Arts Council might oppose this idea, I want to end by quoting an extract from the Arts Council's website which appeared this very day. It said that the Arts Council believes

"that all the Arts Councils"—

in England, Northern Ireland, Scotland and Wales—

"are expected to account for their decisions and to explain them to Government, the arts community and the general public."

If the Arts Council is happy, I cannot see why the Government are not. That is why I commend the amendments to the Committee.

Mr. Rowlands: For the life of me, I cannot understand why sports and arts council issues cannot be subjected to the full rigour of democratic accountability. I have been puzzled by that ever since it was decided to exclude these two bodies. I understand that they have special status—charters and so on—but there is surely a powerful case for making these respectable quangos democratically accountable and responsible. They make operational and budgetary decisions of considerable interest to, and consequence for, large numbers of people. Why, then, are they to be excluded?

I do not want to embarrass Ministers by reminding them that before the election, we used very strong language about quangos and the quango state. The arts and sports councils were often invoked as examples of just such bodies. Like all other sensible, right-thinking people, I assumed at the time that they would be made fully accountable to the democratic assembly. Now it appears that they, more than any other organisations, are to be excluded from supervision.

I accept the problems caused by the special way in which those two bodies were set up—they were established by warrant, or whatever—but I believe that those two functions could have become the direct responsibility of the assembly. I did not think that we needed a sports council and an arts council whose budget would need accounting for. I think that they could have become an integral part of the Committee structure of the assembly. Those bodies make interesting, fascinating decisions on priorities in all sorts of ways.

Mr. John Smith (Vale of Glamorgan): Can my hon. Friend envisage, especially in the light of recent events, a situation in which a Committee of the Welsh assembly selected future national rugby teams?

9.15 pm

Mr. Rowlands: My hon. Friend tempts me to say that things could not be worse. Things must get better. What was that lovely song we had for the election—"Things can only get better"? Certainly, after last Saturday, that must be true of Welsh rugby.

May I remind my hon. Friend that there has been lively public debate of all sorts in the Welsh media about arts expenditure. There was a debate, or argument, between the Valley arts association and the arts council. It is a curious belief that democracy will be philistine by nature. I do not believe that that is so.

Mr. Desmond Swayne (New Forest, West): Does the hon. Gentleman accept that the amendments will not restrict the ability of the arts council or the sports council to undertake their current activities, but simply make them accountable?

Mr. Rowlands: I am suggesting that the amendments are not radical enough, and that given the nature and character of the organisations concerned and the interest

[Mr. Rowlands]

in the way in which they spend their money and their priorities, there is a case for more direct democratic accountability and responsibility for their actions.

We made that case over and over again in the run-up to the election. I said that if one had to choose two quangos that should be subject to full democratic accountability and responsibility, it would be those two. There were arguments; there were, rightly, lively debates about the various priorities of the Arts Council of Wales.

There is not one of us who is not interested in the way in which the Sports Council for Wales spends and allocates its money. There is interest not only in its grand strategies for young people—many of which are most admirable, according to all the documents that I have read—but in the nitty-gritty decision-making processes by which grants and resources are allocated to various organisations and communities. I would have thought that that was the meat and drink of democratic accountability and of devolution in its real sense. Then we find in schedule 13, after reading through the names of all the other bodies, that right at the bottom, the quangos most exclusively excluded from any form of democratic accountability are the arts council and the sports council.

Mr. Gareth Thomas: Is it not the case that the Government have inherited an anomaly and that they have to live with it? Would it not require a separate regime to put it right?

Mr. Swayne: Change it.

Mr. Thomas: It will be interesting to hear what the Minister says.

Mr. Rowlands: I wish that I had brought some letters with me, because I had something of a correspondence with my right hon. Friend the Secretary of State about the special status of those two bodies. I thought that Parliament was supreme, and that whatever the problems with the status of the two organisations and the methods by which they were established, Parliament could simply unwind the process. Although that would require various consents and various elaborations, surely it would be within the power of Parliament.

I cannot believe that it is beyond the power of Parliament to bring the Sports Council for Wales and the Arts Council of Wales within the jurisdiction, accountability and responsibility of the Welsh assembly. We fight over whole areas of parliamentary sovereignty, but apparently those two bodies are beyond the scope of that sovereignty.

I must confess that I do not understand that, and have never understood it, throughout all the discussions that we have had. We said that we would light a bonfire of the quangos and, although I do not want to burn down either the Sports Council for Wales or the Arts Council of Wales, I certainly want them to become totally democratically responsible to a Welsh assembly.

Mr. Wigley: I am grateful for the opportunity to speak in the debate and grateful to the Conservative Front-Bench team for having moved the amendment. Tonight, in several debates, we have heard a different tenor of debate from Conservative Members.

Mr. Swayne: That is because of the speech yesterday.

Mr. Wigley: It might well have something to do with that, but, be that as it may, we should welcome the repentance of sinners on the road to Damascus. I congratulate the hon. Member for Westmorland and Lonsdale (Mr. Collins), who spoke lucidly and concisely when moving the amendment. As the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) said, the amendments is perfectly reasonable.

I have to be careful in what I say, as my wife is on the Arts Council of Wales, although it may well be that that gives me an added incentive to ensure proper scrutiny of that body.

Mr. Rowlands: Abolish your wife.

Mr. Wigley: The hon. Gentleman should not tempt me—his wife has been on the S4C authority and we have already debated the question of whether that body should be answerable.

The Arts Council of Wales and the Sports Council for Wales are important bodies which have a strong Welsh identity—in fact, no quango has a stronger identity than those two. At times, both bodies have decisions to make that should be open to scrutiny. There has been some controversy in recent weeks about certain matters.

The status of those bodies is something with which we could deal in this Parliament, to which point I shall return; but their status has not been such as to prevent Parliament from casting its eye over them in the past. I am sure that the hon. Member for Merthyr Tydfil and Rhymney and the right hon. Member for Llanelli (Mr. Davies) will recall a meeting of the Welsh Grand Committee where we debated the annual report of the Arts Council of Wales. I remember Lord Hooson—Emlyn Hooson as he then was—being involved in that. If the Welsh Grand Committee can exercise some degree of scrutiny over that body and, by implication, over the Sports Council for Wales, why on earth can the assembly not do the same thing?

If the Government have come up against some technical changes which will take a prolonged period to get through, would it not be sensible to provide in this part of the Bill an order-making mechanism that could transfer responsibility for the two bodies fairly quickly, once that procedure has been exhausted? Our debate has demonstrated a meeting of minds across the Committee, and unless there is a very good reason for refusing the amendments, this may be an issue on which the Minister should choose to give way and incorporate the suggestion in the Bill.

Mr. John Hayes (South Holland and The Deepings): I wish to speak on the amendments, but, before doing so, I should like to thank the right hon. Member for Caernarfon (Mr. Wigley) for his acknowledgement of Conservative pragmatism. It is that mixture of pragmatism and principle which has illuminated the Conservative mind throughout the centuries, and hearing that tribute

from the right hon. Gentleman merely confirms what most of us already knew about the Conservatives' ability to adapt to change.

It is in that spirit that I approach the amendments, because, if we are going to do this, we must do it properly. The message that the exclusion of the arts and sports in Wales will broadcast to those communities and to the whole of Wales is that they are not important. How particularly and peculiarly unfortunate that is, given that we are talking about Wales, which is the land of Dylan Thomas, of Gareth Edwards and of Barry John—I was at the match on Saturday, but we shall not go into that. As my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) said—

Mr. David Hanson (Delyn): Will the hon. Gentleman give way?

Mr. Hayes: I am happy to do so, if the hon. Gentleman wants to talk about rugby.

Mr. Hanson: Is the hon. Gentleman aware that both the bodies named in the amendments were established by royal charter and that the only reason why they are not being brought under the control of the democratic assembly in the Bill is that the arrangements can be changed by invitation via the royal charter procedure? That is the only reason—it is a simple technical matter. We do not disagree with Opposition Members or with my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) on the principles of the Bill. This is a simple technical matter which can be dealt with outside legislation.

Mr. Hayes: The problem with that thesis, as my hon. Friend the Member for Westmorland and Lonsdale has pointed out, is that the two bodies are no different in that respect from several others which are treated entirely differently in the Bill.

Mr. Hanson: Will the hon. Gentleman give way?

Mr. Hayes: No, I will not give way again because I wish to be brief and I have been generous to the hon. Gentleman once. The message being broadcast to these communities is that they have been deliberately excluded, and that must be unhealthy. I could go on at length about the Government's cuts to the arts, but I have been moderate, sensible and reasonable. Let us make this work properly by bringing the bodies within the compass of proper procedure. Let us make them accountable and, therefore, in the eyes of the public, respectable.

Mr. Laurence Robertson (Tewkesbury): I am not sure that I can follow the comments of my hon. Friend the Member for South Holland and The Deepings (Mr. Hayes)—certainly not about rugby. I must endorse what my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) has said. I find the drafting of schedule 13 odd for a number of reasons, not least because I have looked at similar legislation dealing with audit.

My understanding is that the Government are looking to extend the scope of auditing. It seems odd to me that the Arts Council of Wales and the Sports Council for Wales should not be included, given the nature of those august bodies. It would be helpful to those bodies if they were subject to full audit, because their awards are the subject of controversy—not from an audit point of view, but from the point of view of those who do not receive awards. I am sure that many hon. Members are aware of the controversy surrounding the awards. It would be in the interests of those bodies if they fell within the schedule. For that reason, the Minister should look at the schedule from the point of view of those bodies.

Mr. Swayne: I have essentially only one point to make—it is to distance support for the amendments from the case made by the hon. Member for Merthyr Tydfil and Rhymney (Mr. Rowlands). The amendments are purely about financial accountability, and I reject entirely the case made by the hon. Gentleman that this is meat and drink for the democratic process.

It would have been no more appropriate to go further and take those bodies into the heart of the assembly, with Committees dishing out the funds for the arts and sport, than for a Committee of this House to undertake such a function. It is outrageous. *[Interruption.]* If the hon. Member for West Carmarthen and South Pembrokeshire (Mr. Ainger) wants me to give way, I shall happily do so, but he must not continue mumbling from a sedentary position. I cannot hear what he is saying.

Putting such powers in the hands of politicians would be most dangerous. It is outrageous to suggest that the task could be properly done by politicians, who do not have the expertise for it. As for the suggestion by the hon. Member for Clwyd, West (Mr. Thomas) that this was merely an anomaly that the Government had inherited and with which they had to live, that is extraordinary. For a Government who are turning the constitution on its head to say that this is an anomaly is rather weak. They will have to do better than that.

Mr. Hain: This is starting to be quite fun. What I expected to be an extremely technical debate has opened up into a wide-ranging one.

I congratulate the hon. Member for Westmorland and Lonsdale (Mr. Collins) on a very effective contribution from the Front Bench. If he keeps that up, he will soon be challenging his hon. Friends for positions on the Front Bench. I seem to recall that, in a previous incarnation, he was a chief spin doctor for the Conservative party—indeed, that he might even have operated from Conservative central office. I congratulate him on bringing his talents to the Dispatch Box tonight. I also congratulate him on regarding me as likable and amiable, but I assure him that flattery will get him nowhere in this debate.

I respond directly to the Conservative Members who intervened with great eloquence in the past few minutes—I am sure at very short notice—to make some arguments about the amendments. Obviously, the short notice has encouraged them to overlook a central fact about the debate, about which I am sure that, in retrospect, they will be very embarrassed.

I wonder whether Conservative Members realised, as they went to great lengths to attack the Arts Council of Wales, question its credentials and wonder why the assembly was not abolishing it or taking control of it, that the chief executive of the Arts Council of Wales is

[Mr. Hain]

Mr. Emyr Jenkins, the father of Mrs. Hague, the wife of the leader of the Conservative party. In all humility, I think that the hon. Members for South Holland and The Deepings (Mr. Hayes), for Tewkesbury (Mr. Robertson) and for New Forest, West (Mr. Swayne) should have recognised that and perhaps taken his advice.

9.30 pm

Mr. Laurence Robertson *rose—*

Mr. Ancram *rose—*

Mr. Hain: I shall let the hon. Member for Tewkesbury intervene in a moment.

The chief executive of the Arts Council of Wales would have been able to instruct the hon. Gentlemen on the details of its royal charter and on why the amendments are unnecessary.

Mr. Ancram *rose—*

Mr. Hain: I know that the right hon. Gentleman is extremely sore about the fact that I ran out of time to give way to him last time, so I shall generously let him in this time.

Mr. Ancram: I am grateful to the Minister for his unusual generosity in giving way in one of his winding-up speeches. His remarks about the father of the wife of the leader of the Conservative party came rather strangely from the Labour party, because I had understood that the Labour party did not believe in nepotism. We do not; does he?

Mr. Hain: I am still trying to follow the relevance of that point, but I encourage the right hon. Gentleman to keep up that type of spirited intervention. I thought that nepotism was the product of the Conservative party over the years. While we are getting rid of the Conservative quango state, any trace of nepotism will be got rid of in this context as well.

Mr. Owen Paterson (North Shropshire) *rose—*

Mr. Hain: I think I was due to give way to the hon. Member for Tewkesbury.

Mr. Laurence Robertson: I remind the Minister that I described the arts council as an august body. I was suggesting that the measures contained in the amendments would add weight to those bodies and take nothing from them.

Mr. Hain: I understand the point. I was merely suggesting to the hon. Gentleman that, had he had time to obtain detailed guidance during the few days in which I am sure that he has been preparing his speech, he would have had the chance to consult Mrs. Ffion Hague, who I suspect is an expert, not just on the Arts Council of Wales, but on all of Wales. Given that she occupied a very senior position in the private office of the Welsh Office and, as I understand it, did extremely well and landed up marrying the former Secretary of State, she could have given the hon. Member for Tewkesbury a great deal of advice, after which he might have concluded that his intervention tonight was a little over-enthusiastic.

I appreciate that these may have been probing amendments; perhaps they were probing speeches as well. *[Interruption.]* Ah, we are going to get a Division at last, are we? I relish the prospect of a Division. We have been champing at the bit for a Division all evening. It is a measure of the fact that the Conservative party has adopted such a low-key approach to the Bill. Indeed, at times tonight the hon. Member for Ribble Valley (Mr. Evans)—Ribble-on-Wales—actually seemed to praise elements of the Bill. I welcome his conversion. I assure the hon. Gentleman that the Welsh Office—and, I am sure, the Welsh assembly—will carefully consider resurrecting the Mumbles railway.

These probing amendments seek to establish why the Arts Council of Wales and the Sports Council for Wales will apparently be subject only to examinations by the Auditor General for Wales of their use of resources. Some legitimate questions have been raised, and I shall attempt to answer them. The royal charters of the Arts Council of Wales and the Sports Council for Wales make no reference—far be it from me to suggest that this is an anomaly—to audit arrangements. The current position is that, by agreement as set out in their management statements, the Comptroller and Auditor General audits the councils' grant in aid accounts. In other words, there are no auditing provisions in the charters of those two councils. Perhaps the matter was overlooked. That is why, by agreement, those special auditing arrangements are set in train by the Comptroller and Auditor General.

Under section 7 of the National Audit Act 1983, the Comptroller and Auditor General has powers to carry out examinations of the economy, efficiency and effectiveness of the councils' use of resources. Far from ducking the issue, we believe that we should be firmer in the context of this Bill about the auditing arrangements that govern those two important quangos. The Government intend to invite the two councils to propose amendments to their royal charters that would confer on the Auditor General for Wales the function of auditing their grant in aid accounts. Therefore, although the Government agree with the purpose of the amendments, we believe that it is unnecessary to change schedule 13 to achieve the desired outcome. The Government intend that the charters, rather than an order under clause 136, should provide for the audit arrangements.

Mr. Rowlands: I am following the Minister as closely as I can. What if the two bodies concerned refuse to comply?

Mr. Hain: I am sure that Her Majesty would not want to be put in that position. My hon. Friend made some very good points—I suspect at short notice, but he was no less eloquent for that. The Arts Council of Wales and the Sports Council for Wales are bodies created by charter or royal warrant. Therefore, the assembly would not have the power simply to amend their auditing arrangements and it would not be appropriate to do so in the Bill.

Mr. Rowlands: If I may pursue that point, the assembly would not have the power to amend those arrangements, but Parliament does. I drew attention to that fact in correspondence and through interventions in much

earlier debates. I took advice from the Library, and it is clear that Parliament can overrule and change the arrangements. Is it a lack of political will, rather than a complicated technical exercise, that has led us to this impasse?

Mr. Hain: We decided—I am sure that my hon. Friend would have done the same in our position—that this was the best way to approach the issue. It was not a question of a lack of political will; it was a question of convention and the right and proper way to proceed.

Mr. Hanson: I have listened very carefully to the Minister's comments. Does he mean that the Conservatives in opposition have proposed an amendment that transfers powers from Her Majesty the Queen to the Welsh assembly?

Mr. Hain: My hon. Friend raises a very interesting question. I am not sure that that is the Opposition's intention—perhaps it is one consequence of their amendments. We are behaving with extreme decorum and responsibility in this matter, and it is interesting to note that Conservative Members are not doing the same.

Mr. Ancram: This is new Labour. This is modernisation.

Mr. Hain: The right hon. Gentleman chides me for adopting new Labour practices. Apparently the Conservative party is considering changing not only its whole structure but possibly even its name. Plaid Cymru may do the same thing. Perhaps that is a consequence of the new inclusive politics that has been sparked off in the Welsh context.

Mr. Paterson: Can the Minister explain where the decorum and responsibility are in the clause? It is in breach of the statement made by the Secretary of State to the House when he introduced the White Paper. He said:

"The Assembly will be given sweeping powers to democratise and if necessary further restructure the quango state."—[*Official Report*, 25 July 1997; Vol. 298, c. 1124.]

He also said:

"No longer will our key public services lie in the hands of political appointees operating in secret and accountable to no one in Wales."—[*Official Report*, 22 July 1997; Vol. 298, c. 755.]

Can the Minister explain the anomaly?

Mr. Hain: There is no anomaly. The Bill is full of decorum and responsibility. As the hon. Gentleman refers to the bonfire of the quangos, I shall try to answer him fully in the time available. You will tell me, Mr. Martin, whether I am in order.

The five bodies that will be abolished spend £164 million. That is almost one fifth of the total sum spent by the bodies. If the assembly abolished all the bodies possible, there would be only 16 bodies left, compared to the 45 that exist now.

Mr. Dominic Grieve (Beaconsfield): On a point of order, Mr. Martin. What has that to do with the Arts Council of Wales and the Sports Council for Wales?

The First Deputy Chairman: The Minister is in order. If he were out of order, I would have told him so.

Mr. Hain: I am grateful, Mr. Martin, and I will stay in order as best I can. I am sure that you will keep me in order if I stray. With all due humility, I was answering a question that had been put to me.

The assembly has the ability to leave only 16 quangos in existence, if it so chooses. That amounts to a bonfire of the quangos, which we lit with the Bill, and we have complied with our commitments in the White Paper.

Why did we not abolish all the bodies? That brings me directly to the Arts Council of Wales and the Sports Council for Wales. They, together with three other bodies—the National Library of Wales, the National Museum of Wales and the Royal Commission on Ancient and Historical Monuments of Wales—are all bodies created by charter or royal warrant.

Unless the Conservative Opposition have suddenly become a republican Opposition, surely they would agree with me that it is for Her Majesty to agree changes to those bodies. It is not appropriate to amend them by means of a Bill. I am surprised at the blatant irresponsibility of the Conservative Opposition in suggesting that.

Mr. Wigley: If, as the Minister suggests, a voluntary change may be introduced by those bodies and taken through the appropriate channels with the palace, would it be the intention of the Secretary of State to use the provision under subsection (6) to amend schedule 13 to bring the two bodies into the schedule's purview?

Mr. Hain: I do not think that that would be necessary. It will be possible to accomplish the necessary changes as set out in the provisions of the Bill for auditing arrangements and other matters.

Mr. Letwin: May I intrude briefly on this amusing spectacle by asking for genuine clarification? Now that the Minister has admitted that the National Library of Wales, the National Museum of Wales and the Royal Commission on Ancient and Historical Monuments of Wales are also established by warrant or charter, can he explain why they fall not in part III, but in part I of the schedule? Is it because they already have in their warrants or charters provisions for audit that are different from those relating to other bodies?

Mr. Hain: I am grateful to the hon. Gentleman for raising that sensible and not excessively legalistic point. It is a straightforward and common-sense question. *[Interruption.]* The Whip says, "For a change." That is uncharitable.

Why does the Bill provide for the other charter bodies—the national library, the national museum—to be audited by the Auditor General for Wales? The answer is that grant is paid to the national library and the national museum under section 9 of the Museums and Galleries Act 1992, which also provides for them to prepare accounts and for those accounts to be audited by the Comptroller and Auditor General. It is therefore possible for an order under clause 138 to transfer those functions to the Auditor General for Wales. They are thus in a different position.

Mr. Rowlands: I am not a republican, but I am a parliamentarian. Will my hon. Friend confirm that Parliament can abolish such a charter?

Mr. Hain: As I understand it—from my point of view, I am straying into uncharted territory constitutionally—

[Mr. Hain]

Parliament is sovereign in this country. Therefore, presumably, it could do what my hon. Friend suggests. However, by convention that has not happened to royal charters.

Mr. Letwin *rose—*

Mr. Hain: Does the hon. Gentleman want to have a go at me again?

Mr. Letwin: First, I thank the Minister for his lucid explanation. I congratulate him on having found an instance—I think uniquely in the Committee's examination of such, and I quote, "legalistic points"—in which the Government and their draftsmen have not made an error that they subsequently need to write to somebody about to correct.

9.45 pm

Mr. Hain: Touché. The hon. Gentleman makes his point with his customary elegance and legalistic wit.

As for examinations of the use of resources by the councils are concerned—the Arts Council of Wales and the Sports Council for Wales—the Government propose that the Auditor General for Wales should have equivalent powers to those that are set out in the National Audit Act 1983. Clause 137 and schedule 13 provide for that.

The national lottery accounts of the councils are audited by the Comptroller and Auditor General under section 35 of the National Lottery etc. Act 1993. The Government have no plans to change that. To make the most effective use of auditor resources, the Auditor General for Wales will be able to use staff of the National Audit Office under clause 92, so that, as now, one team of auditors could order both sets of accounts. In the light of that explanation, I invite the hon. Member for Westmorland and Lonsdale to withdraw the amendment.

I wish to respond to some specific points which were raised by the hon. Member for Westmorland and Lonsdale. He said that the Government were somehow embarrassed about sport and the arts. I confess, as a Minister, to being embarrassed about the performance of Wales at Twickenham last Saturday. It was the first time that I had been to Twickenham since I was carried off the pitch in January 1970, in the context of an anti-apartheid demonstration against the all-white South African team. Judging by the performance of Wales, it might not be a good idea if I were to go back too soon to watch them play.

The Government are not embarrassed about their commitment to sport, whether it be rugby, football or anything else. As a new Labour Government, through lottery and other provision we have committed ourselves to ensuring that we make Britain, and in our own context Wales, one of the best sporting nations in the world.

I move on to the arts and the responsibilities of the Arts Council of Wales, and the need to ensure, as the Bill does in the provisions that we are applying, that the accounts are properly audited. It is interesting, given the development of arts in Wales, which the Government are encouraging, that we are seeing a new arts movement emerging in a new Wales. We value our past in terms of opera and other arts as we value present achievements in opera, orchestra, choral music and male voice choirs, for example. I am the president of half a dozen male voice choirs in my constituency.

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): Give us a song.

Mr. Hain: I think that that would be even more horrific than my speeches in the Chamber.

Mr. Evans: Impossible.

Mr. Hain: We are seeing a new wave of pop music in Wales. It is partly because of the activities of the Arts Council of Wales in recent years that a new wave of popular music has come through such excellent institutions as the Pontardawe international music festival, which takes place in my constituency. It is supported by the Arts Council of Wales. We have seen that new wave of culture coming through Wales, and we are determined to encourage it. Given the Bill's provisions and much better auditing arrangements, that momentum can continue.

Mr. Rowlands: Does my hon. Friend believe that an elected Welsh assembly would do anything less—indeed, it could possibly do a great deal more—to promote just such festivals as he describes? Is that not a case for greater democratic accountability?

Mr. Hain: Indeed. I am grateful to my hon. Friend for making that point, because, in the context of arts provision and policy, one of the central objectives is that the assembly will enable us to involve all of Wales in influencing the overall policy for the arts and sport rather than having a limited group—under the Conservatives, some might have said an elite in Wales—influence its direction. We will have people from all over the country.

I hope that we shall see in the assembly young people who will support some of the excellent new Welsh pop bands, such as Catatonia, the Manic Street Preachers, Super Furry Animals, and the Stereophonics. Indeed, I was delighted to congratulate the Stereophonics on receiving an award at the Brit awards the other week. I did not have a bucket of water poured over me; they were delighted to see me. They are part of the new wave of music that is putting Wales right at the top of the pop agenda and on the international stage. As my hon. Friend said, the Welsh assembly will give greater strength and recognition to the new wave of pop music, with Wales leading the world not just in a democratic transformation but in the transformation of our popular culture. I am sure that the Bill's provisions will encourage that process. The amendments that the Opposition are tabling so destructively will undermine the whole popular movement for music in Wales.

The hon. Member for Westmorland and Lonsdale made a wide-ranging point, but I need to respond to it. He said that the Government were striking music, arts and sport—all of which are covered by the Sports Council for Wales and the Arts Council of Wales—from the national curriculum

Mr. Win Griffiths: Never.

Mr. Hain: As my hon. Friend reminds us, that would never be possible under this Government. We are

reviewing the way in which the national curriculum is delivered in the classroom. We are saying that arts, sport and music must continue to be taught in primary and secondary schools. We have always valued the curriculum Cymraeg, the broader provision of education, and that is especially true of music, sport and the arts, where Wales prides itself on being ahead of England in the ability of our schoolchildren to perform in those areas.

Mr. Öpik: I apologise for being absent briefly from the debate.

Is the Minister seeking to help Wales to hit above its weight in the arts and sport, in the same way that Barnsley has scored an historic victory over Manchester United in the FA cup tonight?

Mr. Hain: I am interested in that information, because, as well as being vice-president of Neath rugby club, I am a Chelsea fan. It is nice to hear that result, if the information is correct.

In respect of arts policy and sports policy—in regulating the Sports Council for Wales and the Arts Council of Wales, overseeing their objectives and holding them to account—the assembly will ensure that Wales is put on the international stage. It will allow our sportsmen and women, our artists, pop musicians, male voice choirs, opera stars and the rest to have the backing of a national assembly for the first time, ensuring that their voices are heard across Europe and, indeed, the world.

Mr. Livsey: Does the Minister agree that it is nothing short of a tragedy that, particularly in sport in Wales, we no longer have teachers who are thoroughly involved in getting on with the business of teaching youngsters sport? One of the consequences of that is, perhaps, less than good performances by some of our national teams.

Mr. Hain: I very much agree with the hon. Gentleman. It is important to their development. Proper rugby coaching in schools for those children who want it, boys and girls, would help Welsh rugby. I should like to see much better provision for sport in schools. I am discussing with the Sports Council for Wales and the Cricket Council for Wales how we might take that forward, possibly in co-operation with the private sector, but I hasten to say that that is not a matter for debate this evening.

We seek to lighten the burden on teachers of the over-restrictive and over-centrally directed imposition of the national curriculum, which makes it impossible for teachers to deliver on the core skills of numeracy and literacy in which Wales, as the rest of Britain, has fallen behind in recent years.

We are seeking advice from the Curriculum and Assessment Authority for Wales on how to introduce a new curriculum which will protect traditional subjects, such as the arts, music and sport, but allow an iron focus on the essential core skills of literacy in English and Welsh, and numeracy, without which our children cannot achieve their full potential in school.

Mr. Llew Smith (Blaenau Gwent): Does my hon. Friend accept that one of the best things that can happen to schools is for them to be able to build on the kind of services that are provided by peripatetic teachers? The fewer peripatetic teachers there are, the poorer the standard of music will be. Does my hon. Friend accept that some schools now face difficult decisions because of the lack of cash for peripatetic teachers to ensure that we in Wales can build on what we are best at? Our schools have some of the best youth brass bands and orchestras in the United Kingdom, but they require cash.

Mr. Hain: Peripatetic teachers are vital, whether in respect of brass bands or music generally, or of the arts, but particularly in respect of music. The same principle could be applied to sport and I agree that that needs cash. That is one of the many reasons why the Government have introduced an extra £50 million funding for education to go straight into schools budgets in local education authorities throughout Wales, including in my hon. Friend's constituency.

I have in part responded to a point made by my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands), but I should just like to add to that before I conclude my remarks—much, I am sure, to the relief of the Committee. My hon. Friend asked why we were not subjecting the Arts Council of Wales and the Sports Council for Wales to the full rigours of accountability. We are doing that. They will be accountable to the National Assembly for Wales under the Bill. That will subject them to accountability by elected representatives from all over Britain.

Under clause 29, we have made it clear that royal charter bodies can only gain functions; they cannot be taken away. For those reasons and all the others which I mentioned this evening, I urge the hon. Member for Westmorland and Lonsdale to withdraw the amendment. I am sure that the arts and sports policies in Wales will be all the better if that is done.

Mr. Collins: We have had an extremely enjoyable debate. I particularly enjoyed the reference from the Minister, who will probably go down in history as the first Minister to have filibustered his own Bill, to the idea that the Conservative amendments would undermine the popular music movement across Wales. I know that the Conservative party is on the verge of once again becoming influential, but the idea that, throughout the Principality, electric guitars are being unplugged and drums thrown down as word of the amendments spreads across the land stretches credulity a little, even as far as the Minister is concerned.

We heard speeches by Labour Back Benchers and from Plaid Cymru, and excellent speeches by my hon. Friends, all of which made the argument. I am delighted that the Minister said that the Government agree with the purpose of the amendments. As he has said that he intends to look at ways of implementing the purpose of the amendments, and despite his evident enthusiasm for a vote, which extended almost to the point of goading, we shall deny him the opportunity of a vote. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Schedule 13 agreed to.

It being Ten o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [this day], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clauses 137 to 140 ordered to stand part of the Bill.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—[*Mr. Jamieson.*]

Committee report progress; to sit again tomorrow.

Postal Services (Liverpool)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

10.1 pm

Maria Eagle (Liverpool, Garston): I am pleased to be able to deal with the issue of postal services in Liverpool at such a timely moment, as the decisions that will affect the quality of that service must shortly be made by the Post Office board under the overall policy direction of the Government.

I pay tribute to the men and women who work for the Post Office. May I narrow down my tribute and pay particular tribute to those who work for the Post Office in Liverpool and in the precincts of this House? I know from personal experience in both places how effectively they work, and that they often work under extreme pressure.

The Royal Mail prides itself on its ability to collect a letter anywhere in Britain and deliver it as quickly as possible anywhere else at a fixed price. If one purchases a first-class stamp, the letter is often delivered by the following day. That outstanding quality of service may be threatened in Liverpool by the Royal Mail's plans to remove the sorting of mail away from the city to Warrington.

That is part of the Royal Mail's £64 million investment programme to enable it to meet global and European challenges to its domestic markets. The investment is a welcome indication of the Government's commitment to ensuring that the Royal Mail in the public sector can compete with the best and face the challenges of the new millennium with cutting-edge technology, and with confidence that it can provide a top-quality service to its customers.

I am no Luddite, but I have a quarrel with one aspect of the strategy announced by the Royal Mail in June 1997, and that is what I wish to highlight in this debate. To do so, I must first outline the plan as it affects Liverpool.

In so far as it relates to the Royal Mail's north-west and north Wales region, the plan involves transferring processing from three mail centres, five outward vouching offices and three centres for bulk mail handling to new mail centres and a new regional distribution centre. The Royal Mail envisages a new Warrington mail centre replacing Crewe and Liverpool mail centres, a new Chester mail centre replacing the current Chester mail centre, five outward vouching offices in the Wirral and north Wales, and a new Crewe regional distribution centre replacing Brunswick Dock, Westhoughton and Lostock bulk handling centres.

However, ever since the announcement of those proposals, there has been a strong feeling in Liverpool that the Royal Mail is wrong to move more than 900 jobs to Warrington if they can be retained in Liverpool. I remind the House that Liverpool has an unemployment claimant count of 9.4 per cent., with male unemployment at 13.7 per cent.—one of the highest rates in the country.

The Government and the European Union recognise the relative deprivation. Liverpool is a European objective 1 area, which is a recognition of the fact that it is one of the poorest regions in Europe. The Government have also acknowledged the economic and social disadvantage that is clear for all to see in the city, and have granted Liverpool the status of an employment zone.

My constituency benefits from Government funding for regeneration through two single regeneration budget partnerships at Speke-Garston and Netherley valley. Many other regeneration initiatives throughout Liverpool are backed with Government money. Only last week, the Government approved an estates renewal challenge fund application for £43.78 million to assist in the regeneration of the public sector housing stock in Speke-Garston.

Mr. Eddie O'Hara (Knowsley, South): Does my hon. Friend recall that, only two weeks ago, she and I were at Ford's factory in Halewood congratulating the workers on being awarded the contract for Jaguar car production, which carries with it £43 million-worth of Government investment? The factory is located between our constituencies. It is a tragedy that such a good news story for Merseyside has been cancelled out by the Post Office's plans for the sorting office.

Maria Eagle: My hon. Friend must be psychic, because I was just about to make that very point.

The Pinehurst estate in the north of Liverpool has also benefited from the estates renewal challenge funding that was announced last week. As my hon. Friend said, Ford's Halewood plant has received £42 million of assistance from the Department of Trade and Industry, and I should like to commend the Minister on his role in that. Many of my constituents work at Halewood, although the plant is in my hon. Friend's constituency. That assistance will enable Ford's decision to build the baby Jaguar on Merseyside to be realised. The Department has also been actively involved in promoting business on Merseyside in other areas. It puts its money where its mouth is, to the tune of millions of pounds.

The Government have also given £13 million of extra money to repair rundown schools in Liverpool. I could use the whole of my speech to give examples of similar Government initiatives. Liverpudlians applaud the Government's concentrated effort to tackle the legacy of unemployment and poverty that long-term decline and 18 years of Tory destruction have left us.

Why should a major publicly owned concern such as Royal Mail, which should be expected to take its social responsibilities seriously, so blithely counteract the Government's good work and threaten to remove 900 jobs at a stroke? It should not, but I accept that operational decisions such as where to site new mail centres should be made by the Royal Mail and the Post Office board and not by the Minister. His role is to set overall policy guidelines, and I know that he would not be swayed to intervene by the facts that I have mentioned alone, although I have no doubt that he is sympathetic to my point of view. However, it should interest him to know that the business planning, evaluation and comparisons of alternative options on which Royal Mail based its decisions were fundamentally and seriously flawed. He should want to put the matter right.

While the work force and local Members of Parliament have campaigned on this issue, it has emerged that there is indeed a site in Liverpool that is better than the Warrington site chosen by Royal Mail for the new mail centre. It is at Speke-Garston, on the old Northern airfield site, soon to be launched as the Estuary business park in my constituency.

Mrs. Louise Ellman (Liverpool, Riverside): Does my hon. Friend agree that, as the independent consultants' report—which has now been published—shows that it is more cost-effective for Royal Mail to stay in Liverpool, it would be extremely serious if it took action that would result in the loss of 900 jobs in the most deprived city in the United Kingdom? That would mean a loss of £16 million a year from the local economy, which would affect the whole community.

Maria Eagle: I could not agree more with that.

As my hon. Friend has said, it is not a matter of conjecture that the decision is strange. Like many of my hon. Friends, I have had the benefit of seeing an analysis by the business consultants PA, carried out on a like-for-like basis and using the same evaluation and modelling techniques as Royal Mail to appraise options. PA has not sought to add factors that would make Speke look better than Warrington; its role has been purely to check the rigour of Royal Mail's own option appraisal. Had Royal Mail done a rigorous job itself, one would have expected PA's analysis to result in the same conclusions as those of Royal Mail.

PA, using the same modelling techniques as Royal Mail, produced a very different result when it analysed the various sites. It disagreed with some of Royal Mail's assumptions about travel times to the rail hub for outward mail, and I must say that I agree with its worries. It does not take 40 minutes to travel from Speke to the rail hub at Warrington, as Royal Mail assumed in its analysis. Moreover, although we are often told that the Warrington site is adjacent to the rail hub, it is actually three miles down a road that is unsuitable for heavy goods vehicles, and is often congested. "Adjacent" is therefore a somewhat misleading description, and certainly a relative term.

Furthermore, PA could not fathom Royal Mail's rationale for sending all the mail to Warrington to be sorted, and then sending it back to Liverpool to be delivered. That clearly would adversely affect transport costs and distribution time targets.

It is no small matter, either: 60 per cent. of the mail to be handled at the new centre—whether it is built at Warrington or at Speke—originates from Liverpool, and half that mail is then returned to Liverpool to be delivered there. Meanwhile, only 27 per cent. of the overall volume originates in Warrington. Speke has 14 per cent. more volume returning to it than it originates. Surely it is important to sort the mail closer to where it is posted and to be delivered, if possible, than to transport it to a site by a rail hub that is not needed and then return it to its original point. I for one fail to see how that can be efficient.

I have referred to a few of the detailed points in the analysis, but, as my hon. Friend the Minister will know, there are many more. Let me summarise the full findings of the PA report.

The report shows that a mail centre in Speke is operationally as viable as a Warrington centre; it shows that land is cheaper in Speke, and that there is room for expansion; it shows that a Speke mail centre is cheaper to operate than a Warrington mail centre; it shows that 60 per cent. of the total mail to be processed at the new centre originates from Liverpool, so mail arrival times must be better in Speke than they are in Warrington; it shows that Speke has 14 per cent. more volume returning to it than

[Maria Eagle]

it originates; and it shows that a Warrington mail centre will increase travel and subsistence costs for Royal Mail by £3.6 million over three years.

Using Royal Mail's own modelling techniques and data, PA has shown that the Speke site is £3.7 million less expensive to run—on a non-reoccurring account cost basis—than the Warrington site, and worth £4 million more in net present value terms. The report is a devastatingly effective document, and I commend it to the Minister. It raises serious questions—which I hope he will address tonight—about the quality of the Royal Mail analysis in respect of other decisions, and its use of public money in implementing them.

The PA report was commissioned by the Communication Workers Union nationally, in response to the CWU Merseyside amalgamated branch's request for back-up. I commend that local branch. Those who see Liverpool as a place bypassed by the modern world of industrial partnership and stuck in the past of industrial relations might have predicted that, faced with the threat of 900 job losses, the local branch would have responded by downing tools and walking out. Instead, the branch has conducted itself in a most exemplary manner, and has shown itself to be a fine example of a modern trade union. It has taken its campaign to the people of Liverpool, the Royal Mail, hon. Members and the Government, but it has ensured that its members kept working, and has constructively looked for a viable, alternative plan.

The union backed its judgment by producing a devastatingly effective piece of business planning which the national union commissioned on its behalf. That was done despite the worry about the future which I know that those working at Copperas hill have felt for the past eight months.

The union's forward-looking and positive approach has not stopped there. Until the introduction of new technology, preferably at Speke, the union has agreed to change working arrangements to bring in 30,000 items of mail in the early afternoon to ensure that it can be dispatched to the rail hub at Warrington in time for next-day delivery. However, the local management has not implemented the change, and one wonders why not. The local branch of the union is working closely with management to improve overall performance, and it is currently working with Royal Mail industrial engineers to see how staff can best be utilised. Those are hardly the actions of a militant or obstructive union branch.

The results of the PA analysis justify the union's approach. As the Minister knows, I have been pressing for some time for assurances that the constructive and positive way in which the campaign has been conducted will be rewarded with proper consideration for the Speke option.

The Minister for Welfare Reform (Mr. Frank Field): My hon. Friend may find it helpful if I draw attention to the fact that, although usually in an Adjournment debate only the hon. Member initiating it and the Minister who will reply are present, there are 10 of us here with an interest in this matter. Royal Mail might like to take that into account.

Maria Eagle: I thank my right hon. Friend for that intervention.

Mr. Field: I am told that I cannot count.

Maria Eagle: My hon. Friend certainly counts. I had not noticed how many of my hon. Friends were behind me, but I notice that not many Opposition Members are here.

I have some questions for the Minister. Is he happy that Royal Mail is assessing the Speke option fairly, fully, and against consistent and rigorous criteria? If necessary, will he intervene to ensure that the Royal Mail decision is soundly based? What does he make of the fact that Royal Mail has been unable properly to assess net present values, and, in view of PA's findings, is he sure that the rest of Royal Mail's analysis is robust enough to be implemented?

As Royal Mail is using public resources for major investment, is the Minister confident that its decisions are based on proper business planning and financial competence? I understand that Royal Mail originally ruled out the Speke site without even visiting it. When does he expect Royal Mail to make a decision in respect of the Speke-Garston option? Is he content that, on the day that the union presented the PA report to Royal Mail, it called for final bids from seven tenderers to build the mail centre at Warrington that it had originally planned? Does that show that Royal Mail has made up its mind, and has no intention of changing its plans?

Although I accept that Royal Mail will not enter into binding contractual arrangements in respect of Warrington before returning to the union, does the Minister think that it is sensible for Royal Mail to expect its tenderers to go to the expense of submitting final bids for a particular site before a decision has been made to build the mail centre there? On the basis of his knowledge and the PA report, does he think that option A, which is to build a mail centre at Speke-Garston, should be followed?

Finally, I invite the Minister to visit the Estuary business park in the near future when his parliamentary business is not quite as exhaustingly pressing as it was on the last occasion. Such a visit will enable him to see for himself the advantages of siting the mail centre there.

10.18 pm

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): I congratulate my hon. Friend the Member for Liverpool, Garston (Maria Eagle) on securing this debate on postal services in Liverpool. I should like to declare an interest. I am married to an Evertonian, and my wife's family all live and work in Liverpool. They are probably more interested in how I respond to the debate than are my hon. Friends. I shall pick carefully through the issues that have been raised, because I am keen to maintain a safe and enjoyable family weekend for the first time in many months.

When I have time to do so, I should be more than happy to visit the constituency of my hon. Friend the Member for Garston. I have already visited her constituency on at least two occasions since becoming a Minister, and I look

forward to visiting it again. As my hon. Friend the Member for Knowsley, South (Mr. O'Hara) said, I was there on the day that the massive new investment at Halewood was announced. I hope that I have time in my reply to give the House details of other investments that have been made and to advise my hon. Friend the Member for Garston of other investments that will be made, with the Government's support, in Merseyside.

My hon. Friend the Member for Garston, the Minister for Welfare Reform, my right hon. Friend the Member for Birkenhead (Mr. Field), and my hon. Friends the Members for Liverpool, Riverside (Mrs. Ellman), for Liverpool, West Derby (Mr. Wareing) and for Liverpool, Wavertree (Jane Kennedy) have discussed those matters with me, and I acknowledge the close interest that they have had in the subject since last June. They have maintained—with the Under-Secretary of State for the Home Department, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), the Parliamentary Secretary, Office of Public Service, my hon. Friend the Member for Liverpool, Walton (Mr. Kilfoyle) and my hon. Friends the Members for Knowsley, South and for St. Helens, North (Mr. Watts), and with Liverpool city council and the Communication Workers Union—their involvement in the matter, and have assiduously raised their concerns with me and my Department.

Before responding to the issues of postal services in Liverpool that have been raised in this debate, it is important that the House should understand the matter's broader context. Postal services at both national and local level—in the form of letters delivered to the door or services provided through the nationwide network of post offices—are an important element, on either a personal or a business level, in everyone's daily life.

It is therefore only natural that plans for change might cause concern. When those plans centre on proposals for major investment in automation and introduction of new technology, there is understandable concern, as in Liverpool, about the loss of local employment, local identity and the quality of service that is so closely tied to local postmen or postwomen.

My Department has had discussions with the Post Office on Royal Mail's proposals because of such concerns. Last summer, I met the CWU and Liverpool Members, to hear their views and to discuss their concerns.

At my insistence, Royal Mail subsequently opened discussions on its strategic investment programme with the CWU, and offered to provide the CWU with data on its preferred north Wales and north-west scheme, and with data on other options that it had considered but had rejected on operational and financial grounds. Royal Mail agreed also not to make irrevocable purchase commitments for new sites, and to consider any alternative proposal made by the union within three months. At the union's request, the Post Office subsequently extended the time limit to four months.

Royal Mail's primary duty is to develop and maintain an efficient and competitive postal system on both a national and a regional level. Its overall investment programme is designed further to improve its standards of service, which are already among the highest in the world. That programme accords also with a policy advocated, for example, by the Communication Workers Union in a consultative document that it issued last autumn, which calls for a substantial increase in the Post Office's capital investment programme.

Royal Mail's planned £64 million investment in the north Wales and north-west region, which was announced last June, is part of its national programme of progressively developing a network of automated processing centres and distribution centres. Those are equipped with the new technology necessary to handle more speedily and accurately the increasing volumes of mail, to improve the quality of service for customers and to maintain its competitive position in the communications market.

An efficient and modern postal infrastructure is obviously very important in attracting new investment and jobs to the north-west and in maximising the potential of the major regeneration projects that are now under way in the region. Unfortunately, Royal Mail's proposals will lead to a net loss of 400 full-time equivalent jobs in the region—comprising 800 from Liverpool and 300 from the Bolton area—which is offset by about 700 jobs at new automated processing centre and regional distribution centre sites.

Royal Mail envisages that a substantial number of Liverpool staff would transfer jobs if a site were eventually agreed at Warrington.

Mrs. Ellman: Does my hon. Friend accept that, given the economic and social circumstances in Liverpool, it will be very difficult for Liverpool workers to travel to Warrington? This is because there is a far lower than average level of car ownership in Liverpool, many jobs are part-time, and the shift times, particularly for women, mean that it would be extremely difficult for the distances involved to be overcome.

Mr. McCartney: I recognise my hon. Friend's argument. Indeed, it has been put to me many times and was deployed as part of the socio-economic case for the site to be in Speke-Garston instead of Warrington. Over the next few days, many people will no doubt put it again to the Post Office to illustrate what impact the people of Liverpool believe a decision to locate the operation at Warrington will have. I have previously assured my hon. Friend the Member for Garston, and did so again today, that the points she has made in relation to the potential cost of relocation have been delivered with some force to the Post Office.

I said at the outset that there have been recent successes in attracting new jobs to Merseyside. In addition to the new Jaguar X400 line at Halewood, there will be 250 jobs at QVC at Knowsley, and a £40 million investment by Medeva is expected to create 100 new jobs in the important pharmaceutical and drugs industry, which has also received substantial additional investment from Glaxo and Eli Lilley.

The north-west as a whole is now the top UK region for attracting call centres, which is a rapidly growing sector. Of course, a few years ago, Merseyside won additional postal jobs, from my constituency and other parts of the north-west, in the restructuring of Parcelforce operations.

My hon. Friend the Member for Garston has highlighted the substantial level of Government funding being injected into Liverpool in recognition of its

[Mr. McCartney]

objective 1 and employment zone status. This is part of my work at the Department, and we have made substantial efforts to ensure that our strategy in relation to objective 1 status and the attraction of inward investment has been successful since we came into office. I believe that we will continue to be successful in attracting new investment and job opportunities to Merseyside, including Liverpool.

While the proposals clearly have negative features in employment terms for Liverpool, and also for the Lostock and Westhoughton areas of Bolton, it is important to recognise the scale of Royal Mail's long-term commitment to the north-west and north Wales region, whatever the final decision may be. What is clear is that, without any major investment in automation to maintain Royal Mail's competitive position, regionally and nationally, there would over time be a progressively much greater loss of postal jobs in the region than is currently envisaged.

In agreeing to defer any irrevocable commitments to a Warrington site, and to consider seriously any alternative options put forward, Royal Mail did, however, make it clear to the union that contingency planning for its own preferred option would continue while alternative options were being explored. My hon. Friend asked what was happening in relation to the Warrington site, and that is my response to her.

It was made absolutely clear from the outset to the union and others that while alternatives were being considered, there would be no decision to make binding commitments to the Warrington site, but, at the same time, contingency planning had to continue. That is precisely what has happened.

Maria Eagle: Will the Minister give way?

Mr. McCartney: Not at the moment, as I have only three minutes left to finish my remarks.

I know that Royal Mail has been studying carefully the alternative proposals set out in the report. I am arranging an early meeting with the chief executive of the Post Office to discuss the results of its analysis and studies of the alternative Speke-Garston proposal. Decisions relating to the operational arrangements for the postal businesses are and must remain a responsibility of the Post Office board and management.

My locus in what is essentially a management issue is limited to satisfying myself that, in the case of the north-west and Liverpool operations, the alternative options have been fully and fairly considered and judged on consistent and rigorous criteria on a like-for-like basis. When I have done this, it will then be for the Post Office to reach its final commercial decision, which it will discuss with the CWU as soon as it is in a position to do so. Following that, it will meet Members of Parliament for the area to give them its decision on this potential new investment.

Maria Eagle: Does the Minister consider that inviting final tenders to build a plant is contingency planning?

Mr. McCartney: I cannot be any more specific or open with my hon. Friend than I have been. The Post Office gave the commitments in good faith; I intervened personally to ensure that an alternative proposal was made. Having exerted my influence in that manner, there was no way I would countenance any undermining of the professional viability of the proposal. What has happened is a matter of due process. It has nothing to do with irrevocable decisions that would render that process null and void.

That was not the reason I made the decision. If I had not felt that the process of having a potential alternative was right, I would have been open, frank and honest from the outset, last summer, in saying: "This is the site; go ahead with it." I hope that that assurance is of assistance to my colleagues.

Last summer, the people of Liverpool were worried that the Liverpool postmark was going to be lost. I took representations on that, and I can confirm that Liverpool's postmark will continue in use indefinitely. The Post Office has offered a commitment in that respect.

There has been unhelpful press speculation during the past few days to the effect that Girobank is to announce a complete withdrawal from its operations on Merseyside. That is completely speculative. It would be wrong at this stage to assume that the review will result in job losses. A refurbishing—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-nine minutes to Eleven o'clock.

House of Commons

Thursday 26 February 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

EDUCATION AND EMPLOYMENT

The Secretary of State was asked—

Individual Learning Accounts

1. **Mr. Wyatt:** If he will make a statement on the role of individual learning accounts in the workplace and the home. [29877]

The Parliamentary Under-Secretary of State for Education and Employment (Dr. Kim Howells): My right hon. Friend the Secretary of State published yesterday our consultation document "The Learning Age". That set out our proposals for developing individual learning accounts to help people to take more control of their learning and manage their own careers.

Mr. Wyatt: Will my hon. Friend explain how people who are out of work might benefit from the learning initiatives and credits, and what impact they might have on the national grid for learning and the university for industry?

Dr. Howells: Individual learning accounts will focus in particular on those who are currently out of work and would like to acquire new skills in order to return to work. The accounts will run alongside a range of other Government initiatives, such as the new deal, which is aimed specifically at 18 to 24-year-olds and is designed to help them to return to training and education, and to obtain work.

Through the Green Paper, we are consulting on how that will impact on the national grid for learning. We believe that the grid will extend to colleges and universities, and to public places. The individual learning initiative will be linked in many ways to many parts of the national grid for learning, and to the whole education and training spectrum.

Mr. Willis: We were deeply disappointed by the Green Paper that was published yesterday, but one feature that pleased us was the introduction of individual learning accounts. That has long been a Liberal Democrat policy, and we are glad that the Government have adopted it.

To date, have any financial institutions expressed interest in taking up the 1 million £150 bank accounts that are to be introduced as part of the policy? Has the Chancellor of the Exchequer already ruled out the two other important elements of individual learning accounts—tax relief on income put into the accounts by employers or individuals, and the matching of income by the Treasury?

Dr. Howells: I am very glad that the Liberal Democrats have seen fit to support individual learning accounts. We think that this is an excellent initiative, and we are very encouraged by the response of industry. We have discussed the initiative widely with industry, and we will continue to do so. We hope very much that employers will see the sense of topping up individual learning accounts: we think that they are an excellent way in which to promote training, and we think that training equals better profits. The best firms understand that, and are already putting a great deal of money into training—£10.5 billion last year. We want to do everything to encourage them.

Mr. Derek Foster: Will my hon. Friend commend the managing director of Thorn Lighting in Spennymoor? Speaking about the work force, he said, "We discovered that with every pair of hands we were given a free brain." Is it not true that most employers only scratch the surface of all the skill and talent that they have in their work force? Is that not why lifelong learning and individual learning accounts are crucial?

Dr. Howells: My right hon. Friend is right. Many firms contain enormous potential that has hardly been recognised, and certainly has not been developed. We must encourage employers to take such action—especially the great mass of small and medium-sized enterprises that are often firefighting just to stay alive. All too often, such employers worry only about their margins and their bottom lines. We need to reconfigure the whole delivery of training and education, so that it is tailored to meet the requirements of employees and employers, and to improve their competitiveness and that of the country.

New Deal (Long-term Unemployed)

2. **Miss McIntosh:** What representations he has received from long–term unemployed people concerning their eligibility under the new deal. [29879]

The Minister for Employment, Welfare to Work and Disability Rights (Mr. Andrew Smith): I have received a number of such representations. The new deal for adults who have been unemployed two years or more will start this June, and we are currently considering piloting the extension of the new deal approach to cover those who have been unemployed for a shorter period.

Miss McIntosh: Does the Minister find that the Secretary of State supports his view that the success of the Government's new deal policy will be proved by making the downward trend move even more rapidly, and that the long-term unemployed under-25-year-olds—those who have been unemployed for more than two years—are the hardest target to help now? Their chances of leaving the count are only 57 per cent. What measures do the Government intend to announce for the summer, and what take-up has there been from the private sector for the new deal to help the long-term unemployed under 25?

Mr. Smith: The new deal for the longer-term unemployed has not started yet, but, when it does, we

shall all see the take-up from employers. The initial signs are encouraging in terms of the overall support and participation in the new deal by both small and large businesses. On the current trends in unemployment, of course the new deal first offers help to the younger unemployed, but we shall be introducing help for the longer-term unemployed. It is interesting to note that while unemployment has fallen sharply for the young unemployed, it has also fallen equally sharply for the older and longer-term unemployed.

Mr. Reed: Although I welcome the emphasis we have placed on young people and getting the young generation back to work, will my hon. Friend accept that in many constituencies such as mine in Loughborough, where many people lost their jobs in the manufacturing sector, those in their 40s have much to offer this country, particularly engineers who have been made redundant over the past few years? The right hon. Member for Charnwood (Mr. Dorrell) will know about this, as Loughborough used to be his constituency. We know full well that those people have much to offer. Can we ensure that we move as quickly as possible to bring into the scheme those in their 40s who have another 20 years to offer?

Mr. Smith: I agree strongly with my hon. Friend about the contribution that older unemployed people and older workers have to make. That is why we are extending the new deal to the older age group in June, and it is why we maintain a wide range of programmes aimed at helping older workers back into jobs. It is also why I am consulting on how we can most effectively tackle discrimination in the workplace, which so badly afflicts the prospects of so many of those trying to get back into work.

Mr. Willetts: Does the Minister accept that there are more people who have been unemployed for more than two years than there are young people who have been unemployed for more than six months? Can he defend the fact that 90 per cent. of the budget will go on young people and only 10 per cent. on the long-term unemployed? Does not he remember that, in the Chamber the other week, he said that the reason why the Government could not support legislation to ban age discrimination in recruitment advertisements was that their new deal would be caught by it?

Mr. Smith: The hon. Gentleman would do well to remember that, thanks to the legacy we inherited from his Government, youth unemployment is still twice the level of unemployment among the rest of the work force. The damage done to those young individuals, starting on what should be a life in work, but being consigned by the policies of the previous Government to a life on benefit, is incalculable, not only to them but to the communities in which they live and to the level of crime in this country. We make no apology for keeping our promise to get 250,000 young people off benefit and into jobs. We will help older people as well through the measures I have announced today.

Mr. Sheerman: Will my right hon. Friend remember that there is a lost generation in this country—lost due to the incompetence and unfeeling nature of the former Government? Many people became unemployed in the early 1980s during that bitter recession, and many of those in our towns and cities have not worked to this day. The sooner the new deal gives them a chance to get back into work the better.

Mr. Smith: I agree with my hon. Friend. Providing such a chance is why, from June, those workers will be eligible for a £75 a week subsidy for six months as they move into employment, and why they will be eligible to take up the training and study opportunities that they were denied by the Conservative party.

New Deal

3. **Mr. Paterson:** What representations he has received on the new deal. [29880]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Alan Howarth): We are receiving enthusiastic support from across the country. In the 24 hours following the launch of the new deal television advertising campaign, we have received more than 780 calls, mainly from employers. Most importantly, the reaction from unemployed young people themselves in the pathfinder areas has been very positive. Last week, 154 young people who were not yet eligible for the new deal presented themselves early.

Mr. Paterson: In the past 15 years, small businesses employing fewer than 20 people have created 2 million jobs, enjoying the benefits of our deregulated, free-market economy. The Federation of Small Businesses has stated that, if business rates were sharply reduced, small businesses could take on up to 25 per cent. more employees. Has the Minister received representations from such organisations on reducing Government-imposed business costs with the money that Ministers have confiscated from the utilities?

Mr. Howarth: It is really very sad that the Conservative party appears to be indifferent to unemployment among young people. As my right hon. Friend the Minister for Employment, Welfare to Work and Disability Rights reminded the House a moment ago, the Conservative party left youth unemployment at twice the national average and at twice the level that it was in the early 1980s. Now, the hon. Gentleman seems to be saying that we should not bother about unemployment among young people. Of course we desire to create conditions in which businesses, including small businesses, can prosper. However, a very large majority of the 1,362 employer agreements to take part in the new deal that have already been signed are with small and medium-sized enterprises.

Miss Melanie Johnson: Will the Minister join me in welcoming the fast-growing enthusiasm among employers for signing up to the new deal? Perhaps that enthusiasm is attributable to the fact that real-life employers have been used in the national advertisements, and that their enthusiasm is evident to everyone watching them. Does he agree also that young people's enthusiasm is growing? For the first time, they are getting a real chance to combine what they want, what they can offer and what employers want. That opportunity is making a tremendous difference to the new programme.

Madam Speaker: Before the Minister replies, I note that the hon. Member for North Shropshire

(Mr. Paterson), who tabled the question, has left the Chamber. I remind hon. Members that they must wait until the question is finished.

Mr. Howarth: Indeed, Madam Speaker, the indifference of the Tory party could not have been more vividly shown. My hon. Friend the Member for Welwyn Hatfield (Miss Johnson) is absolutely right: the new deal is a massive undertaking—a real national effort—in which it seems that the only people who do not want to be involved are those in the Tory party. However, Conservative Members' support will be welcome. There is, in my experience, a welcome for the sinner who repents, and I encourage them to overcome their embarrassment—which we all understand—and join employers and voluntary organisations in a shared commitment to provide effective help to those who have been the casualties of the policies of the later years of the Conservative Government, and those who are most vulnerable to the processes of economic change.

Mrs. Ann Winterton: Is it not a fact that the Government can find only approximately a half of the quarter of a million young people whom they want to help in the new deal? Do the Government still assert that the new deal will be cost neutral, despite the fact that 17 similar schemes undertaken in 10 Organisation for Economic Co-operation and Development countries have proved to cost far, far more and to be extremely expensive? Is not unemployment still falling in this country because of the excellent economy that the previous Government left? Is the new deal, therefore, not irrelevant?

Mr. Howarth: The penny seems slow to drop. The Conservative Government left unemployment among young people at twice the level that it was among other groups in the population. We think that a proper—a vital—responsibility of Government is to address that. Each month, about 15,000 to 20,000 young people pass six months' plus unemployment, and we, for our part, will not give up on them.

Basic Literacy

5. **Mr. Gerald Howarth:** What plans he has to enforce standards of basic literacy in schools. [29882]

The Minister for School Standards (Mr. Stephen Byers): Literacy is at the heart of our drive to raise standards. By the end of this Parliament, we expect 80 per cent. of 11-year-olds to reach the standard expected for their age in English. We have made the curriculum more flexible and reduced bureaucracy so that primary schools can focus on the basics, and we have allocated £59 million to support literacy in 1998–99.

Mr. Howarth: The Under-Secretary of State for Education and Employment, the hon. Member for Newport, East (Mr. Howarth), was speaking a moment ago about sinners who repent. We greatly welcome the fact that, at long last, the sinners in the Labour party are repenting of their failure to acknowledge the importance of the three Rs in providing our children with the basic ability to compete in the world. We appreciate what the Minister has done, but why has it taken so long? After all, the Labour party has been in charge of delivering education at local level across much of the country. What is the Minister doing to ensure that our teacher training colleges understand the importance of the three Rs, especially literacy, in their curriculum?

Mr. Byers: We have changed the initial teacher training curriculum so that teachers are taught how to help children read. The hon. Gentleman might like to reflect on the legacy that we inherited whereby one in four 11-year-olds failed to reach the expected level in English. He should give some thought to what is happening in his local education authority area. Hampshire, I am pleased to say, has agreed that, by the end of this Parliament, 88 per cent. of 11-year-olds will have reached the required level.

The hon. Gentleman might also thank the Government on behalf of the schools in Aldershot which, as a result of an announcement made three weeks ago, will have 8,000 new school books this financial year. That is an example of the Government not just talking about raising standards, but providing the resources to ensure that it happens.

Mr. Clapham: Although I understand that there is a need to improve literacy standards, does my hon. Friend agree that there is a place for the creative arts? Will he consider what might be done in the future to ensure that the creative arts are included on a wider basis in education?

Mr. Byers: My hon. Friend makes a very important point. Indeed, my right hon. Friend the Secretary of State has established a creative arts curriculum group which will report on how we can develop the non-basics in the primary curriculum. However, we have to get the basics of reading and writing in place before young people can benefit from the creative arts.

Agenda 2000

6. **Mr. Sanders:** What representations he has had from local organisations with respect to Agenda 2000 and the reform of the European structural funds. [29883]

The Secretary of State for Education and Employment (Mr. David Blunkett): I have received three representations from further education and from the Confederation of British Industry. In addition, my right. hon. Friend the Minister for Employment, Welfare to Work and Disability Rights has held meetings with the Alliance for Regional Aid and the Local Government Association.

Mr. Sanders: The Secretary of State will be aware that the structural funds are divided up by regions across the whole of the European Union. The Devon and Cornwall region receives around £191 million from the present programme up to the year 2000. The problem is that, in future, the region that will determine how the programme affects our area will be the whole of the south-west region. Can the right hon. Gentleman give an assurance that the special problems of Devon and Cornwall, which make the area distinct from the rest of the south-west, will be recognised in the new programmes after 2000?

Mr. Blunkett: I can assure the hon. Gentleman that my right hon. Friend the President of the Board of Trade and

I will make every possible representation. That includes providing the foundations from our presidency in getting right Agenda 2000, and ensuring that the European social fund and the remaining structural funds are used effectively so that we protect our areas from the changes that are inevitable in that new period of funding.

Mr. O'Hara: Given that the European Union is now confident that provision for the expanded Community can be catered for from growth within the European economy, and given that the United Kingdom is currently classed as the fourth poorest of the European countries, will my right hon. Friend assure me that he and his colleagues will be fighting to ensure that there is no reduction whatsoever in the UK share of structural funds after 2000?

Mr. Blunkett: As my hon. Friend knows, it is important to this country that the assessment is based on gross domestic product and the real economy. As things improve, we hope that there will be less need for investment in regions that currently suffer deprivation, such as his area and my area. We need specifically to protect objective 2 programmes—we shall take every possible step to ensure that we do so.

Mr. Wilkinson: Is it not clear that Her Majesty's Government would be unwise to look to the European Union in the longer term to sustain jobs in regions of high unemployment in the United Kingdom, particularly in view of projected enlargement? If the European Union is unable to support British jobs, is not it crucial that the Government reduce the net British contribution in the next quinquennial financial perspective from 2000? Is not it of paramount importance that the budgetary bind has no adverse effect on enlargement?

Mr. Blunkett: The negotiations to ensure that we receive from the European Union what we put into it, and the way in which we balance broad economic objectives across the 15 nations—more when the Union has expanded—with the need to invest regionally, are part of the programme that my right hon. Friend the Chancellor of the Exchequer and the Cabinet are addressing. If we had had a better environment in which to approach these issues, we would obviously have been able to make more rapid progress.

Mr. Pearson: European structural fund money has played a major part in the economic regeneration of the physical fabric of Birmingham and the west midlands, and has improved the work force's employability. In welcoming my right hon. Friend's comments on the importance of objective 2 and the reform of the structural funds, may I encourage him to make representations in the strongest possible terms so that we receive our fair share of European regional money in the west midlands and in the rest of the United Kingdom? Proposals that mean that the United Kingdom will suffer a disproportionate cut are not acceptable.

Madam Speaker: Is there a question there?

Mr. Blunkett: I will do my best to answer the question as I perceived it. The answer is yes. I will ensure that, at the joint education and social affairs informal meeting in London on 12 and 13 March, we start to address these issues, so that we highlight the importance to the United Kingdom of the structural funds and draw the press's attention to the significance of getting Agenda 2000 right. I hope that that answers my hon. Friend's question.

Madam Speaker: Or his comment.

Unemployment (Regional Disparities)

7. **Mr. Wigley:** What steps he plans to take to reduce regional disparities in unemployment levels. [29884]

Mr. Andrew Smith: Notwithstanding welcome falls in the overall level of unemployment and, indeed, some narrowing of regional disparities, we recognise the deep-seated problems in Wales, notably in the valleys and rural areas. That is why we are proposing an expanded role for the Welsh Development Agency—which will work with the national assembly—and the initiatives in the new deal, such as employment zones and regional selective assistance.

Mr. Wigley: Does the Minister accept that my constituency has the highest unemployment rate—9.4 per cent.—in Wales, but does not have full development area status? Is not it time to consider the panoply of tools that are available to the Government—to the Department for Education and Employment and to the Department of Trade and Industry—to ensure that all avenues are explored in order to bring down these unacceptably high levels of unemployment?

Mr. Smith: Indeed, which is one of the reasons why we set up prototype employment zones—the one in Wales includes the right hon. Gentleman's constituency—to explore new ways in which to pool existing streams of funding and to harness local community effort from the bottom up, in partnership with the Government's wider approach. We are doing that precisely to generate jobs, to enhance employability and to give hope to those of the right hon. Gentleman's constituents who are in long-term unemployment.

Ms Moran: I am pleased to hear my right hon. Friend welcome the prototype employment zones. Will he join me in welcoming an initiative that will tackle the severe problems of the long-term unemployed in areas of persistence and long-standing unemployment? Will he consider extending the initiative to areas such as my constituency in central Luton? Does he agree that focusing on local problems and local need is infinitely more effective than the standardised schemes that were the legacy of the previous Government?

Mr. Smith: Yes, indeed. Partnership and the bottom-up approach are integral parts of the new deal, which will benefit the older and longer-term unemployed as much as the young unemployed. Partnership with business, local councils, the voluntary sector and environmental groups will bring real hope to those who suffer the legacy of the failed policies of the previous Government.

Mr. Nicholas Winterton: While I recognise the problems in the Caernarfon constituency, which are always ably articulated by the right hon. Member for Caernarfon (Mr. Wigley), will the Minister give me an

assurance that the Government have no proposals, under the new deal or anything else, that will damage the prospects of areas with low levels of unemployment such as my constituency of Macclesfield, which has about 2.2 per cent. unemployment?

Mr. Smith: Indeed not. Under the new deal, help goes to the individual, so unemployed people in the hon. Gentleman's constituency will receive help in the same way as unemployed people elsewhere. The particular focus of the new deal on enhancing employability and equipping people with skills means that it will be good for the wider community and the young long-term unemployed in the hon. Gentleman's constituency, and good for business.

New Deal (Retail Sector)

8. **Mr. Love:** What representations he has received from the retail sector about the new deal. [29886]

Mr. Andrew Smith: I have had discussions with representatives from retail organisations about the new deal for young people, and have been very pleased with the enthusiasm and commitment that they have shown. Many retail organisations have already signed national employer agreements, including Dixons, W H Smith, Tesco and Sainsbury.

Mr. Love: I thank the Minister for that reply. Is he aware that many young people eligible for the new deal will want to work in the retail sector? The agreement whereby in-house training provided by retail companies can be translated into National Vocational Qualifications has been warmly welcomed within the industry. Will he ensure that all future arrangements include the same combination of high-quality education and appropriate qualifications to ensure the long-term job prospects of the young people involved?

Mr. Smith: Yes, indeed. It is a core requirement of every aspect of the new deal that it should supply high-quality training to a recognised standard. That is why the agreement that we have reached with the retail industry is not only of value in ensuring that well-regarded in-house training arrangements are translatable into progress and NVQs, but is a model for framework agreements in other sectors which we shall also be pursuing.

Unemployment

9. **Mr. Gapes:** If he will make a statement on his Department's measures to reduce unemployment. [29887]

Mr. Andrew Smith: We shall continue with policies for sustainable economic growth and employability that create employment opportunity for all, including raising educational standards and extending lifelong learning, as well as the new deal and other Employment Service measures.

Mr. Gapes: I am grateful for that reply. Will the Minister continue to make sure that the Government's policy to get people off benefit and into work will lead to long-term employability, and real skills and education so that they will have long-term prospects in the job market, in contrast to the failed policies of the previous Government—the Mickey Mouse jobs and the so-called schemes which left so many young people bitterly disillusioned about their prospects of getting work in future?

Mr. Smith: Yes, indeed. My hon. Friend is right to say that the new deal will offer real jobs and qualifications leading to a life in work instead of a life on benefit. That is why every employer agreement—subject to the young person progressing satisfactorily and being sufficiently well motivated—commits the employer to providing a continuing job beyond the period of subsidy. That is why we insist that young people have at least the equivalent of one day a week training towards a recognised qualification. As those features of the new deal become better known among young people as well as employers, hundreds of youngsters are trying to get on to the programme early.

Mrs. Browning: The Minister will be aware that, among the people on benefit whom the hon. Member for Ilford, South (Mr. Gapes) mentioned, are people with learning disabilities, who might be quite capable of carrying out the tasks required in the workplace but whose essential difficulty might be communication and behavioural problems. What, in practical terms, do the Government intend to provide as support either to them or to the workplace to enable more people with learning disabilities to get off benefit and into work?

Mr. Smith: The hon. Lady raises an important concern. That is why the programme provides for early entry into the new deal for disabled people, including those with learning difficulties. They will not have to be in receipt of jobseeker's allowance for six months before being able to receive the benefits of the new deal. Those benefits will include, as a follow-up to the initial gateway interview, assessment of their particular needs and referral to specialist course and agencies, including voluntary groups with a track record of success in working in the community, to ensure that needs are addressed. Another core feature of the new deal is such tailored help, which responds to individuals' needs. We want to ensure that those with learning difficulties or other disabilities get a fair deal through the new deal.

Mr. Barry Jones: May I remind my right hon. Friend of the tens of thousands of redundancies in the steel industry over many years? Many of them took place in my constituency. We have also lost development area status and objective 2 status. Many estates, streets and communities are still trying to pick up the pieces following the redundancies. Will the new deal help the long-term unemployed?

Mr. Smith: Yes, it will. My hon. Friend's constituents will be able to benefit from the employer subsidies for recruitment and the training and study opportunities that the new deal will make available from June for long-term unemployed people—as well as being able to benefit from the wider application of the principles of employment zones, which I described earlier.

Education Funding

10. **Mr. Spring:** What steps he is taking to ensure that funding from central Government for education is actually spent on education by county councils. [29888]

Mr. Byers: My right hon. Friend the Secretary of State has written to the leaders of local authorities to emphasise that the increase in resources of more than £1 billion should be passed on to schools. Of that, more than £10.7 million should be going to schools in Suffolk.

Mr. Spring: In practice, educational provision in the county of Suffolk, for example, is under threat. In practice, for the first time in the county's history, school budgets are being cut. Would the hon. Gentleman like to take this opportunity to apologise to all parents, teachers and governors who, having heard his party's education, education, education slogan, now know that they have been bitterly let down and misled?

Mr. Byers: I hope that the hon. Gentleman will not allow prejudice to get in the way of fact. He needs to be aware that the Government have provided £10.7 million for schools in Suffolk—way above the rate of inflation. That is only half the story. If the hon. Gentleman looks at Suffolk's capital provision, he will see an extra £1.2 million for school building this year and, for the coming financial year, no less than £5.3 million for capital spending for Suffolk schools. That is another illustration of a Government who do not just talk about raising standards, but provide resources to see that it happens.

Ms Hodge: I congratulate the Minister and his colleagues on the extra money that they have found to put into schools. Does he share my concern that some local education authorities are not passing on to schools the money that the Government have made available? Would he, in particular, condemn Conservative-controlled councils such as Kensington and Chelsea, which is keeping more than 30 per cent. of its education budget centrally? Will he take steps to make the allocation of education spending at local authority level more transparent so we can see where the money is spent?

Mr. Byers: I deeply regret the decisions taken by the councillors in Kensington and Chelsea not to pass on the considerable additional resources that the Government have provided to them. They will be held accountable in the May local elections by the parents, teachers and governors of the schools of Kensington and Chelsea because of their failure to put education first. That is the top priority of the Government. We have provided the resources and we want local authorities to provide that money to schools so they can join with the Government in raising standards and giving our children the best possible start in life.

Mr. Dorrell: Does the Minister accept that the acid test of the Government's commitment to education will be the movement in school budgets when those have been finalised by local authorities in the next few weeks? Does he not understand that all the rhetoric—of which we have heard more this afternoon—rings hollow in schools around the country where budget increases seem likely to be barely more and, in some cases—as my hon. Friend the Member for West Suffolk (Mr. Spring) said—less than, inflation? Is it not the case that the balloon of expectation pumped up last year by the Government has now burst and that it is clear that the Government's priority is not education, education, education, but presentation, presentation, presentation?

Mr. Byers: That was one prepared a bit earlier today. For the first time in many years, schools throughout the country will have an above-inflation increase in resources—provided by this Government. Every council has had its capping level lifted so that it can passport the new money directly for school spending. That is another illustration of the Government putting standards first. Most importantly, the acid test of the Government will be the fact that, at the end of this Parliament, a greater percentage of our national wealth will be spent on education than when we took office.

Citizenship Education

11. **Dr. Tony Wright:** What plans he has to include citizenship education in the national curriculum. [29889]

Mr. Blunkett: I have appointed an advisory group on citizenship and democracy under the chairmanship of Professor Bernard Crick—with you, Madam Speaker, as its excellent patron—to ensure that we can develop, as part of the review of the Qualifications and Curriculum Authority, both citizenship and democracy education for the future.

Dr. Wright: We have been talking about the importance of educating young people in citizenship for the past 30 years or more; the problem is that we have only ever been talking about it. Will my right hon. Friend respond to the report of the group, when it comes—I congratulate him on setting it up—in terms of two principles; first, that a democracy has an obligation to educate young people in citizenship; secondly, we shall make progress only if it now becomes a requirement, and not merely a recommendation?

Mr. Blunkett: I am keen that we do not repeat the situation that appertained when the previous Labour Government lost office, when Baroness Williams was in my post. She was still talking about this subject when the Government were defeated. We now need action to ensure that the curriculum reflects the critical importance of citizenship and democracy to equip our young people for the world of tomorrow so that they understand the structures of our society and democratic institutions, and their part in holding the Government to account.

Mr. Brady: Will the Secretary of State ensure that citizenship education also makes an important allowance for educating children on the importance of keeping promises, such as that highlighted in *The Times* this morning? The report states that the Prime Minister wrote to a Doctor Tillson, assuring her that her children would continue to receive funding under the assisted places scheme until their education at their school was complete. That promise has now been broken. Is that not a bad example for the Government to set?

Mr. Blunkett: I shall ensure not only that people understand the importance of keeping promises, but that

they can read so that they may get the promises right. The promise we made we shall fulfil. I remind the hon. Gentleman that the previous Government's scheme to extend assisted places to primary education had not yet been implemented at the point to which he refers.

Fiona Mactaggart: Does not Britain provide less social and civic education than other countries with a national curriculum? In my right hon. Friend's review of the national curriculum, will he consider ways to include the provision of social and civic education?

Mr. Blunkett: The answer is yes, and the Minister for School Standards will introduce proposals, in consultation with the Department of Health, so that we can ensure that personal and social education is supported by health education. In that way, we shall have a clear picture of our support and help for young people in the future.

Training and Enterprise Councils

12. **Mr. Llwyd:** What current review there is of the operational efficiency of training and enterprise councils in England and Wales; and if he will make a statement. [29890]

Dr. Howells: We are looking at the efficiency of all the organisations we fund as part of the departmental spending review.

Mr. Llwyd: Is it not time to evaluate the work and results of TECs? In particular, is it not time to consider whether many of their functions could better be performed by colleges of further and higher education?

Dr. Howells: We are looking closely at what the TECs do so that we can ensure that they are focusing on the objectives of this Government, including providing proper value for money; ensuring that the TECs rid the part of the training and education system that they fund of fraud and abuse; and improving the performance of weaker TECs to the level of the best TECs. Some good TECs are doing valuable work in improving the competitiveness of the regions that they serve.

Mr. Bill O'Brien: I thank my hon. Friend for his assurance that the TECs will be investigated. Many of my constituents have been let down by the Wakefield TEC, because the shortage of skills and lack of training has been apparent in an area with many redundant mineworkers. In reviewing the efficiency of TECs, will my hon. Friend take especial interest in the Wakefield TEC, because it has failed many local people?

Dr. Howells: I know that my hon. Friend and his colleagues from neighbouring constituencies have assiduously monitored the progress of Wakefield TEC. It has had special problems, of which we are aware. A few improvements have been made recently, which will make a significant difference. I assure my hon. Friend that we are looking closely at Wakefield TEC and will draw several lessons from its failure to provide the goods in its training schemes.

Mr. Dorrell: I welcome the generally favourable approach that the Minister is taking to TECs, which he continues in his replies this afternoon. Will he confirm that almost the only firm decision that was included in the glitzy presentation yesterday was the cut of £150 million in the money available to the TECs, which he has just endorsed? Will he explain why he thinks it sensible to announce a reduction of £150 million in the resources available to a scheme that he supports, before the review that he mentioned earlier takes place?

Dr. Howells: The right hon. Gentleman has once again completely misunderstood the situation. The TECs have £280 million languishing in their reserve accounts that should be used to provide education and training. Those sums have been sitting there for years in some cases and we aim—we have consulted the TECs on the subject—to make that money work. It will work by providing individual learning accounts, which will improve the lives of the people who live in the regions served by the TECs.

Mr. Sutcliffe: Further to the question asked by my hon. Friend the Member for Normanton (Mr. O'Brien), is not part of the problem of TECs and further education colleges as training providers in areas where there are skills shortages and a higher age of unemployment that insufficient investment has been made in appropriate training opportunities? Will my hon. Friend look at that during his review?

Dr. Howells: That is a central function of the TECs and, where they have failed, it is nothing short of a disgrace. They were set up by the previous Government to provide exactly the sort of functions described by my hon. Friend. During the review, we shall make sure that, in future, no TEC will be guilty of a dereliction of duty of that sort. It is absolutely vital that, if they spend large amounts of taxpayers' money, they spend it well and provide the skills and training required in their regions.

Higher Education Funding

14. **Mrs. Virginia Bottomley:** When he plans to meet the chairman of the Standing Conference of Principals to discuss higher education funding. [29892]

Dr. Howells: My right. hon. Friend the Secretary of State has no plans to meet the chairman of the Standing Conference of Principals, but the Department is in close contact with all the higher education representative bodies.

Mrs. Bottomley: I hope that the Secretary of State will urgently review that decision. My constituent, the excellent Professor Norman Taylor, principal of the outstanding Surrey institute of art and design, expects to meet the Secretary of State shortly. The Secretary of State will be aware that students already feel betrayed because, far from accepting the Dearing recommendations—as the Prime Minister rather ill-judgedly asserted yesterday—the Government have rejected Dearing and are abolishing student maintenance grants and hitting the poorest students harder. The principals will make it clear that they are fed up with the mountain of propaganda. [HON. MEMBERS: "Where's the question?"] I hope that the Minister will be able to give some reassurance—that is a

question—that the beneficiary of those measures will be higher education and not the Treasury.

Dr. Howells: I am aware, Madam Speaker, that you have asked us to deal only with questions. We have just heard a good speech, although I did not believe a word of it. If we are going to talk about betrayal, we believe that the betrayal of students was the reduction by a quarter in funding per unit over the previous 10 years. That was nothing short of a disgrace, and we are going to reverse that.

Mrs. Anne Campbell: When my hon. Friend does meet the principals, will he bear in mind that top-up fees will deter students from lower-income families? Will he stand firm in ensuring that having no top-up fees becomes part of the Government's strategy?

Dr. Howells: I can give my hon. Friend an absolute assurance that top-up fees play no part whatsoever in our proposals.

Further Education Funding

17. **Mr. Allan:** What plans he has to give extra funds to the further education sector. [29895]

Mr. Blunkett: The Government have allocated, within the spending control totals, an additional £100 million for further education in the coming year, plus the substantial proportion of new deal expenditure on both day-release and in-house training and the full-time education option available to young people from April onwards.

Mr. Allan: Does the Secretary of State let the House expect the regional development agencies to have a strategic planning role in the provision of the FE sector and its funding in future? How does he expect the relationship between regional development agencies and the regional committees of the Further Education Funding Council to evolve?

Mr. Blunkett: Yes, I expect there to be a strategic part that regional development agencies can play, both in the planning of further education provision and in terms of the development of meeting skills needs. That is why we appointed Chris Humphries to chair the new skills task force and why it will be working at regional as well as national level. That is why we think that further education has a critical role to play and why "The Learning Age" Green Paper and our consultation will concentrate heavily on sharing with the community as a whole the task of getting it right for the future, so that, instead of snipers and cynics, this country can have a programme that equips the whole nation for the economy of the 21st century.

Mr. Chaytor: Does my right hon. Friend agree that a considerable part of the additional £100 million announced at the end of last year was tied into new initiatives for the colleges and planned growth for next year and so did not compensate for the loss to colleges of the cutting of the demand-led element by the previous Government? Does he have plans to ensure that colleges will receive further funds for the 1998-99 financial year?

Mr. Blunkett: As I have already said, we have allocated £100 million plus. We cannot compensate automatically for the lost years in which further education was extremely badly treated by the previous Government, with the imposition of enormous productivity gains and changes in unit funding. What I can promise is that the changes in resourcing as a consequence of our changes to funding for further and higher education will ensure that those funds are reinvested, as part of our comprehensive spending review, in lifelong learning as a whole, which includes both further and higher education. The future for further education and lifelong learning is better than any that this country has ever known, and it is our intention to make sure that we get it right.

Mr. St. Aubyn: Will the Secretary of State confirm the findings of the House of Commons Library research paper that the Government will take £2.5 billion out of the pockets of students in the next three years under their proposals; that, in order to make it even remotely feasible for students to go to university, the Government will have to lend back £2.25 billion to those students, with the result that virtually none of the money that Dearing identified as being needed will be available to put into higher education? That is all of the burden and none of the benefit.

Mr. Blunkett: I can see that we need a numeracy as well as a literacy strategy. I have never heard such claptrap in all my life. We are not taking money off students. We are providing the resources that students need and expanding the amount of money and then collecting—*[Interruption.]* I am being heckled wonderfully, Madam Speaker. If Opposition Members would listen, they might learn a little. The truth of the matter is that students will then, on a progressive basis, repay only at a time when their income allows them to do so. So we are not taking money from students but providing money for students.

Within five years, we shall have raised through our proposals as much as £800 million for reinvestment. I spelt that out on 23 July and I spell it out again now. I hope that Opposition Members can get it right for the future.

School Non-attendance

18. **Mrs. Humble:** What measures he is taking to reduce the rate of non-attendance at school. [29896]

Mr. Byers: We are providing direct, practical help by supporting locally devised projects in 119 local education authorities at a total value of £22 million in 1998–99. We have also consulted widely on detailed new guidance for schools on attendance issues and will be issuing the final version of this shortly.

Mrs. Humble: I thank my hon. Friend for that answer and for the £0.5 million that the two education authorities in my area will receive. Does my hon. Friend agree that projects such as those being developed by Lancashire and the new unitary authority of Blackpool, which involve both parents directly in schemes to combat non-attendance and other agencies, are vital as part of a partnership and a shared approach to deal with this difficult problem?

Mr. Byers: I am delighted that the Government have been able to provide an extra £0.5 million to local education authorities in my hon. Friend's area. It is a clear demonstration that the Government take non-attendance seriously. We believe that children who do not attend school not only lose out on valuable education but drift into crime and anti-social behaviour. That needs to stop and we are now putting measures in place to ensure that it does.

Mr. Bercow: Is the Minister aware of the proportion of cases of truancy in which the parents are unaware of what is happening? It seems essential that, if the problem is to be tackled, we discover at what stage the parents become aware of the activities of their children.

Mr. Byers: For the first time since 1 May, I am going to agree with the hon. Gentleman. He is right. Proper education works well when the school and the parents stand shoulder to shoulder with the pupil. The hon. Gentleman makes an important point, but, looking at the empty expanse of green Benches opposite, I think that we need to have a non-attendance programme for Conservative Members of Parliament. The hon. Gentleman is one of only 17 who have sat through all of Education and Employment questions this afternoon.

New Deal (Men Over 40)

19. **Mr. MacShane:** What proposals he has to extend the new deal programme to men over 40 years of age. [29897]

Mr. Andrew Smith: New deal provision for adults, including men over 40, who have been unemployed for two years or more will start this June. We are also considering piloting the extension of the new deal approach to cover those who have been unemployed for shorter durations.

Mr. MacShane: I welcome my right hon. Friend's reply. Is he aware that, in Rotherham, some 50,000 men lost their jobs under the Tories? The equivalent of five army divisions were destroyed by Conservative economic policies. Those men, many of whom are now too old to get work but too young to die, are the legacy of those wasted Tory years. Does my right hon. Friend agree that, excellent as the new deal is for young workers, we should not forget our obligation to men over the age of 40 as our policy develops?

Mr. Smith: We certainly shall not forget them, I am pleased to reassure my hon. Friend. That is why, in June, we shall extend the benefits of the new deal to the longer-term older unemployed, and why we are considering how to extend to them the support that the gateway provides, as well as the advisory support that is available and the subsidised employment opportunities. If that can be delivered with the innovation, energy and dedication evident in partnerships such as that which has been pursued in Rotherham, the older unemployed will have hope for the future.

Business of the House

3.30 pm

Mrs. Gillian Shephard (South-West Norfolk): May I ask the Leader of the House to make a statement on the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): The business for next week will be as follows.

MONDAY 2 MARCH—Completion of consideration in Committee of the Government of Wales Bill.

TUESDAY 3 MARCH—Opposition Day [8th Allotted Day].

Until about 7 pm, there will be a debate on ISAs, PEPs and TESSAs, followed by a debate on the countryside. Both debates will arise on Opposition motions.

WEDNESDAY 4 MARCH—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Consideration in Committee of the Scotland Bill (Sixth Day).

THURSDAY 5 MARCH—Until about 7 pm, completion of consideration in Committee of the European Parliamentary Elections Bill.

Motion on the Prevention of Terrorism (Temporary Provisions) Act 1989 (Partial Continuance) Order.

FRIDAY 6 MARCH—Private Members' Bills.

The provisional business for the following week will be as follows.

MONDAY 9 MARCH—Remaining stages of the National Minimum Wage Bill.

TUESDAY 10 MARCH—Opposition Day [9th Allotted Day].

There will be a debate on an Opposition motion. Subject to be announced.

Remaining stages of the Fossil Fuel Levy Bill *[Lords]*.

WEDNESDAY 11 MARCH—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

Progress on remaining stages of the School Standards and Framework Bill.

Remaining stages of the Wireless Telegraphy Bill *[Lords]*.

THURSDAY 12 MARCH—Remaining stages of the European Parliamentary Elections Bill.

FRIDAY 13 MARCH—Private Members' Bills.

Mrs. Shephard: I thank the right hon. Lady for giving us the business for two weeks. As she knows, we greatly appreciate the fact that she manages to give the House the provisional business for the second week. I know, as does she, that it has been quite tricky to arrange that business this time. We understand that business management is becoming more complex, because it is difficult to predict how long Committee stages will take, and we appreciate the fact that the Leader of the House endeavours to keep her pledge.

May I ask yet again for a debate on the national health service? Last week, we had the embarrassingly steep rise in NHS waiting lists, and this week there has been another embarrassment for the Secretary of State for Health with the disclosure that, despite his protestations, the Public Administration Committee has revealed that he has been packing NHS trust boards with political nominees. The Committee's Chairman, the hon. Member for Cardiff, West (Mr. Morgan), has rightly criticised the Secretary of State over the fact that 111 out of 113 council appointments came from the Labour party. The House should have a chance to debate those matters in Government time, together with the seven statements made by Health Ministers since the election, given that the only debate on the NHS since 1 May has taken place in Opposition time.

Will the Leader of the House also provide time for a debate on her Government's abuse of this House? I am sorry to have to put it to the right hon. Lady in that manner, because I know that she feels strongly about the issue, given the views that she has expressed in the Select Committee on Modernisation of the House of Commons. It is important that the House should not be sidelined and insulted by the constant stream of announcements, press briefings, conferences held outside the Chamber and disclosures on the "Today" programme.

Last week, the Leader of the House promised in good faith that the House would be informed before the wider world about the contents of the millennium dome. However, baby dome was announced on the "Breakfast With Frost" programme on Sunday and on Tuesday, the day that the glitzy launch took place at breakfast time, there was a written answer from the dome Minister saying that the Prime Minister's speech on the subject would be placed in the Library when it opened at 10 am, after the launch. The Government's plans for lifelong learning were also disclosed outside the House, and the House was thrown a sop in the form of a written answer.

The consequences for the Government of that arrogance were demonstrated yesterday, when the Minister for the Environment had to come to this place and apologise for briefing an outside group before he briefed the House. I welcome the right hon. Gentleman's apology, which was gracefully made. However, it would have been less embarrassing for him and for the Government if their cavalier and rather hostile attitude to the conventions of parliamentary democracy had not made that apology necessary.

I feel sure that the Government will wish to arrange an early debate on social security issues. The amount of pre-Budget press briefing, with or without the knowledge of the Secretary of State for Social Security, has resulted in mess, muddle and confusion. With the Secretary of State supposedly sticking to her line that cuts in lone-parent benefits are necessary—although who could be quite sure—the Chancellor's people telling the press that he has bowed to Back-Bench pressure on lone parent benefit cuts, and the Prime Minister yesterday denying it all, we need a little clarity in that area. The House does not deserve that contempt of parliamentary democracy. I ask the right hon. Lady to insist that her ministerial colleagues adopt the view that she expressed so admirably to the Hansard Society earlier this week.

Finally, as the right hon. Lady said, we shall devote part of our Opposition day to a debate on PEPs, TESSAs and ISAs. Will the right hon. Lady assure the House that the Minister responsible for those matters, the Paymaster General, will reply to that debate?

Mrs. Taylor: On the last point, a senior Treasury Minister will reply to the debate. With regard to the

pre-Budget speculation about the Department of Social Security, the right hon. Lady should take the advice that the Prime Minister offered during Question Time yesterday, when he dealt with that matter very clearly.

As to the right hon. Lady's request for a debate on the national health service, she should read again the report of the Public Administration Committee that was published last week—I thought that Conservative Members might refer to it last week, but, as usual, they are a week or two behind. That report did not criticise my right hon. Friend the Secretary of State for Health in the way that the right hon. Lady suggests. All appointments to NHS boards since the election have been made on merit and in accordance with the guidelines laid down by the Commissioner for Public Appointments. It is important that we abide by those guidelines, and my right hon. Friend has done that.

The right hon. Lady's other questions were about what she described as abuses of the House. I informed her and the whole House last week that the House would be kept informed about developments regarding the millennium dome. That was the case, and written parliamentary questions were answered. There has been no change of policy. I do not think that many hon. Members would want the House to be used as an exhibition centre or would consider it a good use of our time if we were to examine the details of the dome in this place, when we should be discussing legislation that is currently before us.

With regard to the Green Paper on lifelong learning, the right hon. Lady will recall, as she was a member of the previous Administration, that it was quite exceptional for any Green Paper to be the subject of a statement to the House.

I am glad that the right hon. Lady welcomed the graceful apology, as she described it, given yesterday by my right hon. Friend the Minister for the Environment on the right to roam. I wish that the hon. Member for South Suffolk (Mr. Yeo) had been as gracious in accepting that apology. If there was any abuse of the House, it was from the hon. Gentleman.

Mr. Harry Barnes (North-East Derbyshire): I am after another debate on Iraq—not on whether we should bomb or invade, but on what we should do to help the Iraqi people to achieve democracy, peace and economic and social progress. When I raised the matter on Tuesday with the Prime Minister, he twice said that we are doing everything we can to help in those areas. May we have a debate to discuss the details of what we are doing, and what we think we should do, to assist in those areas?

Mrs. Taylor: I understand the concern, which is shared by hon. Members on both sides of the House. Our quarrel is not with the Iraqi people but with Saddam Hussein's regime. My hon. Friend will know that many Government Departments have provided assistance to the people of Iraq. Indeed, during Health Question Time this week, my right hon. Friend the Secretary of State for Health detailed some of the help that was included in that programme. I do not think that it is possible to find time for a debate, but it is important that that information should see the light of day.

Mr. Paul Tyler (North Cornwall): Is the Leader of the House aware that, during the student lobby yesterday, official police photographers took close-up pictures of some of our constituents in an intimidatory way, to try to discourage them from exercising their normal rights as citizens? Will she inquire whether that is normal practice? In future, will old-age pensioners, the disabled and farmers be photographed in that way? Is not that an abuse of the normal right of access of citizens to the House and to us as Members?

Secondly, has the Leader of the House made representations to the BBC, on behalf of us all, about the way in which it is dumbing down parliamentary and current affairs programmes that report to the nation the many activities of the House? Is she aware that in some parts of my constituency it will be impossible to listen to "Yesterday in Parliament" or "Today in Parliament"? Any increase in the number of times that "The Week in Westminster" will be broadcast—it will have a small audience on a Thursday—simply will not compensate for that. I hope that she will make representations on behalf of the whole House.

Thirdly, is the Leader of the House aware that there is all-party concern about anxieties expressed in all parts of the rural environment, about the way in which 10 months have made even worse the product of 10 years and more of Tory neglect of rural areas? Will she now recognise that there is anxiety on both sides of the House to make real what the Prime Minister is apparently prepared to concede is necessary: a new approach to poverty, deprivation and services in all parts of the rural community?

Mrs. Taylor: On the hon. Gentleman's first point, I had not heard anything about the taking of photographs yesterday. I am sure that he has taken that up with the relevant authorities.

On the issue of the BBC, the hon. Gentleman may recall that you, Madam Speaker, invited hon. Members to comment, and I think that you made representations at the time. The hon. Gentleman may know that the Select Committee on Culture, Media and Sport met this morning and questioned senior representatives of BBC Radio on the matter. The Select Committee has asked that no changes be made until it has published its report and recommendations. I am sure that the BBC will consider that request carefully.

On the issue of the countryside, I at least welcome the fact that the hon. Gentleman recognises that the problems in rural areas have been growing for the past 18 years and have not developed in nine months, but it is a false dichotomy to say that there is one group of problems in the countryside and another in urban areas. Many of the Government's policies on health, transport, housing, education and crime are relevant wherever one lives.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my right hon. Friend please insist to the BBC that its plans should not include cutting down on scrutiny of Select Committees, which is usually an important part of its reportage? If those outside the House are to know what is happening day by day, they must rely on accurate representations of what we do from the BBC, not on a series of cheerfully written and wholly inaccurate reports that relate only to the individual idiosyncrasies of Members of Parliament.

Mrs. Taylor: My hon. Friend will recall that one thing that has happened in recent weeks is that the House now

[Mrs. Taylor]

produces, as a result of some of the Modernisation Committee's recommendations, a weekly list of all the Select Committee hearings, stating the topic and who is giving evidence. It is in everyone's interest that there should be a greater awareness of what happens in Select Committees, and serious reporting such as we can get through those programmes is useful to people outside. Those who want that information often find it difficult to get it in other ways.

Sir Sydney Chapman (Chipping Barnet): Following a debate in the other place on 18 February, will the Leader of the House arrange for a debate in this Chamber on the restitution of assets to victims of Nazism, especially in the light of the extremely worrying comments of the Minister who participated in that debate, who implicitly suggested that the Government would take no action in returning those assets to victims of Nazism? If she cannot find time for a debate, will she at least ask the appropriate Minister to make a statement as soon as possible in this House?

Mrs. Taylor: The hon. Gentleman is right to anticipate that I cannot find time for a debate in the near future. His wisest course of action might be to apply for an Adjournment debate.

Mr. James Wray (Glasgow, Baillieston): Will my right hon. Friend allow time for a debate on the fluoridation of public water supplies? There has a move by Ministers to push the fluoridation of public water supplies, and I want us to debate the moral and medical aspects of that, because it is in breach of the Food and Drugs Act 1956 and section 130 of the Medicines Act 1968, and was thrown out of the Scottish courts under the Water Act 1945. It would be unfair of Ministers to try and push that issue, especially given that there is a free vote in the House and in the Labour party.

Mrs. Taylor: My hon. Friend will be aware that Ministers, in Scotland and the rest of the country, are consulting on health-related matters, and a Green Paper touches on the issue that he raises. My hon. Friend and others may wish to respond to the consultation that is taking place.

Mr. David Amess (Southend, West): Will the right hon. Lady consider an early debate on local government democracy, particularly on coalition government? Is she aware that last Thursday, Mrs. Lesley Salter won the Chalkwell ward for the Conservative party from the Liberal Democrat party, as a result of which Southend council is now made up of 19 Conservatives, 13 Liberal Democrats and seven Labour councillors? Does she agree that it is improper for the seven Labour councillors to continue to prop up the 13 Liberal Democrats?

Mrs. Taylor: I do not think that we can have a debate on local government in Southend—or, as some hon. Members have suggested, in Basildon.

Mr. Frank Cook (Stockton, North): First, may I support the plea by my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) for a further debate on Iraq? As founding chairman of the all-party land mine eradication group in the House, may I draw my right hon. Friend's attention to the accelerating momentum around the globe for the development and discipline of policies on humanitarian de-mining and clearance of unexploded ordnance? That is of increasing interest. Improving the clearance rate would greatly help third-world aid projects, and there is pressing interest in the level of Government involvement in land mine eradication programmes. I seek a half-day debate on the subject.

Mrs. Taylor: My hon. Friend raises two serious issues. I answered the first when responding to a previous question. The whole House welcomes the progress that has been made on land mine eradication. It is appropriate for the House to debate such issues, but he knows the pressure of business as well as everybody else. I am afraid that I cannot hold out the prospect of an early debate on that matter, important though it is.

Rev. Martin Smyth (Belfast, South): May I press the Leader of the House for an early debate on the current situation in Northern Ireland, so that the House can explore how far the two Governments have danced to the tune of terrorists, of whatever ilk, and moved from the Mitchell principles? There were to be no preconditions to the talks, but Sinn Fein now says that it will not go back into the talks until it has met the Prime Minister. Sinn Fein is due to return on 9 March; I suspect that it may not go back in until after the purported meeting on 10 March. Surely that should not happen.

Mrs. Taylor: Clearly, the issues to which the hon. Gentleman refers are serious. All Hon. Members want the talks to succeed, and we are all aware of our responsibilities to choose our words carefully and to try to advance the peace process rather than cause difficulties. At the moment, an early debate is not possible, but the hon. Gentleman will be aware that my right hon. Friend the Secretary of State for Northern Ireland tries to keep the House informed. I am sure that that approach will continue.

Mr. David Winnick (Walsall, North): Bearing in mind the fact that during Question Time we had an exchange on citizenship, is my right hon. Friend aware that it is totally unacceptable for the BBC to put forward plans whereby "Yesterday in Parliament" would be broadcast on long wave only? That programme has an audience of more than 1 million people; half, or more, will be lost if the BBC proposals go ahead. "Today in Parliament" lost half its audience when it went on to long wave.

As the House is not divided over the matter, will my right hon. Friend and the shadow Leader of the House make a joint representation to the BBC and tell it that it has no business whatever marginalising the proceedings of Parliament? Without Parliament and our democracy, there would be no BBC. I hope that there will be unanimity on this. Wearing her Commons hat, not her Government hat, will she and the shadow Leader of the House see the BBC people as soon as possible?

Mrs. Taylor: I have already acknowledged the strong feelings on both sides of the House, which were expressed some months ago when the plans saw the light of day. I have also outlined to the House the action taken today

by the Select Committee on Culture, Media and Sport. The BBC chairman will be available in the House on 12 March to meet hon. Members on the matter. A meeting between Madam Speaker and the chairman has already been arranged for 17 March. I hope that there will be sufficient opportunity to ensure that the BBC is in no doubt about the strength of feeling on both sides of the House.

Mr. Nicholas Soames (Mid-Sussex): Will the right hon. Lady make time for a full debate in Government time on countryside issues, because they are undoubtedly at or near the top of the list of parliamentary anxieties? Does she agree that it might be worth while attaching to Bills a rural impact statement, to test the interests of rural communities against those of towns, to ensure greater equity? Does she further agree that if the Chancellor of the Exchequer put more duty on petrol, he would be inveighing against rural areas?

Mrs. Taylor: I think it right to assess the environmental impact of legislation when it is introduced, regardless of the nature of that legislation. I entirely reject the hon. Gentleman's basic premise that the issue is "rural versus town". I do not think that it does anyone any good to try to portray it in that way, or to try to pretend that the problems that have arisen in rural areas have become apparent only in the past nine months.

Gillian Merron (Lincoln): There has been publicity recently relating to the industrial tribunal criticisms of Lincolnshire police authority and the handling of grievance and disciplinary procedures, which have been the subject of investigation by Humberside police—although, regrettably, their report remains secret. Will my right hon. Friend allow a full debate on the matter, so that we can make progress in increasing openness and effectiveness?

Mrs. Taylor: I know that my hon. Friend has asked questions about the issue before. Fortuitously, my right hon. Friend the Home Secretary is present, and will have heard what she has said today. I cannot promise a debate in Government time, but I am sure that my hon. Friend will find other ways in which to pursue the matter.

Mr. Nicholas Winterton (Macclesfield): I agree with the concern expressed by hon. Members on both sides of the House about the action that the BBC may take to reduce coverage of Parliament's activities, and I thank the Leader of the House for taking such a positive stance. May I express the hope that the governors and chairman of the BBC will note what Parliament feels—and what I think people outside feel—before taking any irrevocable action?

Can the Leader of the House also tell us when a statement will be made, or a debate take place, about the roads review that is currently being undertaken?

Mrs. Taylor: No doubt the hon. Gentleman will make his voice heard during the consultations that I mentioned—and I am sure that the fact that the chairman of the BBC is to be in the House has not escaped his notice. Given the hon. Gentleman's reputation, I expect that he will be present then. I think that a positive stance has been adopted on all sides.

I am afraid that I cannot say anything about the roads review at this stage, but I will ensure that the hon. Gentleman is warned of when it will be completed.

Mr. Dennis Skinner (Bolsover): If there is a statement or a debate about the implications of the march of the rural communities, will my right hon. Friend bear this in mind? I speak as someone who has been in the House for more than 20 years, representing a rural constituency 30 miles long and about 20 miles wide. One of the problems that we face in the rural villages—more than 20 altogether—is that they were utterly ruined by the last Tory Government, who shut every single pit in every single pit village, and created a BSE crisis that has hammered all the small farmers in my constituency. Almost all the ruin and breakdown of the social fabric has been a direct result of what was done by those Tories, many of whom will be cheering people on at the beacons and in Hyde park on Sunday. Let the country know where the trouble started, and let us remember that we shall have to mend all the problems created by that lousy lot.

Mrs. Taylor: I hope that my hon. Friend catches your eye during Tuesday's debate, Madam Speaker. As someone who has represented a rural constituency for more than 20 years, he is well placed to examine the problems that exist there. I think that rural areas gave their verdict on the last Government—and it is significant that there are now more Labour Members representing rural constituencies than Tories and Liberal Democrats put together.

Mr. Eric Forth (Bromley and Chislehurst): Will the Leader of the House please arrange for a debate on the relationship between the House of Commons and the Government in the context of the extent to which the Government are increasingly refusing to answer questions tabled by Members of Parliament? Does the Leader of the House realise the number of occasions on which written questions in particular, but also oral questions, are met with what amounts to a point-blank refusal to divulge information that should rightly be in the public domain, not only now but particularly in the light of the oft-repeated claims by her Government that they believe in open government? Surely it is time for a debate on that matter, in order to get it out into the open and regularise it.

Mrs. Taylor: As a member of the former Government, the right hon. Gentleman is showing his usual lack of memory in these matters. There have always been holding answers and limited answers. More questions are being asked and, often, the quality of the answer reflects the quality of the question.

Mr. Eddie O'Hara (Knowsley, South): I am sure that I speak on behalf of many colleagues from the Merseyside area if I once again appeal to my right hon. Friend the Leader of the House to give consideration to a full debate in the House on the Hillsborough disaster. My right hon. Friend will be aware that in the week since the publication of Lord Justice Stuart-Smith's report, there has been intense and increasing concern and anger on Merseyside and in the wider region.

The whole affair gives rise to a wide range of issues relating to the management of disasters and their aftermath. A full debate in the House would, for once,

[Mr. Eddie O'Hara]

give us a full and adequate opportunity to address the issues. I suspect that my right hon. Friend the Home Secretary might even welcome an opportunity to make a full response on the record. A debate would also provide a full opportunity to explore what could and should be done about what my constituents regard as an unclosed chapter of history.

Mrs. Taylor: There is to be an Adjournment debate, which has been secured by my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman), a week on Monday. I am sure that that will not be considered sufficient to cover all the issues that hon. Members would like to raise. We all have enormous sympathy for those involved, and we understand hon. Members' desire to raise those issues. However, as last week, I have to say that I do not rule out the possibility of a debate on the matter, but I do not want to raise false hopes that there can be an early debate in Government time.

Mr. John Wilkinson (Ruislip-Northwood): Can the right hon. Lady grant the House an early debate on foreign affairs, so that right hon. and hon. Members may have an opportunity to hold Her Majesty's Government to account on their policy towards European Union enlargement, which is supposedly at the heart of their Euro-presidential efforts? That is particularly important in the light of early-day motion 827 on Estonia, which was tabled by the hon. Member for Montgomeryshire (Mr. Öpik) and signed by 39 hon. Members.

[*That this House notes the importance of the 80th anniversary of Estonian independence on 24th February; welcomes the decision to include Estonia in the first wave of European Union enlargement negotiations, due to start under the UK Presidency of the European Union in April 1998; notes that Tallinn, the capital, is a thriving city with a successful stock market, banking, business and insurance sectors, is a growing tourist destination and presents increasing opportunities for British business investment; notes the positive efforts made by Tallinn City Council to prepare for membership of the European Union and to promote the inclusion of the Russian minority; and calls on the UK Government to encourage British investment in Estonia and the UK's relations with Estonia.*]

The right hon. Lady will be aware that the President of Estonia is in this country this week, and it would be a symbolic gesture and would be warmly welcomed if Her Majesty's Government could give that commitment.

Mrs. Taylor: I understand why the hon. Gentleman thinks that that is important, but he will know that I have announced the business for the next two weeks and that much of the following week is to be taken up by the Budget debate. Important though those issues are, it is not always easy to find time when hon. Members request it. I shall bear that in mind, but I cannot raise hopes of an early debate.

Mr. Denis MacShane (Rotherham): Can the Leader of the House squeeze some time out of the calendar to allow a proper debate and a Division on the BBC? All the protests have been made and the BBC continues to show complete contempt for anything said in the House. Putting "Yesterday in Parliament" on long wave is like sending it to Siberia—all we get on long wave is Radio Baghdad. Putting "The Week in Westminster" on Thursday means that no hon. Member is likely to be able to listen to it. Sending the chairman down here is not enough. He may be bland, but we are not blind. We do not want this public relations schmoozing; we want a proper debate. I think that a deeper strategy is involved, because I believe that certain senior BBC executives want to decouple the BBC from the public and the nation and possibly want to privatise it. The House must take this much more seriously than simply meeting the odd delegation or sending the odd letter of protest.

Mrs. Taylor: The action that I have already outlined—that the Select Committee will report on the matter, that the chairman of the BBC will be made available in the House to discuss it, and that he is to meet you, Madam Speaker—is not mutually incompatible with a debate: the problem is finding time for one. One way of securing a debate would be if many hon. Members were to enter the ballot for a one-and-a-half-hour Wednesday morning debate. By the law of averages, one of them might be successful.

Mr. John Bercow (Buckingham): Will the right hon. Lady find time for a statement next week by the President of the Board of Trade, in which she can clarify, once and for all, whether the Minister for Trade and Competitiveness in Europe, Lord Simon, has paid to charity the profit on the sale of his BP shares? Lord Simon gave a specific public undertaking to make that donation. The right hon. Lady will recall that I have raised that issue before. When I last raised it with her, she claimed that Lord Simon had done the right and proper thing. Did she mean by that that the donation had been made: yes or no?

Mrs. Taylor: As I have said before, my noble Friend has done the right and proper thing, by obeying all the established rules on the conduct of Ministers.

Mr. Tam Dalyell (Linlithgow): As we are not yet, alas, out of the Iraqi marsh, may I hark back to the questions of my hon. Friends the Members for North-East Derbyshire (Mr. Barnes) and for Stockton, North (Mr. Cook), and ask the Leader of the House to reflect again that it is not sufficient to say that we have no quarrel with the Iraqi people? As a letter from four recent ambassadors to Baghdad, Sir Donald Maitland and our arms negotiator, David Summerhayes, in today's issue of *The Independent* makes clear, there are real on-going problems. The Leader of the House replied to my hon. Friend the Member for North-East Derbyshire that the Secretary of State for Health had made a comment during Health questions, at column 172, in reply to a question from me, but that was—necessarily—a very brief comment. Before Easter, could she not reflect on whether we should have a follow-up debate?

Mrs. Taylor: I do not think that we can have a debate in the near future on that specific point. My hon. Friend is a very experienced hon. Member and very often finds time to raise issues, regardless of the fact that there will not be a debate in Government time.

Mr. David Tredinnick (Bosworth): The right hon. Lady will be aware that the Government have yet to

respond to the report of the Procedure Committee in the previous Parliament on delegated legislation and its scrutiny. Does she propose to introduce measures to improve the scrutiny of delegated legislation? Does she not think that the time has come for a full debate on the scrutiny of delegated legislation, which is of great concern to many hon. Members?

Mrs. Taylor: The hon. Gentleman will be aware that the Government recently submitted a memorandum on the scrutiny of European legislation to the Modernisation Committee. We are considering also what has to be said about delegated legislation. The best course of action is for the Modernisation Committee to examine the issues. It may be appropriate for the House to debate those matters at some stage, but not in the immediate future.

Dr. Tony Wright (Cannock Chase): May I ask one more question on broadcasting? Although we have heard that the BBC's proposals to restrict parliamentary broadcasting are causing distress in the House, the proposals from all broadcasters effectively to withdraw party political broadcasting are causing distress across the nation. Those matters are important and involve not only party managers, broadcasters or even individual hon. Members: they are House matters and democracy matters. My right hon. Friend mentioned the Modernisation Committee, but we have no guarantee that its reports will be debated in the House. Will she give us an assurance that, in the near future, those matters will at least be debated by the House?

Mrs. Taylor: The proposal that I made for several hon. Members to enter the ballot for the hour-and-a-half debates might be the best way forward.

Mr. Graham Brady (Altrincham and Sale, West): Is the right hon. Lady aware that there is considerable concern among professional providers of child care about suggestions by the Government that it may be possible rapidly to train large number of school leavers to engage in child care activities? Does she accept that child care is desperately important and that it should be done well? May we have an urgent debate on training for child care?

Mrs. Taylor: I certainly agree that training is important, as is child care itself. The steps that are being taken, in the welfare-to-work programmes, for example, are ensuring that quality training is available.

Ms Helen Southworth (Warrington, South): May we have an early debate on the unfair competition represented by out-of-town shopping centres that provide free car parking? It is an issue which is particularly pertinent to my constituency, where the town centre is the vibrant hub of a local community. People there are working to provide an integrated and sustainable transport policy, recognising that car parking charges are an important factor within that.

Mrs. Taylor: There will be questions to the Department of the Environment, Transport and the Regions on Tuesday, and it might be possible for my hon. Friend to raise that issue then. Failing that, I can only recommend trying to secure an Adjournment debate.

Mr. Laurence Robertson (Tewkesbury): We have all seen the expensive television advertisements about the new deal, but I am concerned about the silent majority whose voice is not heard. May we have a debate on the impact of the windfall tax on people who work in the utilities and who may lose their jobs because of the utilities' inability to invest the money that they would otherwise have invested and because the utilities will no longer be able to peg their prices? I raise that matter following the point made by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) about some hon. Members not being able to obtain proper answers from Ministers via the Table Office.

Mrs. Taylor: We debated the windfall tax last summer, and the House endorsed the Government's proposals.

Mr. Barry Sheerman (Huddersfield): Has my right hon. Friend had the chance to see the excellent exhibition by the Design Council in the Upper Waiting Hall, which covers some of the exciting products in the millennium product challenge fund? Is she aware that we have not had a debate on design innovation for a long time? Design innovation is at the heart of this country's competitive edge. Will she not only visit the exhibition, perhaps with some senior colleagues, but arrange a debate on that important subject?

Finally, would not it be better for the whole nation if the BBC spent a little more time broadcasting what we say in the House instead of spending so much time being anti the millennium and the millennium exhibition?

Mrs. Taylor: I think that the whole House will agree with my hon. Friend's last comment. As for the Design Council exhibition, I saw it briefly one morning this week. I am sure that my hon. Friend's comments will encourage other hon. Members to see it. As for a debate on design innovation, he will not be surprised to hear me repeat what I said before about parliamentary time and the difficulties that I would have in finding Government time for such a debate. Of course, there are Trade and Industry questions on Thursday and, as a regular attender at those, he might well find the opportunity to make some of the points that he has made today.

Mr. Bill Rammell (Harlow): May we have an early debate on the importance of local education authorities prioritising education spending, as the Government have done? I should like to inform my right hon. Friend of the situation in my local authority area of Essex, where the move from a Labour-Liberal Democrat administration to a Conservative one on 1 April meant a move from four years of consistently spending above the standard spending assessment to a proposed Conservative budget £3.5 million below the SSA. That has meant a complete, sudden and brutal cessation of discretionary awards to dance and drama students. There are six potential such students in my constituency who have gained places at prestigious dance and drama colleges but who are finding their life chances being taken away by the new Conservative administration. May I ask for an early debate on this subject and, through my right hon. Friend, ask Education Ministers to ask those Conservative councillors in Essex to rethink their decision, even at this late stage?

Mrs. Taylor: My hon. Friend has made his point well and informed the House of the new priorities of the

[Mrs. Taylor]

Conservatives in Essex. He will not be surprised at my saying that there is no Government time for the debate that he requests. He may be fortunate in securing an Adjournment debate, although we shall soon be discussing the remaining stages of education Bills, and he may find that he can raise some of the issues then.

Mr. David Chaytor (Bury, North): Does my right hon. Friend agree that the multilateral agreement on investment is an issue of profound significance to trade and industry in this country and many others? The negotiations are currently taking place in Paris and the agreement may be signed shortly after Easter, so will she discuss the matter with her Cabinet colleagues and ensure that, before the Government sign any agreement, there is a full debate on the Floor of the House?

Mrs. Taylor: I think that there have been two debates on the matter—there was certainly one earlier this week—and my right hon. Friend the Prime Minister made the Government's position clear last week, if not the week before, at Question Time. If my hon. Friend wants to raise any outstanding points, he could try to do so during Trade and Industry questions on Thursday, but I do not think that a full debate on the matter is possible in the near future, simply because we are very short of time on the Floor of the House.

Dr. Stephen Ladyman (South Thanet): At my surgery about a week ago, I met a father whose son urgently needed his tonsils removed but had been told that he would have to wait up to eight months on the national health service, even though the same surgeon could perform the operation privately the following week. Will my right hon. Friend reconsider her decision on a debate on the national health service, so that Labour Members can raise such issues as consultants' contracts and the deliberate manipulation of waiting lists to favour the private sector? We want to expose the dire legacy that we inherited from the Conservative Government, and correct some of the misinformation that Conservative Members are giving about what we need to do to rebuild the national health service.

Mrs. Taylor: Since the Government came to office, we have announced an extra £1.5 billion for the health service—£300 million for this year and £1.2 billion for next year—so it is extremely tempting to arrange such a debate. However, my hon. Friend is aware of our priorities in the legislative programme. I shall certainly bring his specific point to the attention of Ministers, but if he wants to take those local issues further, I can only suggest that he takes his chances with all the other hon. Members in the ballot for an Adjournment debate.

Sir Patrick Cormack (South Staffordshire): May I thank the right hon. Lady for what she said about the BBC and associate the Opposition with the concerns that have been expressed this afternoon? Will she go one stage further and write to the chairman of the BBC today, enclosing a copy of *Hansard* containing the exchanges that have taken place, and ask him to see her personally when he comes to the House on 12 March? If she wants my right hon. Friend the Member for South–West Norfolk (Mrs. Shephard) and me to be present, we should be glad to do that.

Will the right hon. Lady also clarify a point that she made in replying to my right hon. Friend the Member for South–West Norfolk? She said that a senior Treasury Minister would reply to the debate on TESSAs and PEPs, but sidestepped the specific question whether the Paymaster General would reply. Will she assure us that there will not be another evasion, such as occurred when the Minister of Agriculture, Fisheries and Food sat in the Smoking Room while the House debated beef on the bone? The Paymaster General is specifically responsible for these matters, and we expect him to reply.

Mrs. Taylor: The hon. Gentleman protests too much. There will be two Government speakers during that debate: my right hon. Friend the Chief Secretary to the Treasury will open the debate and my hon. Friend the Paymaster General will close it. We are treating the debate as we treat every other—extremely seriously.

I am more than happy to ensure that a copy of the *Hansard* report of the exchanges is sent to the chairman of the BBC. How we take the matter further, especially as Madam Speaker has already planned to meet the chairman, should perhaps best be discussed through the usual channels.

Orders of the Day

European Parliamentary Elections Bill

Considered in Committee [Progress, 24 February].

[SIR ALAN HASELHURST *in the Chair*]

Clause 1

NUMBER OF MEPS, ELECTORAL REGIONS AND ELECTORAL SYSTEM

Amendment moved [24 February]: No. 26, in page 1, line 24, leave out from 'region' to 'shall' in line 29 on page 2.—*[Mr. Trimble.]*

The Chairman of Ways and Means (Sir Alan Haselhurst): I remind the Committee that with this we are discussing the following amendments: No. 9, in page 1, line 25, leave out from 'be' to end of line 26 and insert

'an open regional list system.

3A. An open regional list system is a system which complies with the following requirements, namely—

(a) each electoral region shall be divided into a number of constituencies equal to the number of MEPs to be elected for that region in accordance with subsection 2(4) above and Schedule 1;

(b) each candidate shall nominate on the ballot paper one constituency in the relevant region which he will represent, if elected;

(c) in the event of the same constituency being nominated by more than one successful candidate, the candidate elected first shall represent his nominated constituency;

(d) successful candidates unable to represent their nominated constituency for the reason given in sub-paragraph (c) shall, in the order of their election, choose another constituency to represent, and;

(e) if an elected candidate has nominated a constituency which no candidate elected before him has nominated, he shall represent that constituency even if a candidate elected before him, whose own nominated constituency has been taken, seeks to choose it.'.

No. 1, in page 2, line 1, leave out from 'cast' to end of line 2 and insert

'in one of the following ways:

(a) for a registered party;

(b) for a candidate listed as a member of a registered party; or

(c) for an individual candidate not listed as a member of a registered party.'.

No. 51, in page 2, line 2, after 'candidate,', insert

'whether or not the candidate is a member of a registered party,'.

No. 2, in page 2, line 4, after 'candidate', insert

'not listed as a member of a registered party'.

No. 3, in page 2, line 4, after 'votes' insert

', with votes for candidates listed as members of a registered party counting towards the total vote of that party.'.

No. 4, in page 2, line 8, leave out from 'number' to end and insert 'shown below.

Number of seats already allocated	*Divisor*
2	3
3	5
4	7
5	9
6	11
7	13
8	15
9	17
10	19.'

No. 5, in page 2, line 16, leave out from 'filled' to end of line 18 and insert 'as follows—

(a) a quota shall be determined which is equal to the total number of votes polled for all the parties, divided by the number of seats to be allocated, plus one.

(b) votes cast for the candidate at the top of the party list shall be compared with the number of votes cast for the registered party to which that candidate belongs.

(c) where the candidate has fewer votes than the quota, the votes for that candidate will then be topped up to reach the quota using votes from the party vote, reducing the number of votes won by the party accordingly.

(d) this process continues for each candidate on the list until the party votes have been exhausted, except where there are insufficient votes in the party vote to top up a candidate, in which case those votes are allocated to the next person on the list with sufficient votes, who moves one place up the list.'.

No. 6, in page 2, line 20, at end insert—

'(7A) The style of the front of the ballot papers to be used shall be in the form set out in Schedule (*European Parliament Ballot Paper*).

No. 10, in page 2, leave out lines 22 to 24.

No. 11, in page 2, leave out lines 25 to 28.

New clause 4—*Evaluation by Secretary of State of open list system and method of allocating seats—*

'.—After section 7 of the European Parliamentary Elections Act 1978, there shall be inserted the following section—

"Evaluation by Secretary of State of open list system and method of allocating seats

7A.—(1) As soon as is reasonably practicable after the first election held under the regional list system set out in section 3 of this Act, the Secretary of State shall lay a report before Parliament, setting out what appear to him to be the principal advantages and disadvantages of conducting subsequent such elections by an open list system.

(2) A report under subsection (1) above may also contain proposals for changing the arrangements for the allocation of seats set out in this Act.

(3) In this section, 'open list system' means an electoral system in which the names of those candidates on a party's list

are listed on the ballot paper and each voter can choose whether to cast his vote either—

(a) for a registered party, or

(b) for an individual candidate, whether or not that candidate is on a party's list of candidates.".'.

Amendment No. 27, in schedule 2, page 8, leave out lines 19 to 25.

Amendment No. 79, in page 8, line 25, at end insert—

'(3C) Regulations under this paragraph may make provision requiring party lists of candidates and nominations of individual candidates to be supported by signatures of electors in the relevant constituency, and may specify the numbers of signatures required.'.

New schedule 1—

'EUROPEAN PARLIAMENT BALLOT PAPER

EASTERN ENGLAND CONSTITUENCY

ELECTION OF EIGHT MEMBERS OF PARLIAMENT

You may vote in one of two ways:

EITHER Put 'X' in one of these boxes to indicate the party of your choice	☐ Conservative Party	☐ Green Party	☐ Labour Party	☐ Liberal Democrats	
OR Put 'X' in one of these boxes to indicate the candidate of your choice	Conservative Party	Green Party	Labour Party	Liberal Democrats	Others
	☐ FORBES Annabel	☐ SKYLARK Daniel	☐ CLARKE Winston	☐ HOLDER Maureen	☐ THWAITE Norman SOCIALIST LABOUR
	☐ SMYTHE Sir Alan	☐ ANDREWS Melanie	☐ BLACK Michael	☐ CHAUDHRI Ajit	☐ KENT Anthony PRO-CANING
	☐ PARSONS Giles	☐ VALERIAN Jennifer	☐ PETERS Angela	☐ HUSSEIN Rupal	☐ McINTYRE Lord NATURAL LAW PARTY
	☐ SIDCUP Lady Anne		☐ SVENSON Bob	☐ ELLERTON Sir Paul	☐ MUIR Seymour INDEP'NT
	☐ BIRCH Dominic		☐ BELL Celia	☐ BEDFORD Baroness (Anne)	☐ SMEDLEY Jemima MARXIST
	☐ PRESSMAN Marlene		☐ UL-HAQ Tariq	☐ MEADOWS Simon	
	☐ LANCASTER Sir Alfonse		☐ POTTER Amelia	☐ GOLDSTEIN Samuel	
	☐ TRUSTFUL Derek		☐ CHAPLIN Nazalia	☐ HUNTER Sarah	

4.20 pm

Mr. David Trimble (Upper Bann): After the debate had finished at 10 pm on Tuesday, I reflected that perhaps I had been too generous in taking interventions, because, had I not done so, I might have finished my speech and would not be standing here today. None the less, those interventions raised interesting points.

When the debate finished, I was responding to an intervention from the hon. Member for Stone (Mr. Cash) to correct what I thought was a misapprehension when he said of the single transferable vote system that

"people lose the ability to make a clear choice when their vote is shuffled through the system".—[*Official Report*, 24 February 1998; Vol. 307, c. 272.]

I was about to tell the hon. Gentleman that he was wrong to suggest that votes are shuffled through the system under STV. If votes are transferred, it is because the elector has indicated a preference.

Votes are not transferred automatically. Under the STV system, it is common for an elector to plump—to mark only one preference. Consequently, the vote is never transferred. It is counted for the person in respect of whom the elector has indicated a first preference, and that is it. If a vote transfers to anyone else it is because the elector has indicated a preference.

As I was saying on Tuesday, when STV was introduced in Northern Ireland, the electors took it very seriously and considered very carefully the way in which they marked their preferences, in terms of voting not just for parties and candidates within those parties, but for other individuals on the list.

Mr. William Cash (Stone): I understand what the right hon. Gentleman means. If I used the word "shuffled", I should be happy to alter it to "transferred". However, irrespective of whether a voter has preferences, he has a higher preference for one candidate as opposed to another. It is clear that the second preference has a much lower order of priority. The first-past-the-post system provides a real choice. Although we could debate the issue ad nauseam, there is something inherently unsatisfactory about the second preference being given the advantage over the first choice.

Mr. Trimble: I shall return to the merits and demerits of the first-past-the-post system and the elections for which it is appropriate.

Preferences and the expression of preferences in STV allow the elector to make a sophisticated judgment on individuals and parties. Those preferences can be used not simply to vote for candidates or parties, but to vote against others. It is common in Northern Ireland for people to shape their preferences—parties advise them to shape their preferences—to express positive and negative preferences. That gives the electorate a wider choice, enabling them to express things in a more sophisticated manner. That is part of the attraction of STV. All systems have advantages and disadvantages. I am dwelling on the advantages of STV, but I shall outline its disadvantages as well.

I emphasise that STV has resulted in quite keen electoral interest, which we must all bear in mind. Given the very large constituencies as a result of the Bill—even with the single transferable vote system, there will be large constituencies—something that excites the electors' interest is of value. In addition, political parties have to adopt their voting and transfer strategies. They cannot just sit back and leave it to the electorate. Parties have to consider responses and decide what to do.

One of the criticisms that we commonly make about STV—we are aware of its flaws—is that it encourages competition between candidates of a party. The normal strategy for a party under the STV system is to run one more candidate than the number of the seats that the party thinks it will win. If, by virtue of experience and opinion polls, it is considered that two of a party's candidates will be elected, the standard advice is to run three candidates. One must always allow for the possibility that the party will do better than expected. An extra candidate would take advantage of a movement of opinion in favour of a party.

Running an extra candidate above the number that the party expects will be elected means that probably at least one person will not be elected. That gives rise to competition between candidates. Ideally, one would hope that such competition attracts voters to the party, although candidates quickly conclude that it is easier to persuade people who are already committed to their party to switch from party candidate A to party candidate B than to persuade someone who is not in favour of one's party to switch their allegiance. Competition therefore develops between candidates, which can sometimes be taken to quite interesting extremes.

I remember the case of a former colleague who, back in 1982, stood as one of our six candidates in the 10-seat South Antrim constituency. Our most prominent candidate was then James Molyneaux, now Lord Molyneaux. The party poster listed all six candidates in alphabetical order. The gentleman in question decided to emphasise that his name was first alphabetically by excising from the poster—literally cutting out—the four names between his and Jim Molyneaux's. He tried to get on to Jim's coat tails by that device. I cannot remember whether it succeeded.

Rev. Martin Smyth (Belfast, South) *indicated assent.*

Mr. Trimble: My hon. Friend, who was elected in a different constituency in that election, is nodding, so the stratagem may have succeeded—although the success may also have been a consequence of one other feature of STV, which, in my eyes, although not in the eyes of others, is a serious disadvantage. It is thought to be a significant advantage if one's name starts with a letter at the beginning of the alphabet. However, that is not always an advantage; it depends on circumstances.

Although we consider competition between candidates a disadvantage of STV generally, such a cloud may have a silver lining in European parliamentary elections. It will help to open up the debate on Europe in parties, and enable the electorate to take part in that debate and express preferences for the views on European issues of particular candidates in a particular party.

On Europe, the debate is not between, but within, parties. Pro and sceptical attitudes exist within all three parties and, consequently, a transferable vote system—or a system that enables the electorate to distinguish between candidates for a particular party—will allow the electorate to distinguish between particular wings of a party on these issues. That will develop the debate within the parties and enable the electorate to take part, and their view might be interesting.

That might be of particular interest to the hon. Member for Stone, who is a vigorous participant in the debate within the Conservative party. He might welcome a system that enabled the electorate to join in. Obviously, it would be a stronger point for him if he believed that the electorate would join in on his side—and he may believe that. I commend the system to him on that basis.

4.30 pm

The hon. Member for Stone raised another point about the first-past-the-post system. It is generally known that our party has expressed a preference for that system for many years, and we must deal with the issue in case we are accused of inconsistency. We would never advocate a single transferable vote system, or any proportional electoral system, for elections to this House. We are endorsing STV as the electoral method for the proposed Northern Ireland assembly, and the amendment does

[Mr. Trimble]

likewise with regard to the European Parliament. However, we draw clear distinctions between regional assemblies and the European Parliament and this House.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I followed the right hon. Gentleman's speech on Tuesday through my magic machine. If we accept the position that he has just elucidated, there will be an inevitable move towards proportional representation in this House, whatever we say. Once the gate is opened, the arguments that are used constantly to encourage people to believe that proportional representation is somehow fairer will result in a push towards Members of the House of Commons being elected that way.

Mr. Trimble: The floodgates are already open. Proportional representation has been operating in Northern Ireland for more than 20 years, and is being proposed by the hon. Lady's party for Scotland and Wales. One can stem the tide for this House by the argument that I was about to make.

The reason why I draw a distinction between elections to this House and those to other places is that elections to the House are to elect a Government. There are arguments for having an electoral system that reflects a broad spread of opinion, and that is fine if we are dealing with a body where the premium is on having the broadest range of representation and where there is no need for clear policy decisions.

If—as in the House—we have to sustain a Government, that Government must make clear decisions. We want the electorate to be able to make choices, because a PR system will produce a range of representation and will result in coalitions having to be formed. The real policy choices are then in the construction of coalitions, and those take place after elections, rather than before.

The paradox is that PR—which represents a wide range of views—may result in the electorate not being able to choose a Government, which would be created after the event by the deals that people do. For that reason, I believe strongly that the first-past-the-post system must be retained for the House and for the formation of Governments.

Regional assemblies for the United Kingdom will be essentially administrative and will not make major policy decisions, although I know that will not be welcome news for the strong proponents of devolution. I recall the comments made by the Prime Minister during the election campaign when he likened the proposed Scottish Parliament to an English parish council. That was a bold comparison—the Scottish Parliament will go far beyond a parish council, but it will still be essentially an administrative body.

The Scottish Parliament will not have the power to take major policy decisions; nor will the Northern Ireland assembly. In the current inter-party talks, we constantly remind other parties—which are more ambitious in their views—of the realities of life, including the fact that the Northern Ireland assembly will not share the characteristics of a government.

Similarly, the European Parliament does not have to sustain a government. The European legislature is the Council of Ministers, and the European executive, in so far as there is one, is the European Commission. The European Parliament is a consultative body, and there is a strong argument for ensuring that a wide range of views is represented there.

Mr. Cash: The right hon. Gentleman has, no doubt, studied the Amsterdam treaty in some detail, as some of us have. Has he noticed that it will grant extensive powers to the European Parliament, which have been minimised by the Government because they do not want people to know what is going on? The reality is that, under the procedures for majority voting and co-decision, the arrangements for an individual member state to achieve its objectives will be severely curtailed. The right hon. Gentleman's argument will be eroded by the Amsterdam treaty, because the Council of Ministers will be given increased supranational powers in the movement towards one country called Europe.

Mr. Trimble: I defer to the hon. Gentleman in his knowledge of the detail of the treaty. None the less, my point remains valid, because the legislature in Europe is the Council of Ministers. Provisions are made to give the European Parliament some influence, but it is still only a consultative body. The argument that I made earlier to justify the retention of the first-past-the-post system for the House of Commons does not, therefore, apply to the European Parliament, and I hope that it never will. I do not believe that European institutions will develop in such a way that the European Parliament will acquire the characteristics of a genuine parliament or will be required to support a government.

All electoral systems have characteristics and biases, and we must choose between them. They all produce representation to a greater or lesser extent, and we should be open about the effect that is sought for a particular institution. That is why I drew a distinction between the need for the first-past-the-post system for the House of Commons and a representative system for elsewhere.

The representative system that I have suggested for the European Parliament would place a premium on producing a proportional result and would give the electorate considerable influence in deciding the representation of the various parties. Although list systems may produce proportional results, they do not give the electorate the opportunity to choose. The closed list system, in particular, has the disadvantage of favouring party leaderships, which is, of course, why it has been proposed.

The system proposed by the Liberal Democrats is an unhappy compromise. I especially dislike the formula that the Liberal Democrats propose in amendment No. 4 for the allocation of seats. It has been deliberately chosen to favour small parties and departs from the clarity and simplicity of the d'Hondt formula. We debated that issue in some detail in 1996, and eventually chose the d'Hondt formula. If one is to have a list system, it is better to have the d'Hondt formula, rather than the proposal in amendment No. 4, which is designed simply to be advantageous to smaller parties. On that issue, the Liberal Democrats, like some other parties, want to get their thumb on the wheel.

Mr. A. J. Beith (Berwick-upon-Tweed): The right hon. Gentleman is making a thoughtful speech and, later, my hon. Friend the Member for Sheffield, Hallam

(Mr. Allan) will seek to deploy the case for the Sainte-Lague, rather than the d'Hondt, system—it is, after all, used in a great many countries. However, on his earlier point, does he not recognise that if we are to have a list system, which is not our highest preference either, it is much better to have one with open lists, whereby the public have some influence over the choice of candidates, than one with closed lists?

Mr. Trimble: As I said on Tuesday, it would be much better still to go the whole hog. If the Liberal Democrats were to go the whole hog and support our amendment, they would be supporting their first preference. At this stage, they ought to express their first preference; if they have to haul down their sights later, so be it. However, I am grateful to the right hon. Gentleman for providing the name of other formula—the one that is biased in their favour—which I confess I had forgotten.

On Tuesday, the hon. Member for Ryedale (Mr. Greenway) said that the legislation was providing a test run on proportional representation. I want to repeat a point I made on Tuesday, which is that test runs on proportional representation have already happened: they happened in Northern Ireland, and hon. Members should look closely at that example. Having looked at the two different systems that have been applied in Northern Ireland, we think that the advantage lies with the single transferable vote system.

The Liberal Democrats confirmed on Tuesday and again just now that the single transferable vote is their preferred system—the system which they would go for if they could, and if they were not scared of offending the Government. They should remember that the STV system was introduced into the United Kingdom by the Conservatives and, when it was reintroduced in modern times, it was the Conservatives who did that; the Labour Government who followed them endorsed and re-enacted the STV system.

Therefore, my amendment offers a proposal which is the first preference of the Liberal Democrats and has been introduced by the Conservatives and endorsed by Labour. On that basis and if rationality were to apply, I would expect all of them to rally round the amendment.

Mr. James Clappison (Hertsmere): I shall speak to amendments Nos. 9, 51, 10 and 11, which stand in my name and the names of my right hon. and hon. Friends. I shall seek your leave, Sir Alan, to press for separate votes on amendments No. 9 and 10, which deal with important subjects.

I enjoyed the speech of the right hon. Member for Upper Bann (Mr. Trimble). He raised some important points and I shall touch on three of those, as they lend support to the arguments that I shall deploy in support of our amendments. The first point was about candidates' order of priority on the ballot paper. In a closed list system, the ranking of candidates is an important matter.

Secondly, the right hon. Gentleman made a thoughtful point about what happens under the new system when a Member of the European Parliament crosses the floor and moves from one party to another, but the response he received from the Home Secretary was not really satisfactory. The point is this: under the new system, MEPs will be elected under a party banner and not, in any sense, as individuals. If they cross the floor and join another party, it cannot be pretended that they are in the same position as a Member of this Parliament who crosses the Floor, which was the argument the Home Secretary used.

Members of Parliament are elected as individuals, but MEPs are not—they are elected purely on a party basis and that fact has implications that have not been sufficiently answered.

I was also interested in the right hon. Gentleman's arguments about the differences between, and the reasons for using, different systems for different assemblies.

4.45 pm

Mr. Robert Syms (Poole): On the point of people who switch parties, the situation is worse than my hon. Friend says. Under our current system, when people are nominated, the process ends with an election. Under a list system, people are nominated for four years—until the next election. A situation can arise where, although the next person on the list has long left one's party, that person may fill a vacancy.

Mr. Clappison: My hon. Friend made some important points in earlier debates, and he has hit the nail on the head again today.

I agree with the right hon. Member for Upper Bann that the first-past-the-post system has served the House of Commons and this country well and has provided us with stable government. However, the arguments go further and extend in favour of using the first-past-the-post system for European elections as well. It is our belief that first past the post is the best way of ensuring quality representation on behalf of electors and a good quality of MEPs in Europe. All I say now in support of the amendments will be coloured by our conviction that the first-past-the-post system has served us well in this country and in Europe.

There is evidence of the first-past-the-post system earning wide admiration, not only in this country, but throughout Europe. Many MEPs from other countries view with admiration our first-past-the-post system. In order to dismiss that system, which has served this country well, the Government will have to do better than the bald statement in the Home Office press announcement, which stated:

> "The relationship between Members of the European Parliament and their constituents is by its nature different to the closer ties expected of a Westminster MP."

We accept that the work of an MEP is different—we have heard that from Members of Parliament on both sides of the House who have served as MEPs. In many cases, MEPs work for a different clientele, but they also serve individual constituents and we believe that a constituency system serves the interests of electors and helps MEPs to discharge their functions and form relationships with the different groups in the constituency.

Amendment No. 9 is designed to reintroduce the link between an MEP elected under the new system of voting—of which we do not approve, but there it is—and a constituency. We find it hard to understand arguments against that link, because it will help MEPs to serve their constituents.

[Mr. Clappison]

That answers the question posed by my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) on Tuesday. He asked:

"Who will identify with what and how will they go about it?"

Under the new system, how will MEPs elected on a list of seven, eight or even 10 Members representing a giant constituency go about their task? My right hon. Friend asked about what would happen on the day after the election:

"Will it be a colonial carve-up with the appointment of divisional governorships of various parts of the region?"—[*Official Report*, 24 February 1998; Vol. 307, c. 230.]

Will the MEPs sit down and decide what each of them will do? Would it not be better if, from the outset, there was a known constituency system and a constituency link about which the electorate knew in advance? As a result, after the election, each elector would know which individual MEP was serving his or her constituency.

Mr. Beith: I recognise that the purpose of amendment No. 9 is to attach a constituency to a Member of the European Parliament, once that Member has been elected. That is a perfectly fair aim, but does the hon. Gentleman recognise that to describe that as an "open regional list system" is misleading? It is not an open list system in the sense that it would give voters the opportunity to change the slate of candidates put forward by the party. Perhaps, on reflection, it might have been better to describe it differently.

Mr. Clappison: I make common cause with the right hon. Gentleman's criticism of the list system. Our amendment is designed to combine the new voting system—which we do not like—with a constituency system. I certainly make common cause with criticism of the Government's proposal for a list system. In fact, I would go further. I think that it is difficult—almost impossible—for anyone to defend it. It has been widely criticised and is recognised as a system which leads to party placement. I shall deal with that in the debate on a later amendment, and I shall now confine my comments to support for this amendment.

Mr. Cash: While I recognise the difficulties inherent in having to keep pace with the times, and given that Labour has a massive majority and is determined to drive through a system of regional lists, may I invite my hon. Friend to accept that the long title of the Bill—whatever advice my hon. Friend may have received—does not appear to preclude the idea that we should insist on a first-past-the-post system?

Does my hon. Friend accept that we are getting dangerously close to accepting the principle of regional lists, and that that may be held against us in due course? I urge him to consider carefully the significance of the wording that has been adopted in amendment No. 9 and, for that matter, amendment No. 53.

Mr. Clappison: I accept my hon. Friend's comments. I thought that I had given a sufficient health warning, but if I have not, I make it even clearer now that we support the first-past-the-post system. We believe that the proposed system is a bad system, and we have tabled our amendment to improve the system a little bit. It will be an improvement to have a constituency link for individual Members.

There is common ground between this group of amendments and an earlier group. The amendments that deal with the size of the regions are based on arguments that link directly into the argument about constituencies. The regions that the Government have decreed are so vast, so incoherent, so lacking in justification and will be so difficult for electors to understand or MEPs to represent that we believe that it will be an improvement to divide them into constituencies. I have listened to the debate, and I have found little compelling argument in favour of the proposed regions and constituencies.

The right hon. Member for Berwick-upon-Tweed (Mr. Beith) made some comments about a town in Scotland—I think it was Eyemouth. He chose it as an extreme example. Does it make it any easier or better to put that town into not just the south of Scotland but a vast region covering the whole of the rest of Scotland, with a list of MEPs to represent it? The town would be thrown in not just with the south of Scotland but with central Scotland, the highlands and islands—to which the hon. Member for Moray (Mrs. Ewing) referred—and so on. Does that make any sense? Surely it makes the problem even worse.

Mr. Richard Allan (Sheffield, Hallam): We suggested that it could not make it any worse and would have the advantage of creating a team of MEPs working on a regional basis with other regional organisations. They would have a single voice in defending the interests of Scotland. The fundamental problem is that the constituencies are already so large that the connections just are not there.

Mr. Clappison: The hon. Gentleman must accept in all fairness that it is a pretty vast region. There is a problem with the argument that he and his right hon. Friend have advanced. It is a trap that people who argue on the basis of what they see as an extreme example fall into. The extreme example under the present system is infinitely better than the best of the new system. The new system will involve a group of MEPs—the hon. Gentleman called it a team—who will inevitably be more remote than under the present system and will be asked to do far more work.

We all tend in the House to argue on the basis of our own examples, so I give Liberal Members an example that is dear to my heart. My Westminster constituency is part of the European constituency of Hertfordshire, which includes most of the county of Hertfordshire. The European constituency is to be abolished and merged into the giant Eastern region, which will cover many other counties in what is described as the east of England.

The hon. Member for Sheffield, Hallam (Mr. Allan) referred to the various organisations and interests in a region. Business and education interests are organised on a county basis. The chambers of commerce and the local Confederation of British Industry branches are organised on a county basis and speak for the county and nowhere else. My hon. Friend the Member for North-East Hertfordshire (Mr. Heald) knows that to be the case.

The local education authority is the Hertfordshire county council. Most of the voluntary groups in my constituency are part of a Hertfordshire group. Everything

tends to be organised on a county basis. In the reorganisation of local government there was a vigorous debate about whether there should be a county council or a series of souped-up district councils with greater powers than previously. A strong argument was made on behalf of Hertfordshire. People identified with Hertfordshire and wanted to keep the county, and they did so.

Hertfordshire organisations speak for the people of Hertfordshire. This is just one example. In an earlier debate about regional identity, the Minister of State, Home Office said:

"It struck me as bizarre to introduce sub-regional divisions that seemed to have no coherence, and no historical or current justification."—[*Official Report*, 23 February 1998; Vol. 307, c. 255.]

I do not know whether she suggests that the Eastern region has more significance for people in Hertfordshire than the county of Hertfordshire. I have to say that the history of the peoples of the Eastern region of England is a volume that has yet to be written. If a person from abroad asked my constituents where they lived, they would say that they came from Hertfordshire. If they were asked where Hertfordshire was, they would say that it was in the south-east of England, or in the home counties around London. Not one in 100 would say that they lived in the Eastern region.

The Secretary of State for the Home Department (Mr. Jack Straw): If the regional boundaries are so bad, will the hon. Gentleman explain why, in November 1993, the right hon. Member for Suffolk, Coastal (Mr. Gummer), the then Secretary of State for the Environment, came to this Dispatch Box with a great fanfare to declare the new regions not just for minor administrative purposes but as a major arm of government and representation of people at regional level?

Mr. Clappison: The Home Secretary is making a jump there which is not justified by fact. The regions were set up for administrative convenience to bring administration closer to people. They were not set up as electoral regions to represent electors or as an expression of any cultural or historical identity—specifically not. They were put there for administrative convenience. To their discredit, the Government have hijacked those regions and tried to turn them into something that they were never intended to be.

The right hon. Gentleman would be hard put to find any cultural or historical significance, fellow feeling or identity of purpose between all those people who live in the region described as the South East, stretching from Kent to Milton Keynes, or the Eastern region, stretching from Hertsmere to Norfolk.

I say nothing against the other counties in the Eastern region. My constituents like Norfolk. Many of them go on holiday there, but they do not think that they are part of the same region as Norfolk.

May I put it to the Home Secretary that the amendment is relevant not only to the ease of electors knowing what is happening and who represents them, but to the quality of representation that MEPs can provide? Westminster Members of Parliament are always emboldened in our dealings with the Government or whomever by the fact that we have a constituency link and speak on behalf of our constituents. I know of the affection and interest of the Home Secretary in all matters Belgian—*[Laughter.]* He is very interested in Belgium. He plays the admirable party game "Ten Famous Belgians". I have received a letter from a former ambassador to Belgium and to Austria. He writes with some knowledge of the European scene. I refer to a Mr. O'Neill, who writes:

"The party list system (or even multi-member constituencies) destroys the personal link between the member and the elector: the legislature becomes less responsive and more remote. The member no longer has any kind of authority or standing deriving from his personal mandate in his dealings with his Party, and he becomes entirely dependent on the Party for whether or at what point (sheep or goat) he appears on the Party list. The consequence is that the quality of candidates falls, and they come to be chosen almost exclusively from the ranks of career Party officials."

Mr. Austin Mitchell (Great Grimsby): Unlike us.

5 pm

Mr. Clappison: The hon. Gentleman speaks for himself and his party.

I turn from the defects of the Government's proposed system and how they would be remedied by amendment No. 9, to the closed list system, with which amendment No. 51 deals. There are Liberal amendments on the same subject.

The closed list system is extremely difficult to defend. When the Government unveiled it, it attracted almost universal criticism and concern. *The Times* stated in a leading article:

"This is bad for democracy and will be bad eventually for the parties too. The Government plans to introduce the worst possible kind of PR for the European elections. Its closed list system allows voters no say over which candidate they want. They can merely vote for a party which will then appoint its own placemen to the Parliament."

On Second Reading, there was scarcely a friend to be found in the House for the closed list system. It will be interesting to see whether any hon. Member will defend it. It did not win many friends among the Home Secretary's colleagues in the European Parliament. One Labour MEP is quoted as saying:

"The Prime Minister will not tolerate people who know about European issues, only authentic brain-washed Blairites."

That was the voice of Mr. Ken Coates.

Mr. Brian Jenkins (Tamworth): He is an authority.

Mr. Clappison: Perhaps Mr. Ken Coates was in a good position to judge, and he may now be in an even better position to do so.

Whether among serious commentators or members of the Labour European group, few are coming forward to defend the closed list system. It was therefore not surprising that—possibly as a result of his interest in all matters Belgian—the Home Secretary told us on Second Reading that he was launching an interesting consultation on the Belgian electoral system.

In fairness to the Home Secretary, he made it clear—rather like a judge passing sentence—that he was giving no promises about what the eventual sentence would be, but he led us to believe that it was an interesting development. He was as good as his word and put a paper in the Library on the operation of the Belgian electoral system. I have a copy of that paper.

[Mr. Clappison]

I should be interested to know why the Home Secretary chose the Belgian system. He looks perplexed. I hope that he knows the answer—he chose it, not I.

Mr. Straw *indicated assent.*

Mr. Clappison: Good, the Home Secretary knows the answer. Perhaps he will tell us why he chose the Belgian list, rather than any of the other lists in the European electoral systems—the Danish system, for example, which he also mentioned in his speech. The open list systems are not strange in Europe. On Second Reading, the Home Secretary told us with pride:

"I am prepared to listen to the arguments for adopting a Belgian-type system and to give them careful consideration."

Since then, there has been a deafening silence from the Government for three months. We do not know what great debate has been taking place. We will be interested to learn what arguments the Government considered during the consultation and which argument clinched it for the closed list system, which was the Government's original preference. Did new facts come to light about the Belgian system that the Government did not know on Second Reading?

As a Belgian detective—Poirot, Simenon's Maigret, or Tin Tin—might say, it is all rather perplexing. Were those all red herrings that were thrown into the plot to mislead us, or have we yet to come to the final twist of the plot?

Mr. Straw: I shall deal in more detail with the Belgian system when I speak. Meanwhile, let me put the hon. Gentleman out of his misery about where the suggestion of the Belgian system came from. He has it in front of him. It was not my suggestion. As I said on Second Reading:

"It has been suggested, both by the constitutional group Charter 88 and by the Liberal Democrats, that we could introduce an electoral system of the sort that operates in Belgium and Denmark, whereby voters can vote either for the party list as a whole or for an individual candidate from the party list".—[*Official Report*, 25 November 1997; Vol. 301, c. 813.]

I then spelt out how that would operate and went on to say that we were willing to consider it, without giving commitments about our final decision until there had been a chance to consult the House, which is what we are doing.

Mr. Clappison: The Home Secretary has missed his vocation. He has thrown another red herring into the plot. We did not hear the argument that clinched it for the Government, but no doubt we shall hear that in due course.

I am fully aware of what was said on Second Reading. The Home Secretary said that it had been suggested that they could introduce an electoral system

"of the sort that operates in Belgium and Denmark"—

and, one could add, in many other European countries.

Why did the Government chose the Belgian system, rather than the Danish? Is it entirely coincidental that those of us for whom the differences between European electoral systems are not the natural stuff of our reading now discover that, in Belgium, there is a history of the preferential voting system not making much difference to the order of candidates, whereas, in Denmark, which the Government did not choose as one of their examples, there is an established history of preferences being expressed by voters, and the voters' preferences making a difference to the final outcome of the election? We await an answer from the Home Secretary.

We have heard nothing yet from the Government, and the situation remains as unsatisfactory as it was on Second Reading. We believe that a closed list system is a bad system. One word that has been used to describe it is degrading. That is appropriate. It will not get our support in any circumstances.

The Home Secretary also told us on Second Reading that he was interested in the differences between various divisors and methods of election. I remind him of another point that he made. I refer to proportionality, which relates to some of the amendments tabled by the Liberals. The comments about Belgium and Denmark are not the only ones for which the Home Secretary owes the House an explanation.

The right hon. Gentleman told us on Second Reading why the Government had chosen the d'Hondt system in preference to the Sainte-Lague system. I am grateful to the Liberal Democrats for that pronunciation, of which I was previously unaware. The Home Secretary set out the reasons why he chose the d'Hondt system and said:

"Sainte-Lague does not necessarily produce more proportional results. I have already introduced the proportionality index to the House—I noticed how hon. Members listened with bated breath. By calculating the index score for six regions using the 1994 European election vote in the United Kingdom, we found that, on average, d'Hondt scored higher than Sainte-Lague."—[*Official Report*, 25 November 1997; Vol. 301, c. 812-14.]

Divisors are not my natural interest and I am not an expert in these matters. I have about the same level of interest in them as does the Home Secretary. However, this is an important matter and he explained why the Government had chosen that system. It has important consequences in terms of how many MEPs are elected from each region. Other people are more interested in this subject, and one of those is Professor Ian Maclean of Oxford university.

Mr. Beith: A Liberal Democrat.

Mr. Clappison: He may well be. He is certainly an expert on electoral systems, and he knows his stuff on these matters. The Home Secretary's comments came to his attention and he suspected that something was wrong—in fact, it was a bit more than a suspicion. It was impossible for the Home Secretary to be right, because the Sainte-Lague system is never less proportional than the d'Hondt system and is frequently more proportional than it—contrary to what the Home Secretary told us on Second Reading. The good professor thought that there had been a mistake—I am glad that the Home Secretary admits it now—he carried out simulations and he found that he was correct. I am glad that the Home Secretary has realised his mistake.

Mr. Straw *rose—*

Mr. Clappison: Before the Home Secretary intervenes again, I must advise him that it would have been a good idea for the Government to answer my written question on that subject.

Mr. Straw *rose—*

The Chairman: Order. Mr. Clappison has the Floor.

Mr. Clappison: I shall certainly give way, but the Home Secretary might also like to respond to my next

point. I asked the Government last week whether they had made a mistake, and I received the answer earlier this week that they were still thinking about it. The Home Secretary has obviously thought about it, so perhaps he can give us an answer.

Mr. Straw: The hon. Gentleman's implication is preposterous. He should know that, because I wrote to the shadow Home Secretary, his right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney)—just as I wrote to the Liberal Democrat spokesman and other party leaders—as soon as we were aware that an error had been made. I apologised for that error and I have placed in the Library the details of the revised calculations. Furthermore, the Under-Secretary of State for the Home Department, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), put on record in the *Official Report* of 20 January exactly what the situation was, and he repeated my unreserved apology to the House.

Mr. Clappison: I welcome that apology, and I accept the Home Secretary's explanation. However, he will understand that some issues flow from that mistake—not least what the Home Secretary said about comparisons between this country and Europe. He knows that, if we dismiss the argument in favour of the d'Hondt system that he gave us on Second Reading, there is little left to support the Government's chosen system. The Government say that they believe that the d'Hondt system is fair—that is a subjective opinion. They say that it is simple—I leave it to the Committee to judge whether any of these electoral systems are simple.

The Government also say that d'Hondt is commonly used in Europe, but it would appear that they have not used the system to calculate the relationship between seats and regions. According to those who are expert in such matters—I am not one of them—the Government have apparently used a different form of divisor for that calculation, which looks very much like the Sainte-Lague divisor that the Government dismissed for the purposes of electing MEPs. Perhaps the Home Secretary will explain that. What is the basis of the system that the Government have finally adopted for determining the relationship between seats and regions?

That decision has important consequences. The Home Secretary will know that the system that he has chosen for electing MEPs—the d'Hondt system—gives the Labour party an extra seat in Scotland. The right hon. Gentleman is looking quizzical: he would do well to take up the issue with those who are authorities in such matters. The different system that the Government have chosen to allocate seats between regions produces one fewer seat for the south-east and one more seat for London. That is an important consideration. In those circumstances, the Home Secretary owes it to the Committee to confirm whether there is a difference between the divisors, what divisor relates seats to regions, and what the justification is for those decisions.

We hold no brief for any of those issues. We have some sympathy with the Home Secretary because we know that it is not his natural terrain.

Mr. Richard Burden (Birmingham, Northfield): The hon. Gentleman is mistaken. There is a legitimate argument about whether d'Hondt or Sainte-Lague is the best and fairest mechanism of allocating seats according to votes. It has nothing to do with the allocation of seats to regions.

5.15 pm

Mr. Clappison: The Government must explain why they have chosen different systems for those two functions. *[Interruption.]* The hon. Gentleman has not heard my reply; I ask him to do me the courtesy of listening to what I have to say. The Government must explain why they have chosen different systems. The hon. Gentleman is a fair man and he must accept that, as the different systems apparently produce more favourable results for the Government in both cases, they owe the Committee an explanation.

It is no use the Government's claiming that the divisors are used commonly in Europe. As I understand it, the system that the Government have produced is unique in Europe: it is the only system that has a closed list at a regional level. Perhaps the Home Secretary will identify any other European country that has a closed list at a regional level. I am not aware of such a country within the European Union.

The Home Secretary is looking hopefully to his box: I suggest that he will find no other country with that system within the European Union. There may be another such country elsewhere in Europe. The hon. Member for Tatton (Mr. Bell) provided the example of Bulgaria earlier. I am sure that the old Communist rulers of Bulgaria would recognise that system, but it is not recognisable to hon. Members.

We have some sympathy for the Home Secretary, and we recognise that a mistake was made about the electoral systems. We always accept an apology, and we are aware that this is not natural terrain for the Home Secretary. He does not compare too badly with certain other members of the Government—I am thinking specifically of the command of arithmetic demonstrated by the Minister for School Standards and the command of theology exhibited by the Minister for the millennium dome. I do not intend any disrespect to the dome. The Prime Minister has told me that I must visit the dome, and I am looking forward to that almost as much as I am looking forward to my guided tour of the Lord Chancellor's apartments.

There are serious matters for hon. Members to consider. We cannot approve of a system that is based on a mistake and on a closed list that we believe is undemocratic and which destroys the link between candidates and their constituencies. They are bad features of the system, and our amendments are designed to set them right.

We are also concerned about the important subject of party registration. We are alive to the concerns that have been expressed in this place about the registration of parties and party names. We know of the problems that were caused in the last election, and we treat the subject seriously. We regret that the Government have approached the registration issue in this way and introduced it into the Bill at this stage, after two important pieces of constitutional legislation have passed through Parliament and when this Bill is in Committee. It is rather late in the day for the Government to announce their ideas on registration. We believe that there should have been wider consultation at an earlier stage.

I know that the Home Secretary recently wrote to my right hon. Friends giving details of his plans. We would have preferred to receive those details much earlier—

[Mr. Clappison]

certainly before the Bill reached its Committee stage and before the consideration of important constitutional legislation. A subject of such seriousness cannot be dealt with in this way, amid the shambles of the Government's plans for different electoral systems and against the background of this Bill, which destroys links between Members and their constituencies, and damages and degrades our electoral system. We are not happy about that, and we shall register our unhappiness in due course.

As I have said, we shall seek a separate vote on the question of party registration in order to signal our concern about the Government's plans. We shall also seek a separate vote on the constituency link, because we do not believe that the Government have offered sufficient arguments to support their proposals. We believe that our constituency link would slightly improve a bad and an inferior system.

Mr. David Drew (Stroud): My speech may be a brief interlude in the melodrama being played out opposite. During the many hours that we have considered this legislation, we have heard about the Opposition's unwillingness to embrace electoral reform and their absolute hatred of regions. One wonders why that hatred is so strong. Some of us believe in regions, have regional accents and look to building up regions. As we look to the next millennium, one wonders whether there is a present or a future, as Conservative Members always seem to look backwards.

Mr. Syms: Will the hon. Gentleman give way?

Mr. Drew: I shall take an intervention, but I must first make some progress.

I rise mainly to support new clause 4 standing in my name and that of my hon. Friend the Member for Enfield, Southgate (Mr. Twigg). We feel strongly that whether it is an open list or a closed list system, it is right and proper that an investigation is made at an appropriate time after the first elections are held. I am very much in favour of an open list system, but if a closed list is chosen, it is right and proper that an appraisal is made of how well it operated. The clause allows that to happen.

Mr. Damian Green (Ashford): If the hon. Gentleman is arguing in favour of the open list system, will he join those in the Division Lobby who wish to vote for such a system for the election, when it happens, and not just conduct a post mortem on it afterwards, which he appears to want to do?

Mr. Drew: We do not know whether a Division will be called, and, if so, which way we shall vote. Many of us have worked long and hard for reform of the electoral system.

There are other reasons why it is important that there is an investigation after the first elections using the regional list system. We could look again at the allocation of seats. As always, we on the Government Benches are open to persuasion that it might be possible—*[Laughter.]* The hon. Member for Westmorland and Lonsdale (Mr. Collins) laughs, but that is what those of us who have supported electoral reform over many years believe. We are prepared to take on board the different opinions of others from outside the party, and, as I said on Second Reading, those who represent no party. It is important that we understand. We are not all electoral reform "wonks" on the Government Benches. We genuinely want to open up democracy. We want a different form of democracy—one that has been a long time in coming in this country, which we shall see in due course.

Mr. John Bercow (Buckingham): I noted what the hon. Gentleman said about openness and his readiness to embrace other opinions and to see them represented. Will he therefore explain whether in his judgment it would be acceptable if an open list system secured the return of Labour Members of the European Parliament who were fundamentally opposed to the European single currency?

Mr. Drew: Of course. That is one reason why I support an open list system. If the electorate choose to elect a person with a different policy from that of the leadership, that is a strong reason why it is a better system, and it is one for which I shall argue.

Another reason for a revision—this is not something about which I feel strongly—is the tabulation system, the use of divisors. It might be useful, after the first regional list system, to look again at divisors. It was put to me by a representative of a party that is not represented in the House that it is important that its point of view is heard. It feels strongly that national tabulation is preferable to regional tabulation. I have an open mind on that point. When we form the legislation, as we will, it is important that we have an opportunity to look again at whether particular parties or individuals have been discriminated against. That is a strong reason why the clause has been introduced.

I shall talk now about the benefits of an open list system—the main reason why I support the proposed change. There has been much argument about breaking the constituency link. There are those who strongly support the constituency link for the Westminster Parliament, but there is no constituency link for the European Parliament. It does not exist. There is no rapport between the Member and the constituency, because it is too large.

Miss Anne McIntosh (Vale of York): Will the hon. Gentleman give way?

Mr. Drew: Yes, but I must make progress afterwards.

Miss McIntosh: I can identify on the Government Benches a number of colleagues who have served, as I have, in both Parliaments. Does the hon. Gentleman accept that, now that it has been reduced to a mere 500,000, the existing constituency of a Member of the European Parliament is the same size as that represented by a congressman in the United States; that most of the work is done through channels similar to those of a congressman and a Member of Parliament; and that it works effectively?

Mr. Drew: I bow to the hon. Lady, who must be superwoman, because she represents a European Parliamentary constituency and is a Member of Parliament. She represents different parts of the country.

The very nature of the point that she made proves that it is possible to change the way in which we elect our MEPs. It is a different system with different jobs.

Opposition Members made the point on Tuesday about functional specialism, which is quite different for an MEP. That point was not lost on me. It is a strong argument for having a regional list system. MEPs do a totally different job, and therefore can be elected in totally different ways. That adds to the checks and balances, about which I spoke at great length on Second Reading. We feel strongly that the advantage of a regional list system must be put across.

Mr. Burden: Like my hon. Friend, I hope that the Home Secretary will look closely at the advantages of an open list system, but would my hon. Friend care to comment on the fact that, contrary to the impression that we are getting from Opposition Members, in a recent survey undertaken by three academic institutions—the London school of economics, Birkbeck college and the university of Essex—more than two thirds of voters revealed that they would like a regional list system for elections to the European Parliament, whether a closed list or an open list?

Mr. Drew: I thank my hon. Friend. I am not aware of that study, but it is important that we listen to the electorate. When they are polled on the change, they seem to like the idea of being able to vote for a person or party or, indeed, an individual who does not represent a party. The open list system presents the best of both worlds: it gives an elector the chance to vote for a person—that person will usually represent a party—but if the elector just wants to elect a party, he or she can do so. That is the best thing about the system.

Mr. Richard Shepherd (Aldridge-Brownhills): I counsel caution. Does the hon. Gentleman recall that, when polled, 70 per cent. of the Welsh electorate supposedly supported a Welsh assembly, yet, when the judgment came, only 25 per cent. voted for it and 75 per cent. did not? One has to be cautious about polls showing supposed attachments to prospective systems in which they have not been involved.

Mr. Drew: I accept the hon. Gentleman's observations. The proof of the pudding is always in the eating, but we are starting from such a low participation base anyway. That is a strong argument for change. People do not vote in the European elections.

Mrs. Theresa May (Maidenhead) *rose—*

Mr. Drew: I cannot give way any more; I must make progress.

The open list system can and will allow people to participate differently.

On Second Reading, I spoke about people who, year in, year out, vote for a party that has never represented them. Under this system, they can be assured—if that party is one of the major parties—that, with good fortune they will be represented. That is not unimportant. That gives a whole new opening to the democratic structure of this country.

Such a system brings us into line with Europe, most of which now elects MEPs through a regional list system. There may be a difference between an open list system and a closed list system, but if we adopt the system that some Labour Members want, we shall be in the mainstream—*[Interruption.]* Some Conservative Members obviously would not want to be in the mainstream, but that would tie us to the good will that exists, which is not to be frowned on.

Dr. Lynne Jones (Birmingham, Selly Oak): Does my hon. Friend agree that the turnout at European elections in this country so far has been deplorably low and that it is important to consider mechanisms that will lead to a much higher turnout at future elections?

5.30 pm

Mr. Drew: I agree with my hon. Friend. That is why it is so important that we try to improve our democracy. I look forward to increased participation.

This forms part of the constitutional changes which the Labour party was elected to deliver. It is not a whim; it concerns a stated policy in our manifesto and comes about through the joint consultative committee with the Liberal Democrats, to which we signed up. I admit that we are being asked to compromise; as I said on Second Reading, some of us would have considered STV, but that was not to be. It was more important that we found a system that introduced proportionality into the election of MEPs as the first and foremost principle. Whatever system it was, it had to be an improvement on the awful first-past-the-post system under which people do not participate in the European elections. There are many good reasons why the constitutional changes that are afoot will improve our democratic basis.

My noble Friend Lord Plant did much good work in terms of electoral reform when he chaired the Plant commission on behalf of the Labour party, which formed a large part of the work that we were able to take into the joint consultative committee with the Liberal Democrats. The Plant commission identified a check list of the measures that would result in a good electoral system. The first on the list was representation. We hope that MEPs will be a different sort of elected representative and will pursue a different role from that pursued in the past because they will play a regional role. That is to be welcomed. This issue is about checks and balances; it is about a system whereby people can be elected in different ways and pursue different roles.

The second item on the list was the nature of the elected bodies. No one can pretend that the European Parliament is not fundamentally different from this place and from the representation that we shall have at a regional level. The system used to elect those people can strengthen rather than weaken those bodies. The third item on the list is legitimacy. The proof of the pudding will be in the eating. We want to increase voter participation and we strongly believe that an open list system will result in a higher turnout because people will see the benefit of electing their representatives in that way.

The fourth point was stability. The system is robust, and whether we come up with an open or a closed list—I argue strongly in favour of an open list—whether by the d'Hondt or the Sainte-Lague method, there will be stability because the system's transparency will increase the electorate's interest and involvement.

[Mr. Drew]

The fifth item on the list is the key principle of proportionality—making votes count. Those of us who have always supported electoral reform feel strongly about that. Under the first-past-the-post system, people build up huge majorities, which may do wonders for their egos, but for those who vote time after time for a party that has no chance of getting to power, the system is disillusioning. Under this system, there is a proper relationship between the votes cast and the seats delegated. If we can achieve that in the European elections as well as in the Welsh and Scottish elections, we shall have proved that we can improve this country democratically.

We should like to think that the list system would reflect society, and result in the election of more women and people from ethnic minorities. People who would not normally be elected would have a chance to be elected. I support the open list system and I congratulate my right hon. Friend the Home Secretary on staying open-minded, despite Opposition Members' taunts that he must come up with this or that system. He has had an opportunity to hear the debate and has allowed hon. Members, including Labour Members, with different opinions to state their case. We think that this is a better system which will lead to a much more representative set of people in the European Parliament.

Mr. Beith: I warmly commend the speech of the hon. Member for Stroud (Mr. Drew). I hope that it has made a strong impression on the Home Secretary, as he made his point very clearly.

The breadth of the debate under this group of amendments is illustrated by the fact that it started a couple of days ago with a thoughtful speech by the right hon. Member for Upper Bann (Mr. Trimble), who gave a perceptive analysis of the single transferable vote system and put to bed some of the misconceptions harboured among Conservative Members. His preference for Westminster is the first-past-the-post system, but today we are discussing how we elect MEPs and I share his view that the best system for doing that is the one used and endorsed in Northern Ireland—STV.

As the hon. Member for Stroud pointed out, we have all had to reach compromises in trying to find a system that will command sufficiently wide support in the House, secure proportionality and ensure that the electorate play a significant role in determining who is elected. The amendment turns on the latter point.

Amendment No. 4, on the merits of the divisor system, will be dealt with later by my hon. Friend the Member for Sheffield, Hallam (Mr. Allan), in a characteristically short and well-informed speech, if he manages to catch your eye, Sir Alan. I hope that you will agree that we can, as I have requested informally, have a separate vote on amendment No. 4 on the d'Hondt and Sainte-Lague systems, unless the Home Secretary says that he has at last realised, following the understandable miscalculations that were made earlier along the line, that this is the better system.

Amendment No. 79 simply flags up a point about which the Home Secretary may need to think—whether we should have signatures as well as a deposit. We have seen what happened at some by-elections with the Buy the Daily Sport party. For example, if there is a free-post delivery, the electoral system and public funds may be commercially abused by people using the ballot paper to promote a product. Having a significant number of signatures would be a way of dealing with that danger. There is provision for six, 10 or 12 signatures, but a significant number—several hundred signatures—would be a barrier against that abuse.

I do not particularly favour amendment No. 9, but it has a genuine purpose, which is, in a slightly artificial way, to attach a constituency to someone elected under this system. I disagree with its description, an "open regional list system", which is misleading, but I understand what it is getting at. That problem would be resolved informally by candidates in a constituency. It would be in a party's interest to ensure that the candidates whom it put forward came from various parts of the constituency. It would be in the candidates' interest to ensure that they had a strong basis of support in that constituency. If there were several Members of the same party, they would want to agree on some specialisation when attending events and maintaining contacts. It would also be in their interest, whether as the only Member of that party or one of several, to ensure that there were sufficient contact points throughout the large constituency that they represented.

The key issue is the question of open and closed lists, which can make a big difference to the quality of the system. We welcome the Home Secretary's offer on Second Reading to reconsider the issue. He has taken a long time over that, but I shall not complain if he comes to the right decision. Allowing voters to express a preference for particular candidates is an essential part of the Bill, and ensuring that voters continue to be involved in the choice of individual candidates helps to validate the system.

Few people like the idea of a closed list of party candidates, but the current system, against which we are judging the proposed system, is a closed list of one. People who do not like a party's candidate have to vote for another party, which most electors do not want to do. That usually happens only extreme circumstances such as those that led to the election of the hon. Member for Tatton (Mr. Bell). Under the current system, people must accept the party's choice or vote for a different philosophy or set of beliefs, which most electors do not want to do.

Electors could at least be presented with a slate of party candidates, one or more of whom they might like, but our view is that they should be able to influence which of a party's candidates is elected. That is the purpose of our amendments Nos. 1, 2, 3, 5 and 6 and new schedule 1. Voters would be able to choose whether to use their vote as a simple party vote, as many people would. Hon. Members are deceiving themselves if they think that most voters vote for individuals, because the evidence is that they vote for a party.

Mr. Allan: Is my right hon. Friend aware that the detailed work of Dr. Patrick Seyd of Sheffield university's department of politics clearly shows that the vast majority of voters vote for a party and that the personal vote is tiny in all normal electoral circumstances?

Mr. Beith: All the evidence points in that direction. I take the romantic view that we should encourage people

to vote for individuals. It is an incentive for Members of this Parliament or of the European Parliament to know that electors see them as individuals. I am strongly in favour enabling people to vote for individuals, but hon. Members must recognise that most electors have a different preference. They want to vote for the party philosophy in which they believe or in line with their party allegiance. The system that we propose would ensure that they have the further option of influencing which candidate is elected.

Mr. Nick St. Aubyn (Guildford): If people vote for a party, not a candidate, why does the right hon. Gentleman's party perniciously focus on personal issues, rather than policies, at elections?

Mr. Beith: Hon. Members of all parties sometimes focus on the personalities of candidates. I have heard extraordinary exchanges at the Dispatch Box in which the personalities of individuals within the parties have been criticised. Reasonable argument about a candidate's views is relevant to an election. It is proper for people to decide whether they want the Euro-sceptic or the pro-European element in the Conservative party to predominate, but they do not have that opportunity. The decision is made through the Conservative party's selection procedures, not by the electorate. Many Conservative voters would prefer to vote for a pro-European rather than for an anti-European candidate, but would not vote for another party. The merit of the system proposed in our amendment is that voters would become involved in that process.

Mr. Burden: The poll to which I referred was of course dismissed by Conservative Members, but it was undertaken by ICM, the pollsters often used by the Conservative party.

Mr. Syms: Sack them.

Mr. Burden: Yes, ICM got it wrong.

Is the right hon. Gentleman aware that that poll showed that, when a large number of voters were presented with the type of ballot paper used in the Belgian list system, three fifths crossed just the party box and two fifths voted for individuals? That bears out his point that, although the majority go with the party line, a significant minority want a choice.

5.45 pm

Mr. Beith: Exactly. More people would want to influence the choice of individuals if a party nominated a candidate who was extremely unpopular with some voters or did not represent their views and aspirations. We all know of circumstances in which that has happened, or would have happened if people had had the opportunity to exercise a choice.

The public should be able to influence the range of candidates who are elected to the European Parliament. Under the electoral system in Norway, the ability to influence which candidates are elected by crossing out a candidate from a list has significantly increased the number of women in Norwegian politics. Indeed, it has transformed Norway's political system. We sorely need that in our system. Despite legal complications, parties are at the moment trying to include enough women on the voting papers to ensure that more are elected, but why should the voters not be involved in that process? Voters may disagree, but they should be involved in such decisions. The system that we propose would enable them to be so.

The limited voter choice system which would result if the Bill were amended as we suggest would still require voters to mark only one cross on the ballot paper, which is no more complicated than the system proposed in the Bill. People could vote for a party, a candidate on the list or an independent candidate. By using their vote to strengthen a candidate's chances, people would have a role in the choice of candidates, but the parties would still be able to put their preferred order of candidates before the voters.

Some people—I know that it is true in the Labour party—think that electors should not be left in total ignorance of who the party thinks are its strongest candidates. I understand that point of view, which is not entirely met by the STV system. One of the reasons we like it is the slightly anarchistic tinge to our thinking, but I understand the view of those who want the parties' preferences on the ballot paper. The system that we propose would allow that. It would make a difference only if there were significant swings of public opinion or a large element of the public was dissatisfied with a party's order of preference.

We are discussing the first national election in this country to be held under a proportional system. It is vital to use a system that can carry the confidence of the electorate. There is a genuine danger that a closed list system would not have their confidence and would not produce a better turnout than that at the 1994 European Parliament election, when about only a third of the electorate voted. Voting under the closed list system proposed in the Bill would be by party, but, as the mock ballot paper produced by the Home Secretary shows, all the candidates' names would have to be listed.

Our proposed change would not make the ballot paper more confusing, and our mock ballot paper in new schedule 1 provides a clear layout. The Home Secretary has suggested that our ballot paper would be improved if professional designers refined it by making it simpler. The Home Office's first proposal for the new police caution to be used during an arrest was extraordinarily complicated. I suggested employing two subeditors from *The Sun* to tighten up the wording. Experienced professionals could probably improve our suggested ballot paper.

Mr. Tim Collins (Westmorland and Lonsdale): The right hon. Gentleman is making an interesting case which we have heard from both sides of the Chamber. The problems with the turnout at European Parliament elections are not to do with the electoral system. There are much higher turnouts for Westminster elections on exactly the same system. People do not vote in European Parliament elections because, sadly, they find the European Parliament and their representatives distant. Will not huge electoral regions make them seem more distant?

Mr. Beith: I think that there is a combination of factors; but, if the hon. Gentleman consults the figures relating to the existing Westminster system, he will find

[Mr. Beith]

that the turnout tends to be lower in areas where the outcome is entirely predictable. For instance, Conservatives in County Durham, feeling that their votes will make no difference to the outcome, are less inclined to vote. The system is one of the factors influencing the position. It is clear that all the publicity surrounding national elections and the possibility of a change of Government induces a higher turnout, but we need to look for ways in which we can secure a better turnout in European elections, and I think that this is one of those ways.

Mr. Martin Linton (Battersea): The question of whether a list is closed or open does not appear to affect the turnout. In European elections, countries such as Germany and France, which have closed lists, achieve a far higher turnout than this country. The essential difference is that those countries have proportional systems in which every vote counts. To say that we have higher turnouts in Westminster elections is to miss the point. If we compare general elections with general elections, we see that this country has by far the lowest turnout, as it has in European elections. Both low turnouts are caused by the voting system.

Mr. Beith: The hon. Gentleman makes my point far more eloquently than I did. The key factor is whether the elector feels that his or her vote counts and makes a difference. Proportionality—which is what the Bill is essentially about—gives the elector the message that the vote will count, but to blur that message by saying, "You will be able to vote only for a party, not for an individual," would undermine the value of the change. Let me make it clear that it would not undermine it to the extent that I would prefer the present system to continue—a closed list of one with no proportionality.

A number of hon. Members have cited evidence from surveys showing support for open lists, and also showing that the system is easy to operate. This month, Professor Patrick Dunleavy of the London school of economics published a survey of more than 1,000 people on behalf of the Joseph Rowntree reform trust. It demonstrated that 80 per cent. of respondents required no additional explanation of ballot papers, but understood immediately how the system should operate—and that the majority preferred the open list system.

Mr. Tim Loughton (East Worthing and Shoreham): The right hon. Gentleman might add that the social group most strongly opposed to that system were the ABs. That may suggest that the managerial and professional classes, who have a better chance of understanding the system, rejected it.

Mr. Beith: The hon. Gentleman is wrong: it is the other way around. The AB classes most favoured the open list system, and were keenest to choose between individuals. That reflects a social reality. In much of the country, those categorised by other letters in the social class system—which is a rather uncomfortable part of our history and culture—have tended to vote for the parties that represent their interests rather than for individuals. I should like to change that; I would like more people to be concerned about individuals. As I said earlier, most people are concerned with their party preference—but the fact that people who are familiar with making choices of all kinds wanted to make choices about individuals when voting is quite significant.

There is no evidence that the complexity of our proposals, as opposed to the Bill as it stands, makes them indigestible. They are perfectly manageable. As the right hon. Member for Upper Bann made clear, people in Northern Ireland are well used to the STV system, which is slightly more complex from the voter's point of view. They seem to experience no difficulty in using that system—and, moreover, in using it to maximum effect, to ensure that their votes have the maximum value. At a time when the Inland Revenue is telling people that they can fill in self-assessment forms and that they will be fined £100 if they do not get it right, it comes ill for anyone to suggest for a moment that people are incapable of dealing with a ballot paper of this kind to make their votes as effective as possible.

We urge the Home Secretary to amend the Bill to provide for open lists. After we told the Home Office about its error in calculation, it pointed out a technical defect in amendment No. 5. It was almost tit for tat. We are happy for the Government to include the provision in whatever form they choose, as long as it meets our criteria. The normal procedure would be to do that on Report. Between now and Report, the Home Secretary must reach a decision—a decision on which he has received unanimous advice, from hon. Members on both sides of the Chamber. Opposition Front Benchers have made it clear that they do not like proportional representation or lists, but that, if there are to be lists, they should be open rather than closed. The right hon. Member for Upper Bann made it clear that he wanted the individual to be involved, which is achieved through STV and would be better achieved by open than by closed lists, and other Opposition Members have said the same.

The message to the Home Secretary is clear, and it is now for him to act on it.

Mr. Ken Livingstone (Brent, East): I have supported proportional representation since the mid-1970s. Unlike my right hon. Friend the Home Secretary, I have also supported the conspiracy theory of history. I know that my right hon. Friend tends to support the cock-up theory. However, I subscribe to the growing consensus in the House of Commons that, in his passion to retain the first-past-the-post system, my right hon. Friend came up with the most appalling system of PR in order to maximise public opposition to it.

I, too, favour an open list, and—as a Labour Member—I have an additional reason for doing so. We know that, if the proposed system comes to pass, the Conservatives and Liberals will arrange for some form of membership participation—perhaps "one member, one vote"—in the ranking of candidates. We know that, following a meeting of the national executive committee, Labour is consulting members throughout the party on a proposal for us not to allow our members to determine the ranking of candidates. That, I think, makes a much more powerful case for an open list.

I understand that we have a problem. Given that we won so many European seats last time, given the need to ensure balanced representation of women in the European Parliament in the regions and given the determination to

get rid of any MEP who signed the clause IV statement a few years ago, there will be a lot of shuffling around, and we cannot trust party members to come up with exactly the list that we would like.

That is unlikely to happen, as the NEC favoured the proposal by 10 votes to two, with three abstentions. Every Minister was absent, whether because of the pressure of work or because of a general distaste for what was being asked of them. I think that it would be completely unacceptable for a party that is considering saying to its members, "You may make nominations, but you must trust the leadership to sort out the ranking order" then to deny the electorate any influence. I do not know about Belgian or Dutch systems, but this is beginning to sound very much like the old Albanian system, in which public influence was minimised.

I am glad that the Home Secretary has been open-minded. I genuinely believe that the issue has not yet been determined, and I am not so outraged at this point that I will vote against my party tonight; but, unless the proposals are changed to give the electorate the right to vary the order of election, I shall find it almost impossible to support my party on Third Reading.

Miss McIntosh: I am grateful to have been called. I also thank the hon. Member for Stroud (Mr. Drew) for describing me as superwoman, and hope that I can live up to that badge in the fulness of time.

I have a number of problems with the proposals. I hope that the Home Secretary will comment on amendment No. 9. Perhaps, like many women, he can do two things at once. The amendment does not satisfy the provision in the treaty of Rome—which remains unamended by subsequent treaties—for us eventually to be bound by a uniform electoral system.

The problem with the system that has been chosen is that it is not in keeping with systems currently in operation in other member states. Therefore, we may have to change it again to meet our obligations under the treaty of Rome. Would it not be better to be more patient and to look at the broader picture? If the Government decide at some time in the future to introduce proportional representation in the House—if we are not to have PR for this House, so much the better—will they choose this system or will they choose a system more in keeping—

6 pm

Mr. Beith: The trouble I have with the hon. Lady's argument that we should be patient in case the system does not meet the uniformity requirement is that it was advanced by the Conservative party when it opposed a proportional system when the direct elections were first introduced 20 years ago. I foresee the British electorate being permanently denied an opportunity to achieve a fair outcome to the election on that basis.

Miss McIntosh: The right hon. Gentleman is strengthening my argument. My argument for the Committee is that, if it was the wish of the House to have a system of proportional representation, the time to have adopted that would have been 1977. However, the House voted by an overwhelming majority to continue to operate elections to the European Parliament on a first-past-the-post system and I see no reason to change that.

Liberal Democrats and Labour Members have talked about how to increase the number of women on the eventual list. Female Conservative Members are confident that we are mainstream candidates and that we were elected on merit and not because of our gender or anything else. Perhaps that is a challenge that we can throw open to the Labour party and other parties.

Democracy is all about increasing voter choice. The present system for elections to the European Parliament is heavily constituency based, identifies a clear voter choice and allows candidates to be elected to represent a particular area. It would be a severe blow to democracy if voter choice and the democratic link were lost, as would happen under the system proposed by the Government.

Closed lists are deeply undemocratic because voters will be presented not with a choice of candidate but with a party label. There will be no named candidate except for independents. It seems curious that independent candidates will be named when mainstream candidates will not. It gives them an advantage over candidates from the three main parties, and perhaps the Green party, who knows? I wonder whether that was the Government's intention.

Mr. Burden: Will the hon. Lady give way?

Miss McIntosh: I should like to make some progress.

On closed lists, we find ourselves in strange company. Closed lists are common to Argentina, Colombia, Costa Rica and Uruguay—perhaps not first-rank European democracies. Perhaps the Government will say why we have aligned ourselves to such a closed list system.

Having been elected, on merit I believe, to the European Parliament, I am concerned that the voters' choice would be removed from the choice of candidate and that the party list would not provide a possibility for changing the preference or priority of candidates on the list. There are two problems with the closed list system, which I believe amendment No. 9 goes some way towards rectifying. The first problem is the election itself, which I have already explained. The second problem, which has been mentioned by a number of distinguished colleagues, particularly Conservative Members, is what happens after the election. Who takes up the casework under a closed list system? Who will answer the mail, who will take the surgeries and who will take up cases? Removing the constituency link creates a break that is regrettable.

Seven Members have been allocated under the list in the region of Yorkshire and the Humber. How will those seven Members on, for example, a Labour, Conservative or Liberal Democrat list campaign for voter recognition when their names will not be on the ballot paper that will be outside the election halls on the day?

I find some comfort in amendment No. 9 and I will certainly vote for it. It allows for an open regional list system. It allows for an open list and revives the constituency link. There are advantages in that from which I hope the Government will take comfort. It provides a recognisable link between a candidate and, subsequently, the elected Member. Amendment No. 9 would allow a candidate to be nominated for a particular constituency. That means that in that constituency an elector could vote for an individual candidate and, having

[Miss McIntosh]

identified a candidate with whom they wish to be associated, could change the priority of candidates on the list.

Mr. Allan: Will the hon. Lady give way?

Miss McIntosh: I should like to conclude my argument because I have a short memory span.

The proposed system would remove the democratic link which would be revived by amendment No. 9. In mother and child terms, with which Labour Members can respond, it would revive the umbilical cord between the elected Member and the candidate and the constituency. I believe that all hon. Members accept that that goes to the heart of democracy.

The Government's proposal would destroy the electors' choice and remove the power to state a preference for a particular candidate. As I have said, it is not in keeping with the treaty of Rome provision that we should submit a uniform electoral procedure. Also, it is not in keeping with the proportional representation already operating in one part of the United Kingdom—Northern Ireland.

I have asked the Government—I hope that they will reply today—whether the proposed system of proportional representation would be that chosen in the event that it was decided in future to change the system for general elections.

The greatest difficulty I have with the Government's proposal is that it confuses the electors and will make them less likely to vote. Those of us who wish to promote democracy would like more people to vote at every election, including European elections. As I have said, it is not in step with the procedures of the majority of member states and, therefore, would require an amendment in the future.

At the risk of being provocative—I should like to think that I am not known for that, at least not yet—I must say that the greatest danger posed by the system presented is that it smacks of federalism. The one thing that distinguished the Conservative party from the other two main parties at the general election was that we wanted to elect candidates and elected Members to the lowest common denominator. It was said earlier that Conservative Members do not like the regions. I must remind the Committee that it was a Conservative Government who created Government regions for administering policy. We believe that there is a place for the regions. I would prefer that parish councils be given more powers but that we keep borough, district and county councils. The endless drift towards regionalism in the United Kingdom is removing the elector from the elected person. I was delighted that, in presenting to the House the White Paper on regional development agencies, the Deputy Prime Minister announced that the Government would postpone direct elections to those agencies, which they had promised.

Conservative Members are against federalism. I oppose the electoral system proposed by the Government. I hope that, by supporting and passing amendment No. 9, we can put the Government's proposals to bed.

Mr. Beith: Will the hon. Lady give way?

Miss McIntosh: No; I should like to conclude.

A closed list system would not only promote federalism but allow the creation of a socialist super-state, and it would give the party hierarchies complete control over which candidates appear on a list.

Mr. Straw: I hope that, in the light of that final comment by the hon. Member for Vale of York (Miss McIntosh), my hon. Friend the Member for Brent, East (Mr. Livingstone) will reconsider his comments on our system and realise, with the passion of a convert, that there is much in it to commend itself to him.

I should like to deal with one calumny uttered by my hon. Friend. He suggested that the system proposed in the Bill was introduced by me—whose views on the electoral system for Westminster are well known—as part of a scheme to discredit proportional representation. That is not the case. Moreover, I should like him to know that the Labour party approved that change in forums in which I had absolutely no involvement. The change was recommended by a Labour party committee chaired by my noble Friend, Lord Plant; it was approved by the 1993 Labour party conference; and, subsequently, it was approved by party conferences throughout the previous Parliament. Although I was at those conferences, I did not have a vote on the change, and neither did I participate in any of the debates on it.

The hon. Member for Vale of York made an interesting speech. I am very grateful to her for saying, right at the end, that the Conservative party created regions. That is a very important statement. We have been accused—quite falsely—by the Opposition of inventing regional boundaries and the regions listed in schedule 1 to the Bill. That is not so. Those regions follow the regional boundaries established by the previous Conservative Government.

When those boundaries were first announced to the House, on 4 November 1993, by the then Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal (Mr. Gummer), he did not say—in the prosaic terms suggested by the hon. Member for Hertsmere (Mr. Clappison)—that they were simply for "administrative convenience". The right hon. Member for Suffolk, Coastal elevated the case for regional offices to a very much higher level. He said:

"He"—

that is me—

"will see that we are devolving responsibility from Whitehall"—

by implementing those changes and establishing those regions. He continued:

"We are cutting back red tape and bureaucracy. We are making it easier for local people, business men, local authorities and training and enterprise councils to talk to Government . . . I want the civic and business leaders to get together with their public and private-sector partners to define their vision and to set up what practical steps can be taken to build on the strengths of their areas and on the things that they believe most command their areas."—[*Official Report*, 4 November 1993; Vol. 231, c. 518]

The areas that he was talking about were those regions.

Mr. Clappison: Like the Home Secretary, I enjoy the prose of my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), and I have spent some time listening to it—*[Interruption.]* It is very good prose. Surely the important point—which the Home Secretary is missing completely—is the purpose for which the

administrative regions were established. In the statement that the Home Secretary of State is quoting, did my right hon. Friend say that he wanted regions to be used for electoral purposes?

Mr. Straw: No, he did not. However, in the passages that I have quoted, he was arguing—this is the point—that they were coherent regions in which people could come together and represent all the interests of those regions. That was the precise point that he was making, and that was the case in favour of those regions.

This group of amendments takes us to the heart of the Bill. If nothing else, the amendments demonstrate that there is no real unanimity on which system should be adopted. The right hon. Member for Berwick-upon-Tweed (Mr. Beith) wants a system that is similar to that used in Belgium. The right hon. Member for Upper Bann (Mr. Trimble) would like us to adopt the single transferable vote; whereas the official Opposition, in amendment No. 9—which I shall, for the elucidation of the Committee, deal with in more detail later in my speech—have produced a system that does not have a name, but which is of such stunning complexity that I can only assume that their intention is entirely to baffle the electorate.

The hon. Member for Hertsmere and the official Opposition have also tabled amendment No. 51, which seems to be an endorsement of the Liberal Democrats' position on Belgium. It is therefore clear that they have succeeded in baffling themselves in addition to everyone else.

6.15 pm

Mr. St. Aubyn: Is there not a real difference between devolving power to regional agencies, as the previous Government did, and taking power from, for example, the rural development commissions, which have their roots in the countryside, and giving it to the Government's regional development agencies, which have their roots in the towns?

Mr. Straw: Mr. Cook, who is our Chairman at the moment, would very quickly rule me out of order if I were enticed down the path suggested by the hon. Gentleman. Nevertheless, I do not accept for a moment what the hon. Gentleman said. Conservative Members really should look in the mirror before speaking about support for the countryside. I remember that, in 1977, my noble Friend Lord Shore—who was then Secretary of State for the Environment, while I was working as his special adviser—published, against Conservative opposition, a policy document to control the siting of hypermarkets outside town and city centres. In the early 1980s, that policy document was torn up by the Conservatives—by the right hon. Member for Henley (Mr. Heseltine). More than anything else, that is what has destroyed the countryside and led to the flight from the towns.

Miss McIntosh: The Secretary of State may have been distracted when I asked whether he would answer the point on treaty obligations. As hon. Members will know, the treaty of Rome obliges us to sign up to a uniform electoral system. The majority of member states have signed up to an open list. Would it not be better for the United Kingdom to adopt an open list, if that is the wish of the majority of the House?

Mr. Straw: I had planned on dealing with that point later in my speech. However, I believe that the hon. Lady is misinformed on two matters—first, on the degree to which the treaties to which she referred create an imperative on us to accept a single, uniform system. The treaties talk about common principles and allow considerable variation.

Secondly—as I was coming on to deal with the Belgian system—it is not the case that a majority of other European countries use so-called open systems. On page 33 of the European Parliamentary Elections Bill research paper, which is in the Library, the hon. Member for Vale of York will see that it is recited in the second paragraph that

"Germany, Greece, France, Spain and Portugal have party lists where the order cannot be changed by the voter."

In other words: they have closed lists. If she reads the schedule to that appendix, she will see that the details of the systems within each of the member states vary considerably and, in some cases, by a wider margin than our proposed system will vary from the commonality of mainland European systems.

Mr. William Cash (Stone): The Home Secretary may recall that, on Second Reading, he and I had an altercation over the wording of the Amsterdam treaty. I made the very point that he has just made in reply to my hon. Friend the Member for Vale of York (Miss McIntosh). I said that the existing treaties provided for a uniform procedure, but that the Amsterdam treaty contained the additional words:

"or in accordance with principles common to all Member States."

From that I argued, as I have no doubt that Lord Shore would have argued, that that would be a perfectly good reason for adopting the first-past-the-post principle, because the common principle to which we are referring, as distinct from the uniform electoral procedure, would be a proper system of democracy, and we regard the first-past-the-post system as a proper system of democracy and as a common principle.

I now come to the matter on which I should like the Home Secretary to comment. When I made that point, which is the point that he has just made in reply to my hon. Friend, he said:

"I do not accept that for a moment."—[*Official Report*, 25 November 1997; Vol. 301, c. 807.]

The Home Secretary has just contradicted himself. Will he explain that?

Mr. Straw: I am always happy to confess errors that I have made, as I have done in respect of the proportionality of the d'Hondt and Sainte-Lague calculations. What I said on 25 November was exactly what I have said now. I said that I did not accept the hon. Gentleman's point and went on:

"The arrangements that we are putting in place . . . are extremely similar, and in some cases identical, to those that are in place in the majority of other European countries."—[*Official Report*, 25 November 1997; Vol. 301, c. 807.]

That is exactly the same point; I do not understand what the hon. Gentleman is trying to say.

[Mr. Straw]

I deal now with the so-called Belgian system. I hope that I have explained to the satisfaction of the Committee, if not to the satisfaction of the hon. Member for Hertsmere, how it was that on 25 November I told the House that, although we had proposed the closed list system in the Bill, I was willing to consider representations in favour of the so-called Belgian system. I had not decided to recommend it; it arose because of representations made to us—separately, as it happened—by the Liberal Democrats and by Charter 88, the constitutional group.

I appreciate that Conservatives find it difficult to cope with our style of government, which is not to go into a huddle, make decisions about the detail of the Bill and then refuse to listen to any representations, however strong they are. That is not our approach. Yes, of course, we are bound to reach reasonably settled conclusions before we come to the House with propositions—that is the duty of the Government—but it is also our duty to listen to representations. I have not yet made up my mind; nor have my colleagues—there is a particular reason for that—and I will not do so until next week. I happen to believe that it is important that we take into account the views of the House and weigh up the balance of argument.

Mr. Stephen Twigg (Enfield, Southgate): I welcome what my right hon. Friend has just said. Of course, the initial requests were made by the Liberal Democrats and Charter 88, but is he aware that there is substantial support among those on the Government Benches for the adoption of an open list? Many of us who favour electoral reform for the European parliamentary elections and believe that there are significant advantages in greater proportionality nevertheless feel that the reform will have greater legitimacy if it is done according to the Belgian model rather than a closed list system.

Mr. Straw: I understand what my hon. Friend says and will take note of it. As I said, we have not made up our minds, but will do so in due course.

The hon. Member for Hertsmere asked what were the advantages of the closed list system. I spelt them out in the debate on 25 November, but I shall summarise them now. First, the system is self-evidently the simplest one. Secondly, we need to take account of the fact that, within the European constituencies, even the existing ones, voters are much less likely to know the candidates by reputation—this is a self-evident truth—than within the smaller, more compact and more personal Westminster constituencies. Therefore, the argument that voters can size up the candidates as well as the party—an argument which favours first past the post and the single-member constituency system—is less strong. Another point that needs to be borne in mind is that an open list system could discriminate between women and members of the ethnic minorities.

The Conservatives should find two other aspects of the closed list system particularly appealing. The first is that the Conservatives chose the closed list system for the elections to the Northern Ireland peace forum in 1996, a point made eloquently by the right hon. Member for Upper Bann. If this plan was without any merit whatsoever, one would assume that the previous Government would not have touched it, but there was a serious debate about it. It was not as though they suddenly came across it by chance—they went through all the alternatives and decided to use that system. The hon. Member for Hertsmere may shake his head, but he is as ill-informed about this aspect of the Conservatives' history as he is about so much else. The Conservatives decided in favour of the closed list system and, by the by, they also decided on the d'Hondt rather than the Sainte-Lague system.

The hon. Member for Hertsmere said that one of the major objections to a closed list was that it would encourage parties to pack the lists with party careerists. It was at that moment that I noticed that the hon. Member for Buckingham (Mr. Bercow) wince, as did a number of his colleagues. If we consider the albeit relatively short list of new Conservative Members elected in 1997, it is noticeable that their single most common occupation was party apparatchik. That list includes the hon. Members for Westmorland and Lonsdale (Mr. Collins), for Reigate (Mr. Blunt), for Ashford (Mr. Green), for West Dorset (Mr. Letwin), for New Forest, East (Dr. Lewis), for South Cambridgeshire (Mr. Lansley) and, above all, the hon. Member for Buckingham (Mr. Bercow). The crowning achievement of his career before he entered the House was that he was special adviser to Jonathan Aitken. Whatever the merits of the first-past-the-post system might be, it does prevent parties from packing the Benches with party apparatchiks if they so choose.

Mr. Clappison: I think the Home Secretary was struggling with that line of argument. I do not know what his background is, but, if I were he, I would tread carefully. For the record, the views that I was putting to the House and the quotation that I used were from the former ambassador to Belgium. They were not mine, but I am happy to endorse them.

Mr. Straw: The hon. Gentleman rather spoilt his comments by that final point. There is no question about my background—people know what it was. It was the hon. Gentleman's point, not mine. *[Interruption.]* My presence also proves the point. The hon. Gentleman was saying that only a closed regional list would attract apparatchiks, but that is utter nonsense.

Mr. Mitchell: I do not want to interfere in the contest that my right hon. Friend has just won game, set and match—said he, hoping to get on the party list. My right hon. Friend's mental processes are much faster than mine—said he, with the same motive—but I question whether an open system would discriminate against women and ethnic minorities. In an open system such as the Belgian one, the electorate could make substantial changes to the list's order of candidates and also use their power to vote against women candidates. He is surely wrong.

6.30 pm

Mr. Straw: I can best explain by reference to ethnic minority candidates. My experience of three-member wards in local elections in my constituency and elsewhere, shows that, if one party puts up two white candidates and one Asian with an obviously Asian name, even if the Asian is higher up the ballot paper in alphabetical order—in a position that would usually benefit the candidate—

the two with English names are almost always elected and the one with an Asian name is not. I am not saying that that is conclusive, but it needs to be weighed in the ballot. The same may apply to women, although I refute my hon. Friend's point on that less strongly.

Under the Belgian system, electors would be free to vote for a party list, for an individual candidate from the party list or, of course, for a candidate standing as an independent. As drafted, the Bill provides for votes to be cast either for a party list or for an independent candidate, and does not provide for votes for individual candidates on party lists. The amendments would also provide for the allocation of seats to each party, the system of allocation of those seats between the party's candidates on the list, and the form of ballot paper to be used.

On Second Reading, I said that I believed in the simplicity and other attributes of the closed-list system. I also pointed out—I reinforce my reply to the hon. Member for Vale of York—that the countries that use the closed list system comprise two thirds of voters in Europe; the system is, in terms of voters, the most commonly used. However, I also said that I was prepared to consider the arguments for adopting a Belgian-type system. This debate, and much else, provides the opportunity for doing so.

One of the reasons why I do not want to make a decision until next week or the week after is that I have commissioned a small study to find out electors' views on the two systems, the results of which will be available at the end of this week. I shall make a decision in the light of that evidence and all the views that have been expressed.

The Committee will want to take into account the findings of research that was carried out by the democratic audit, which some hon. Members have been sent by Charter 88 and which my officials have discussed with its authors. Pages 14 to 17 of Library research paper 98/29 contains a useful summary of the results of that research, to which the right hon. Member for Berwick-upon-Tweed (Mr. Beith) referred.

Mr. Clappison: Will the right hon. Gentleman make that research publicly available?

Mr. Straw: Yes, of course; I was just about to say that I would.

Miss McIntosh: Does the right hon. Gentleman accept that it is a complete anomaly that, on a closed list, independent candidates can be named on the ballot paper whereas party candidates cannot?

Mr. Straw: It would be an anomaly if that were the case, but it is not. The draft ballot papers, which we deposited in the Library, make it clear that individual candidates and the order of ranking will be on the ballot paper as part of the closed list. If we choose the closed list system, it is essential that people should, in making their judgment, see not only the party's name but the candidate's name.

Mr. Lansley: The right hon. Gentleman did not, I think, say that he would refer to the McDougall Trust research published by the Electoral Reform Society. The trust ran a number of focus groups—I know that he is aware of their value—and concluded that

"although voters claim to vote on the basis of a party, they react strongly to the removal of the right to select a candidate for themselves."

Mr. Straw: I am also aware of that research; all those matters will need to be taken into account.

It has been announced provisionally that the Bill's Report stage will take place not this Thursday, but Thursday week. If that remains the schedule of business, I intend on Tuesday morning to inform hon. Members, and the official spokesmen of all the main parties, of the Government's decision whether to choose the closed list or Belgian system, so that hon. Members have time, if they want, to table amendments.

Sir Brian Mawhinney (North-West Cambridgeshire): May I ask the Home Secretary a favour? He has until Monday or Tuesday week in which to make a judgment. As he knows, if he does not let us know until Tuesday morning, we shall have to work hard to table amendments that would be unstarred by Thursday. As a courtesy, will he let the official spokesmen know his decision on Monday rather than Tuesday?

Mr. Straw: In the light of what the right hon. Gentleman says, yes.

The right hon. Member for Upper Bann spoke elegantly and thoughtfully about the single transferable vote. As he rightly pointed out, STV was introduced by the then Conservative Government and endorsed by the Labour Opposition—we cannot disclaim parentage. STV is appropriate for Northern Ireland; because it works well there, we shall not change it. However, we do not think that it is appropriate for Great Britain; we think that the most appropriate system for Great Britain is the one proposed in the Bill, regardless of whether it is modified.

We have always taken the view that electoral systems should be appropriate to the nature and functions of the body that is being elected, and to the circumstances of the election.

Northern Ireland is a single region, and its 1.2 million electors return three MEPs. By contrast, the south-east region of England contains some 6 million electors, who will return 11 MEPs. If, in one of England's larger regions—this is not too fanciful to imagine—four parties put up a complete list of candidates and several independents stand, there could be up to 50 candidates. Under the STV system, the electors would be faced with the prospect of having to rank those 50 candidates.

We must also imagine the counting of the votes. STV is a complex system to count, as candidates drop out, surpluses are transferred and votes are given fractional values. In the larger regions of England—the right hon. Gentleman may say that we should not impose such large regions, but we judge that we should—the process could take up to a week, with all the costs and disruption that would ensue. The regional list system is common in Europe, and we believe that we should choose it in Great Britain, where circumstances are different from those in Northern Ireland.

Mr. Trimble: I do not think that the right hon. Gentleman's reason for rejecting STV is valid or that the example that he chose is appropriate. We have experience, admittedly only in one election, of STV applying to

[Mr. Trimble]

constituencies as large as 10-seaters—under the Government's regional proposals, the largest constituency would be an 11-seater. It is not inevitable that there will be as many candidates as he thinks. An intervention does not give me enough time, but I could explain why the number of candidates would be much smaller than he suggests. In that 1982 election, there was no significant difficulty in running the count in a 10-seat constituency. Counts take a couple of days, but rarely longer. The right hon. Gentleman's argument does not stand up.

Mr. Straw: The right hon. Gentleman and I will have to disagree on that. It is my judgment that, during the first election under the STV system in a 10 or 11-vacancy region in Britain, each of the parties would put up nine, 10 or 11 candidates. I understand his point, but I do not agree.

Amendment No. 9, which was tabled by the official Opposition, is quite remarkable. It purports to create an open list system for the election of MEPs, but does no such thing. The proposed system would destroy the flexibility of the regional list system proposed by the Government.

I invite right hon. and hon. Members to read the amendment, which is on page 2070 of the amendment paper. It proposes that elected MEPs are allocated a constituency within each region. It states:

"each candidate shall nominate on the ballot paper one constituency in the relevant region which he will represent, if elected;

(c) in the event of the same constituency being nominated by more than one successful candidate, the candidate elected first shall represent his nominated constituency;

(d) successful candidates unable to represent their nominated constituency for the reason given in sub-paragraph (c) shall, in the order of their election, choose another constituency to represent".

The Conservatives have proposed a quite remarkable arrangement.

It is fundamental to our democracy that voters choose their constituency and their representative. Under the system proposed in the amendments, the representative would choose the voters, even if the voters would not have chosen that representative. A successful MEP might have to choose a constituency that he or she did not want to represent or might be forced to represent a constituency that he or she might not want. It would be the most extraordinary situation.

Mr. Beith: Will the Minister explain to the hon. Member for Vale of York (Miss McIntosh) that the amendment does not do the one thing that she thought it would do—provide open lists and give the elector an opportunity to alter the order of the parties' ranking?

Mr. Straw: It certainly would not do that. Nor would it give the electors choice over the constituency MEP. That choice would not made until after the election on the basis of the choices made by successful MEPs, not by the voters.

I am conscious of the time, so let me deal with the issue of divisors, which took up a great deal of time in the debate on 25 November. As I have already explained, I inadvertently misled the House about the d'Hondt divisor rather than the Sainte-Lague divisor. I should also explain that, even on the basis of accurate calculations, the difference is very limited. It is worth the right hon. Gentleman bearing in mind the fact that d'Hondt is used most widely across Europe. Sainte-Lague, which has been proposed by the Liberal Democrats, is not used in any European state for the election of MEPs. The only state that uses Sainte-Lague is Sweden where, instead of the initial divisor being three, it has been modified to the square root of two, which is 1.4.

Mr. Clappison: Surrender.

Mr. Straw: I accept what the hon. Gentleman says and I shall not go on about Sainte-Lague any more except in one respect.

Mr. Allan: Does the Home Secretary accept that, when making comparisons with other European countries, the critical factor in respect of the divisor is the size of the constituency? As most European countries use whole country constituencies, d'Hondt may be more proportional elsewhere, although it would not be here, given the regional lists and the sizes of the constituencies.

Mr. Straw: I do not accept that. The Library appendix makes it clear that a number of European countries use regional list systems, and the difference is very small.

Let me pick up the point made by the right hon. Member for Upper Bann. The Liberal Democrats ought to be straightforward about why they want Sainte-Lague, although it is not used anywhere in Europe. They want it because they think that it favours smaller parties. It is not fairer and the fact that we would be the only country to use it in the whole of Europe, given its great diversity, proves our point. If we are to have a divisor, the best system is simply to follow the serial—one, two, three, four, five. That is what the d'Hondt system does, and it was used by the Conservatives in 1996.

Mr. Linton: Does my right hon. Friend accept that, in supporting the Sainte-Lague system, the Liberal Democrats are not supporting a system that favours small parties, as they claim? Indeed, the modified Sainte-Lague system that they favour was modified deliberately to exclude small parties. The system that they support favours middle-sized parties, particularly parties that receive 15 to 20 per cent. of the vote. A particular aspect of the Sainte-Lague system is that it rounds up to the nearest number parties that do not have a complete entitlement. That would benefit no party more than the Liberal Democrats.

6.45 pm

Mr. Straw: I am grateful to my hon. Friend. The two words that he was looking for are self-interest. No one could accuse the Labour party of self-interest in introducing the system. I do not deny that self-interest sometimes plays a part in our decisions and I am glad that the shadow Home Secretary accepts that. However, the system of proportional representation that we are introducing is bound to lead to the loss of a number of seats that the Labour party would otherwise have held.

The hon. Member for Hertsmere asked whether we used divisors to allocate seats between regions. Those whom the gods wish to make mad they first introduce to

divisors. I was not the only one to make errors in calculation under d'Hondt and Sainte-Lague. So did Professor Ian Maclean, who wrote a learned letter claiming that the system that we had used to allocate MEPs between the different regions was based on the system of Sainte-Lague divisors. That is wrong. If Professor Maclean or the hon. Member for Hertsmere had consulted page 5 of the Bill, they would have seen that we set out exactly the system to be used for the allocation of those seats. It is a very simple system which does not need divisors.

We divided the electorate in England by 71, which is the number of English MEPs. That produced an average figure of just over 521,000 electors per MEP. MEPs were then allocated to regions in such a way as to ensure that the sum of the divergences in each of the nine regions—ignoring plus or minus signs—was as low as possible. The minimum divergence is 146,012. Any future changes in the number of MEPs allocated to the different regions will be made automatically according to the arithmetic on page 5 of the Bill and not according to either Mr. d'Hondt or Mr. Sainte-Lague.

Mr. Syms: The Home Secretary said a moment ago that the system divided up the 71 seats in England and allocated the other seats—in other words, the division was not on a United Kingdom basis.

Mr. Straw: That is because Scotland and Wales have been treated as separate regions. There was a debate on that the other day, when the matter was dealt with pretty well.

Let me deal with three further points that have been raised by right hon. and hon. Members. The first is registration. Amendments Nos. 10 and 11 in the name of the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) deal with the registration of political parties. The amendments would remove a definition of a registered party and of a party's list of candidates. The Bill would continue to provide that only registered parties could put forward lists of candidates, but there would be no explanation or definition of the terms in the legislation. I cannot honestly see what purpose the amendments would serve.

We believe that registration is important to ensure that, for example, only votes cast for legitimate party candidates are used in the calculation of the allocation of additional member seats. Registration is also a practical solution to the problem of misleading descriptions on the ballot paper, such as candidates describing themselves, as they did in the 1994 European elections—with quite inappropriate results—as Literal Democrats. In a separate Bill, we are bringing forward proposals for the registration of political parties. Obviously, we shall explain those proposals in greater detail when the Bill comes before the House.

I want to pick up on the point made in the eloquent speech of my hon. Friend the Member for Stroud (Mr. Drew) on new clause 4. We shall of course review the operation of the 1999 European election, which we hope will be the first to be conducted using a regional list system. Under the new clause, I, as Secretary of State, should, in conducting such a review, speculate on whether there would be any advantage in conducting further European parliamentary elections using what the new clause calls "an open list system". Unless two elections are taking place, one using the system proposed in the Bill and the other the system suggested in the new clause, I am afraid that I cannot see how any Secretary of State could be expected to make any useful comparison. There would have been a trial run with only one system. A report such as the new clause would require would therefore be of doubtful value. As I said, there will be a review; I promise that we shall put it before the House. I hope that, in the light of that, my hon. Friend will see fit not to press his new clause.

The right hon. Member for Berwick-upon-Tweed mentioned amendment No. 79. I understand the point that the Liberal Democrats are making, but, frankly, the amendment is unnecessary. Candidates for election in each parliamentary constituency are required to be supported by the signature of 30 electors in that constituency. The Secretary of State can retain, abandon or amend the provision for future parliamentary elections. It does not need to be included in the Bill. To require registered parties to provide 30 signatures from the new larger regions would therefore seem a rather pointless exercise. However, a requirement to provide a larger number would impose a significant burden on those required to check the signatures.

Although we have not yet decided to retain in part or abandon altogether the signature requirement for future parliamentary elections—we shall of course consult the parties about this—there is no need for the provision to be inserted in the Bill. I hope that, in the light of that explanation, the right hon. Member for Berwick-upon-Tweed will consider not pressing his amendment.

This group of amendments addresses important issues that go to the heart of the Bill. Although I apologise to the Committee for doing so at great length, it is important to put the Government's position clearly on the record. As I have made clear, we believe that the system of election provided for in the Bill is the most suitable for electing Britain's Members of the European Parliament. However, we are prepared to listen—as the Minister of State, my hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin) and I have today—to the arguments for moving to a Belgium-type system. All the arguments that have been made today will be given the most careful consideration. I look forward to the rest of the debate with great interest.

Mr. Cash: I should like to explain my objection to the whole concept of list systems. I am not terribly concerned about whether the system is closed or open. My objection to it is tied up with the fact that there is a proper link between the constituency and the Member, which we have established over many centuries. Conservative political giants, such as Edmund Burke and others, have set out principles over an extended period on such a link. It has worked and has a great deal of support on both sides of the House and throughout the country. I unambiguously state my objection to the concept of proportional representation in whatever shape or form it appears.

Having said that, I should point out that, when the Labour party was last in government in 1977, it stated in paragraph 17 of its White Paper on electoral systems:

"To abandon our traditional method in this way"—

by going to a list system—

"would be a major constitutional innovation, the consequences of which are difficult to foresee. It would mean the absence of the sort of constituency link with which we are familiar and could lead to

changes in Party organisations, including giving the central or regional Party organisations a bigger role in nominating candidates. The electorate might take time to become accustomed to the new system and might be confused by the existence of separate procedures for national and European elections".

On the principal questions that I am addressing, nothing has changed since those days. The Labour party gave a perfectly convincing reason why a list system was unacceptable. It remains unacceptable—regardless of whether it is closed or open. It is objectionable and would be an abomination of the democratic electoral system which we have become used to and which could serve us well in future.

I fear that the gradual spreading of the fungus of the Bill's proposals on to the amendment paper in the name of my much respected right hon. Friend the Member for North–West Cambridgeshire (Sir B. Mawhinney), the shadow Home Secretary, is a kind of Euro-osmosis, which is entering the House in so many different ways. For the reasons that I shall give, I am concerned that we have adopted a proposal which, in many respects, is similar in principle to the Government's. I fear that the process is growing and that it will cause us more and more difficulties.

Just because the Government have such a massive majority and times have changed is no reason to go down their route. I can almost hear the Home Secretary, when talking about the open list system, subsequently saying, "Well, after all, the Opposition were rather in favour of it. This is the kind of amendment that they tabled." Therefore, if the Home Secretary changes his mind, which is likely, he can say that there was agreement across the Committee.

The region is given enhanced stature under the proposals. It is impossible to maintain the constituency link with the tyranny of the party list system, which gives so much power to the centre and the party leadership, as in Germany and France, rather than to local associations. That point needs to be reaffirmed, over and again. The ever-increasing expansion of powers in the European Parliament and the Council of Ministers through majority voting and co-decision procedures is eroding the principle of our ability in this House to make decisions. More power is being given to the centre.

I turn to the brilliant speech that my right hon. Friend the Member for Richmond, Yorks (Mr. Hague), the Leader of the Opposition, made only two days ago in which he dealt with the question of proportional representation. He said:

"The doctrine of parliamentary sovereignty gives the party the political power it needs to govern."

Before anyone thinks that that is a reference only to the Westminster Parliament, I should remind them that Euro-osmosis, which is spreading into our constitutional arrangements, could so easily end up effecting a transfer of thinking from the European dimension to our own Westminster system.

The reference that my right hon. Friend the Leader of the Opposition made to

"the doctrine of Parliamentary sovereignty"

is directly related to the political power which is inherent in this House at the moment, but which is being eroded by the provisions of Maastricht and Amsterdam and the increase of co-decision, which has given the European Parliament power over our institutions. When we add the proposals in the Bill for proportional representation and the list system, we can see how our system is being eroded.

My right hon. Friend the Leader of the Opposition said that the Conservative party would fight the Prime Minister

"every step of the way. PR is a system of unfair votes. It takes political power away from the electorate and gives it to small parties, who can use their seats in Parliament to make or break Governments."

We should remember that, in the 1930s, the Weimar republic's system of proportional representation gave enhanced credibility to Adolf Hitler. It is not to be underestimated. Erich Fromm made this point in a book called "Fear of Freedom" and said that the real reason why Hitler came to power was primarily because the politicians refused to take responsibility for their own actions.

7 pm

It is absurd to imagine that this system will produce better government. In present-day Germany, the Free Democrats, as my right hon. Friend the Leader of the Opposition pointed out, have acted as kingmakers in almost every election since the basic law was introduced, despite the fact that the party has barely 5 per cent. of the vote. The same applies in New Zealand, where the first party has faced similar difficulties following that country's adoption of PR. My right hon. Friend predicts, rightly, that that would happen in the United Kingdom as well.

This is a matter of fundamental importance, not only to the Conservative party but to the Labour party, and we must reflect on the implications of the Bill. It accompanies a vast increase, under the Amsterdam and Maastricht treaties, in the power of Europe over this House and this country. It is creating regions and an undemocratic system. We should vote against the clause, but, in addition, I would find it impossible to support proposals which included an open list system.

Mr. Mitchell: I intended to speak in support of the amendment tabled by the right hon. Member for Berwick–upon–Tweed (Mr. Beith). It may be boring, like the Liberals, but I was going to opt for Belgium.

I congratulate my right hon. Friend the Home Secretary on a careful and sustained analysis, which I enjoyed. He was convincing on some of the points that I wanted to raise. He may be coming late—and somewhat reluctantly—to proportional representation, but it is clear that he has a thorough understanding of it.

My right hon. Friend said that he would listen to the opinion of the House, and that he had an open mind. I rise to express my personal preference for a system which is proportional, but which has an open list—rather than the closed list system originally proposed by the Government. That may be the least of several evils, but then the whole Bill is the least of several evils. My perfect Bill on the European Parliament and European elections would be the "European Parliament (Obliteration and Total Destruction) Miscellaneous Provisions Bill". Since we are not dealing with such an enlightened and far-seeing Bill, but with this one, I have to choose on the basis of what is offered. What is offered is not the most attractive form of proportional representation. A list system, whether regional or national, gives too much power to the party.

I view this matter in the light of the eternal question we politicians ask: under the first-past-the-post system, it is, "Will I get elected in this constituency?" Under PR, the question is, "Will I get selected in this system?" I fear that, under a party list system, I probably would not be selected. As soon as my application disappeared into the Millbank mixmaster for sanitising, the answer would be sent to the Mitchell family, clustered in our humble dwelling in Grimsby—"Sorry. Application lost in processing. Reapply in 2005."

The party list system is all that is on offer, and I therefore I welcome it as a major step forward. We can improve it by making it an open list on the Belgian pattern. The most open list is STV in itself, but there is a range of openness in Europe. Perhaps Denmark's system—in which seats are allocated to candidates on the basis of individual preferences—is more desirable and open. It results in more changes in the placings in the list submitted by the party. At the last election, seven of the 16 MEPs elected were changed by the electorate. In Belgium, where there are much tighter restrictions, only one was changed. I would prefer Denmark, but the least of several evils again—Belgium—is all that is on offer from the amendment and the Government. Therefore, we should accept Belgium.

Why? First, the people would prefer an open list to a closed list. The ICM survey carried out for the Rowntree trust—a survey of 1,130 electors—showed that there was a narrow majority in favour of an open list. When they were asked to choose candidates on the basis of an open list, two fifths opted for the individual candidate. Three fifths plumped—in 18th century poll books, they used to say, "Get a plumper"—for the party. A substantial proportion of electors want to choose on the basis of the candidates.

The Electoral Reform Society's own survey was based on eight focus groups, and was conducted by NOP. I keep applying to get on one of those focus groups, as I want to be a person of influence in this country and on the Government. My application is constantly rejected. I cannot understand it—it is a form of discrimination that the Home Secretary should investigate. The people in the focus groups preferred an open system, because they resented the restriction on their freedom to choose a candidate if they wanted to, which is implicit in the closed system. It is not that most would choose on that basis, but they want to be free to choose. They feel that anything else is a restriction.

Moving to an open list, following the Belgian precedent, will not produce drastic changes. People will not totally reverse the order that the party puts down, but the fact that the voters have the ability to make changes is a pressure on the party to present the most acceptable and attractive list of candidates—selecting candidates for voter appeal, rather than for machine appeal. That is an important difference. It would force the parties to offer more women candidates. My right hon. Friend the Home Secretary raised a serious doubt in my mind about ethnic candidates, and he was probably right about that. However, the list system would advance the cause of women. Indeed, I do not know why we could not adopt the European zipper system, under which voters must zip from male to female candidates. We seem to prefer our women unzipped in the Labour party. I am digging myself into a hole, so I shall move on quickly. However, the Labour party should think seriously about how the open system would require it to adopt a more attractive list, instead of dominating the closed list as currently proposed.

I have been a longstanding advocate of proportional representation. The first-past-the-post system kept Mrs. Thatcher in power in a minority Government—the dictatorship of the minority. We should change the system as quickly as possible—in the Scottish Parliament and Welsh Assembly and in the European elections. I would prefer a better and more popular system for the European elections, but the one proposed is the best that we will get. It is an important advance for the cause of proportional representation, fairness and democracy.

Mr. Allan: I wish to return to the subject of divisors—the mathematical sort that are infinitely less interesting than the small Wiltshire market town represented by the right hon. Member for Devizes (Mr. Ancram). When my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith) asked me to talk about d'Hondt and Sainte-Lague, I thought that their most interesting aspect was their pronunciation. As it is not yet time for bed, I do not intend to go into the mathematical calculations, especially as I would probably get them wrong—something of which the Home Secretary has no little experience.

We do not need to consider the workings of the divisors so much as their outcomes. In particular, we need to examine how proportional the results are. In other words, how accurately do the divisors reflect the votes that were cast? The hon. Member for Hertsmere (Mr. Clappison) cited the academic support for Sainte-Lague as the more proportional of the two. Indeed, the study by Professor Maclean begins:

"Mr. Straw's remarks were entertaining and generally well informed."

That is a good start, but Professor Maclean makes the point that all systems need a rounding procedure and produce lucky and unlucky parties. He states:

"on average, and by any proportionality index, the Ste-Lagüe algorithm will always be the one that distributes luck most evenly among the large and the small."

Contrary to the allegation made by a Labour Member earlier, the professor also states that the Sainte-Lague formula

"does not 'favour small parties' . . . it is neutral among parties of all sizes."

In other words, the Sainte-Lague formula will distribute the luck according to the votes cast. If a party happens to receive a number of votes that falls midway between representatives, it will be lucky in some instances. If it improves vote share or loses votes, the luck will fall elsewhere.

Our research, based on the 1997 general election results, showed that the d'Hondt formula applied to Wales would have given the Labour party 80 per cent. of the representatives for 55 per cent. of the vote. The Sainte-Lague formula would have given the Labour party 60 per cent. of the representatives for 55 per cent. of the vote. It should be clear to the Committee that the latter is preferable to the former and I ask the Home Secretary to accept the evidence and adopt the fairer divisor. We should not adopt the easy option, but the more proportional option.

[Mr. Allan]

If we are to adopt a proportional system—I am pleased that the Government have accepted that—we should adopt the most proportional system, instead of a divisor that will lead to disproportionate results.

Mr. St. Aubyn: As the hon. Gentleman point out, proportionality is a relative term, not an absolute term. Will he consider the St. Aubyn system, which says that the first-past-the-post system is a form of proportional representation and gets rid of the need to use divisors?

Mr. Allan: It is clear, from the comments by the hon. Member for Great Grimsby (Mr. Mitchell)—or the Great Grimsby Member as he is often described in my local media—that the first-past-the-post system gave hugely disproportionate results in the 1980s. The proportionality index between the number of representatives and the number of first-past-the-post votes cast is wider than any of the other systems proposed today.

The Home Secretary should consider Professor Maclean's evidence. He should overlook the small technical errors made by both sides and reflect on the fact that Sainte-Lague is significantly more proportional, and therefore fairer, to all parties irrespective of size. It simply distributes the luck evenly, instead of in favour of larger parties.

7.15 pm

Mrs. May: I am grateful for the opportunity to speak in the debate. I wish to point out to the Home Secretary that I am a new Conservative Member who has never been a party apparatchik. Moreover, I am a female Member who was not selected from a closed, all-woman shortlist, like so many of his hon. Friends. I was selected on merit from an open list of both men and women. The female Members on the Conservative Benches do not need the patronising attitudes of the Home Secretary and his hon. Friends.

Mrs. Helen Brinton (Peterborough): Will the hon. Lady give way?

Mrs. May: I am sorry, but I am limited in the time I have to speak.

I do not want a system of proportional representation, because it would lead to fragmented and unstable Governments. It would also give increased power to fringe parties. My hon. Friend the Member for Stone (Mr. Cash) is the only Member to have mentioned the danger that a proportional representation system would give power to extreme parties, but I am sure that many hon. Members would not wish to see some of those parties with such power.

Proportional representation would sever the link between the elected representatives and their constituencies. That is especially true of the system proposed by the Government. PR also gives increased power to the centres of parties. Labour Members have claimed that Members of the European Parliament do not have that link with their constituencies. I refute that and the contrary point was well made by my hon. Friend the Member for Vale of York (Miss McIntosh), who has experience as a representative of a European parliamentary constituency. I can tell the hon. Member for Stroud (Mr. Drew), who claimed that Members of the European Parliament did not have a link with their constituencies, that the Member of the European Parliament for Thames Valley—my European constituency—is well known and active in his constituency. He takes up issues of interest for individual constituents and of general interest for the whole constituency.

The vital link between elected representatives and their constituencies is the fundamental basis of our parliamentary democracy and our electoral system at all levels. That link means that elected representatives can take up the interests of their constituents and of the constituencies as a whole. That link will be severed under the Government's proposals and our democracy will be the poorer.

I hope that the Home Secretary will listen to the debate, as he claimed he would. I trust that he will listen to the debate in this Committee and not only to the focus group that he has commissioned to produce proposals by the end of next week. The view has been expressed across the Committee that any list system adopted should be an open system, not a closed system. One of my concerns about the Government's proposals is that they will take power away from the electorate. They will sever the link between the elected representatives and their constituencies. Constituencies will no longer be able to judge how effective their representatives have been and vote on that basis. We know why the Labour party came forward with proposals for the closed regional list—it did that because it wanted to have the power in the centre. We in the Conservative party are ensuring that it is the members who have the democratic right to choose.

I close my remarks by quoting from the paper by Professor Dunleavy, Dr. Margetts and Stuart Weir, which has been quoted by several hon. Members. What their research showed was not that two thirds of people wanted a regional list system, as the hon. Member for Birmingham, Northfield (Mr. Burden) suggested, but that, although people were reasonably happy with the ballot papers, open and closed list, with which they were presented, when they looked closer, a majority of voters would prefer an open list. The paper states:

"If a closed list system is adopted, then the parties will have to look carefully at the processes by which their candidate lists are created, to ensure that they are seen as legitimate. At present, Labour looks to be most at risk".

Mr. Syms: I should start with the usual health warning given by Conservative Members, which is that I am very much in favour of first past the post. Having said that, I do not believe that we can completely disaggregate this debate from the one we had on Tuesday, because every excuse for not changing the system is based on the fact that the regions do not suit any change.

We heard the right hon. Member for Upper Bann (Mr. Trimble) telling us that, if one has to have a proportional system, STV works reasonably well in constituencies of three to five members. However, that would be difficult in the south-east of England, given its size. Several hon. Members have argued in favour of having open lists, yet the Home Secretary himself has said that an open list would be difficult in the south-east of England. Of course it would: in an area containing 5 million or 6 million people, it would be extremely difficult to differentiate between potential candidates.

The real problem and the crux of the Bill is the size of the regions. We need to marry up the constituency size with the electoral system and take both together if we are to strike the right balance when deciding which electoral system to use. The Bill fails to do that, which is a great pity. I am opposed to the closed list system that has been proposed and I believe that an open list system would be better. However, in terms of the Bill, that would be like trying to turn a pig into a racehorse. The Bill is not well balanced in terms of either the regions or the electoral system proposed.

Among the points raised in the debate was the allocation of seats between countries. As the Home Secretary said, England was divided into 71 seats and the rest of the seats were allocated. That means that it was not done on a United Kingdom basis and so there is a degree of over representation in Scotland and Wales. That is an important matter.

On Tuesday, the right hon. Member for Upper Bann asked the relevant question of how parties purge lists when those on a list or elected on a list system leave that political party. In an earlier intervention on my hon. Friend the Member for Hertsmere (Mr. Clappison), I raised the issue of how, when a party has nominated five candidates on a list and four are elected, the fifth has to stay on that list—the list has to remain relevant until the next set of nominations are drawn up. That is four years and a lot can happen in four years. What happens if a vacancy occurs and No. 5 on the list has gone to the Bahamas, or joined another party, or is out of favour within the party? Those matters need to be addressed, or there will be difficulties.

The passage of time tends to change people's political priorities, but, with a closed list system, we do away with by-elections. One of the advantages of STV is that it allows for by-elections, albeit under an alternative vote system, or sometimes a first-past-the-post vote as they have in southern Ireland. A closed list system means that the next person on the list moves up and the electors do not get the benefit of a by-election, in which they can express their opinion on the political parties of the day.

Mr. Clappison: The Committee will be pleased to hear that I do not intend to engage in analysis of divisors and so forth. The Home Secretary was fairly brave to go once more down that route, but I prefer to deal with broad propositions which I can make with a reasonable degree of assurance.

The first of those propositions is that the Government have been proceeding on a mistake—that, seeking proportionality, they have mistakenly chosen a system that is less proportional than another. The Government have got it wrong. I make that proposition with a reasonable degree of assurance. My second proposition is made with complete assurance. It is that the Liberal Democrats will seek a system that benefits the Liberal Democrats' self-interest. I can say that with complete assurance.

With an equal degree of assurance, I can state that the constituency link is a far better system from the point of view of the interest of electors than the system proposed by the Government. The Government's system was not designed for the benefit of individual electors or of individual MEPs; it was designed for the benefit of the party machine, and we put that on the record. The Bill would be much better if it were amended to reintroduce a constituency link. We are in favour of such a link in principle and we are not persuaded by the Home Secretary's arguments, especially as even he did not go so far as to say that he was against a constituency link in principle.

We are also deeply worried by the Government's approach to registration and by the way in which they have introduced the subject of registration at this late stage and with three major constitutional Bills on the go. We are concerned about that, especially given that the question of registration comes against the background of a Bill that is becoming increasingly tatty. The Bill shows all the signs of fraying at the edges and of mistakes being made. To be fair to the Home Secretary, I know that he is not the greatest enthusiast for the legislation and, to a certain extent, I acquit him of responsibility for it. Nevertheless, we think that this is a bad Bill and we shall support our amendments.

Mr. Trimble: It has been an interesting debate. Looking back, what stands out in my mind is the cowardice of the Liberal Democrats in not supporting what they said is their first preference.

Mr. Beith: If the right hon. Gentleman had listened to my speech, he would know that I praised his and said that we strongly supported his passionate commitment to STV.

Mr. Trimble: This was intended to be a short summing up, but if the right hon. Gentleman comes with that again, I might be tempted to push my amendment to a Division to see whether he will support it. That support should have been shown by signing the amendment and being prepared to vote for it and the Liberal Democrats' failure in that sense is what I was referring to.

I was astonished by the Conservatives' audacity in attacking a closed regional list system, without explaining why they had changed their minds since introducing such a system in the House less than two years ago. I must commend the Home Secretary on the open-minded approach he has adopted and I hope that he will move toward an open list system before the Bill completes all its stages. I should have liked to have a uniform system throughout the United Kingdom, but it is clear that there is no support for that in the Committee and there is business to be done. Consequently, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment proposed: No. 9, in page 1, line 25, leave out from 'be' to end of line 26 and insert

'an open regional list system.

3A. An open regional list system is a system which complies with the following requirements, namely—

(a) each electoral region shall be divided into a number of constituencies equal to the number of MEPs to be elected for that region in accordance with subsection 2(4) above and Schedule 1;

(b) each candidate shall nominate on the ballot paper one constituency in the relevant region which he will represent, if elected;

(c) in the event of the same constituency being nominated by more than one successful candidate, the candidate elected first shall represent his nominated constituency;

(d) successful candidates unable to represent their nominated constituency for the reason given in sub–paragraph (c) shall, in the order of their election, choose another constituency to represent, and;

(e) if an elected candidate has nominated a constituency which no candidate elected before him has nominated, he shall represent that constituency even if a candidate elected before him, whose own nominated constituency has been taken, seeks to choose it.'.—*[Mr. Clappison.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 100, Noes 274.

Division No. 180] **[7.27 pm**

AYES

Amess, David
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cormack, Sir Patrick
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Major, Rt Hon John
Malins, Humfrey
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Ottaway, Richard
Page, Richard
Prior, David
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Willetts, David
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Nigel Waterson and Mr. James Cran.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Cotter, Brian
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Ewing, Mrs Margaret
Fatchett, Derek
Fearn, Ronnie
Field, Rt Hon Frank
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Ingram, Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Killoyle, Peter
Lady man, Dr Stephen
Lawton, Bob
Lepper, David
Leslie, Christopher
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Maxton, John
Merron, Gillian

Michie, Bill *(Sheffd Heeley)*
Miller, Andrew
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Jim *(Eastwood)*
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Greg Pope and
Ms Bridget Prentice.

Question accordingly negatived.

Amendment proposed: No. 4, in page 2, line 8, leave out from 'number' to end and insert 'shown below.

Number of seats already allocated	*Divisor*
2	3
3	5
4	7
5	9
6	11
7	13
8	15
9	17
10	19.'

—[Mr. Beith.]

Question put, That the amendment be made:—

The Committee divided: Ayes 19, Noes 251.

Division No. 181] **[7.39 pm**

AYES

Allan, Richard
Baker, Norman
Ballard, Mrs Jackie
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Brake, Tom
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chidgey, David
Ewing, Mrs Margaret
Foster, Don *(Bath)*
Harvey, Nick
Heath, David *(Somerton & Frome)*
Jones, Nigel *(Cheltenham)*
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Tyler, Paul

Tellers for the Ayes:
Mr. Brian Cotter and
Mr. Adrian Sanders.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ennis, Jeff
Fatchett, Derek
Field, Rt Hon Frank
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*

Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Ian *(Makerfield)*
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Maxton, John
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Jim *(Eastwood)*
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Mr. Greg Pope and
Ms Bridget Prentice.

Question accordingly negatived.

Amendment proposed: No. 10, in page 2, leave out lines 22 to 24.—*[Sir Brian Mawhinney.]*

Question put, That the amendment be made:—

The Committee divided: Ayes 98, Noes 267.

Division No. 182] **[7.49 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cormack, Sir Patrick
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Loughton, Tim
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Major, Rt Hon John
Malins, Humfrey
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Page, Richard
Prior, David
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Willetts, David
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. Nigel Waterson.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*

Bradshaw, Ben
Brake, Tom
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Cotter, Brian
Cranston, Ross
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ennis, Jeff
Ewing, Mrs Margaret
Fatchett, Derek
Field, Rt Hon Frank
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Killoyle, Peter
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Maxton, John
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Jim *(Eastwood)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Rooker, Jeff
Rooney, Terry
Roy, Frank
Ruane, Chris
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Ms Bridget Prentice and Mr. Greg Pope.

Question accordingly negatived.

8 pm

The Minister of State, Home Office (Ms Joyce Quin): I beg to move amendment No. 36, in page 3, line 5, leave out 'at' and insert 'in respect of'.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss Government amendment No. 37.

Ms Quin: These are simple drafting amendments that make no substantive alteration to the Bill, but ensure that the status quo is not altered as regards an aspect of the franchise.

As members of the Committee may know, it is quite common for members of the armed services to be registered to vote in the constituency that contained their last civilian address, even though neither they nor any members of their family live there any longer. Such people are, technically, registered not at a specific address but in respect of their previous address, which is why the Bill is being amended.

[Ms Quin]

I stress that these minor amendments do not change the status quo. Indeed, they confirm it with regard to existing rules on the franchise.

Amendment agreed to.

Amendment made: No. 37, in page 3, line 17, leave out 'at' and insert 'in respect of'.—*[Ms Quin.]*

Ms Quin: I beg to move amendment No. 29, in page 3, line 40, leave out

'representatives to the European Parliament'

and insert 'MEPs'.

The First Deputy Chairman: With this, it will be convenient to discuss Government amendment No. 35.

Ms Quin: These are also simple drafting amendments, which, again, make no substantive alteration to the Bill.

Everywhere else in the Bill, MEPs are referred to as just that. However, one rogue reference to the former description of

"representatives to the European Parliament"

has crept in. Amendment No. 29 corrects that. I was elected to the European Parliament in 1979 and can remember that various documents referred to us by a variety of names, for example, Member of the European Parliament. I remember getting a letter addressed to Joyce Quin, MEA—Member of the European Assembly. Another was addressed to Joyce Quin, REA—Representative of the European Assembly. That experience was shared by the hon. Member for Solihull (Mr. Taylor), who was one of my MEP colleagues. Amendment No. 29 will stop such confusion and ensure that the proper title, MEP, is used.

Amendment No. 35 removes an unnecessary reference. Schedule 1 to the European Parliamentary Elections Act 1978, which schedule 2 to the Bill amends, permits regulations to be made on aspects of the conduct of elections. Among the things that it will be possible to do by means of regulation is to prevent individuals from standing more than once. As drafted, the Bill talks about standing more than once at a "general election of MEPs".

On reflection, and having considered the view of Parliamentary Counsel, we concluded that the last two words are unnecessary, as they are implicit in a measure that deals specifically with the election of MEPs.

Amendment agreed to.

Sir Brian Mawhinney: I beg to move amendment No. 12, in page 3, line 41, after 'State' insert

', provided that the poll shall always be held on Thursday.'.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 73, in page 3, line 41, at end insert 'except a Sunday'.

No. 13, in page 3, line 42, at beginning insert

'Subject to subsection (3) below,'.

No. 15, in page 3, line 43, at end add—

'(3) An order under subsection (1) shall not be made unless a draft thereof has been laid before, and approved by a resolution of, each House of Parliament.'.

Sir Brian Mawhinney: The effect of the amendment is that elections to the European Parliament under the new system will be held on a Thursday, and that the designated date should be subject to affirmative approval by Parliament.

The amendment is necessary because of the attitude that the Government have taken on the issue. It is clear that new Labour, new Europe, new harmonisation is the agenda. As the Minister knows, most of the countries in the European Union hold their elections on a Sunday. It is clear to Opposition Members that part of the Government's hidden agenda is to harmonise our elections with those of the majority of countries in Europe and to move from our traditional Thursday to a Sunday.

There is no statutory requirement for general elections or, indeed, European elections, to be held on a Thursday, but in this country they have been held on Thursdays since 1935.

Mr. John M. Taylor (Solihull): As my right hon. Friend knows, like the Minister, I was successful in the first direct elections to the European Parliament in 1979. In that year, the elections in the United Kingdom were held on the Thursday and the votes were counted on the Sunday. Is there a way to square that circle?

Sir Brian Mawhinney: My hon. Friend makes an interesting point. These amendments deal with the electoral process. My understanding of European law is that, although there are four days on which elections can be held, the counting must take place simultaneously. That is why my hon. Friend was elected on the Thursday but did not know it until the Sunday.

I stress the importance that we attach to continuing the tradition, and our concern that the Government have a hidden agenda to undermine it. Indeed, in our legislation, Sunday has always been excluded from the electoral timetable. Since 1981, Saturday has also been excluded. I am led to believe that to have elections on a Sunday would require primary legislation. No doubt the Minister will be able to tell us whether that is true.

There is no question but that, were elections to be shifted from Thursday to Sunday, they would become a much more expensive process than at present. Given the money that the Government plan to spend on holding the regional list elections, we see no justification for that expense, as we have made clear, or for the additional expense incurred by requiring people to work from early morning on the Sunday to the later hours of Monday. It would be a huge imposition on all those who had to help to conduct the election.

We all know from our parliamentary experience the number of people involved in, and the complexity of, organising a parliamentary constituency election with some 60,000 to 70,000 voters. The House has still not come to terms with the complexity that will be involved in running an election for 5 million or 6 million voters in a particular region. The manpower demands will be enormous. The cost consequences of holding an election on a Thursday will be huge, but they will be even worse on a Sunday.

Many of us have always judged Sundays to be special. We have had many a debate about the importance of separating Sunday from the rest of the week, for religious, workplace and family reasons. If the Minister replies that the Government will not push for elections on Sundays and undertake never to do so, that will satisfy us and

would be welcomed by the Committee. However, unless she rules out such an option, it would be a grave misjudgment on her part to believe that there might not be a reaction across the country. Even if she says that it will not happen in 1999, that will simply increase the concern of those who will then wonder whether it will happen in subsequent elections. The issue should not be partisan; a commitment to rule out Sunday elections would satisfy the Committee.

I guess that the Minister will say that she wants to keep open the option of voting on a Sunday, because it might help to increase turnout. In anticipation of that argument, I looked at some statistics. I compared and contrasted the percentage turnout at the most recent general election with that at the most recent European election in 1994. The Minister will probably say that the number of Britons voting in that European election was considerably less than the number of those voting in the general election, and she will be right. The figure for last May was 71.5 per cent., which was a low turnout by our normal general election standards, and it was only 36.4 per cent. in the European election in 1994.

In Ireland, which also votes on a Thursday, the last general election turnout was 65.9 per cent., but it was only 44 per cent. in 1994. There is a case to be made that voting on Thursdays results in a percentage reduction in the European election turnout, but the same happens when voting is held on Sundays.

I offer the hon. Lady two countries' statistics. In the 1995 general election in Portugal, 66.5 per cent. of the electorate voted, but in the European election only 35.6 per cent. of the electorate voted. In Germany, which is frequently held up to us as the dynamo or the motor of the European Union—*[Interruption.]* I select my words carefully—the general election turnout in 1994 was 79 per cent., but in the European elect on it dropped to 60.1 per cent.

The point that I seek to make is that in virtually every country there is a drop-off, sometimes a significant drop-off, between general election turnout and European election turnout, irrespective of the day of the week on which the election is held.

8.15 pm

Ms Jenny Jones (Wolverhampton, South-West): Will the right hon. Gentleman deal with what happens in this country? Because of the rules governing postal votes, people may be unable to vote if they are called away from their constituency at extremely short notice to work on election day, which is a growing trend. Most people still do not work on Sundays, but if we enabled people to vote on Sundays, more of them could vote.

Sir Brian Mawhinney: The hon. Lady seems to have forgotten that postal vote applications close some two weeks before election day, so the argument that moving to a Sunday would somehow enhance electoral turnout has no validity.

Mr. Loughton: My right hon. Friend will be aware that the busiest times at polling stations—I have sat outside polling stations during many elections—are when people are on their way to work in the morning and when they return from work in the evening. Most people do not go to work on a Sunday, and the incentive for them to go out on a Sunday specifically to vote is less. It is more convenient for them to vote on the way to or from work.

Sir Brian Mawhinney: My hon. Friend makes an important point, and I am grateful to him for the clarity with which he made it—*[Interruption.]*

The First Deputy Chairman: Order. There is far too much background noise in the Chamber.

Sir Brian Mawhinney: At the heart of the amendment is our concern that the Government plan, either next year or subsequently, to harmonise policy with the majority of European countries and shift elections from Thursdays to Sundays. I remind the Minister that Sunday legislation has traditionally been given a free vote in this House. If she does not like the way in which our amendment is framed, we should be perfectly content for her to take it away and bring it back on Report appropriately framed, if that would help. Unless we get from her a commitment that European elections will continue to be scheduled to take place on Thursdays, we shall press the amendment to a vote at the appropriate time.

Mrs. Margaret Ewing (Moray): I wish to speak gently and constructively on amendment No. 73. I raised this matter on Second Reading, when it was given a sympathetic response by the Secretary of State, who said that he would look at the issue.

In two of the European seats in Scotland we do not count, let alone consider voting, on a Sunday. That is in respect for those who hold strong Sabbatarian views. If we move to vote on Sundays, we shall disfranchise a substantial number of people, especially in the highlands and islands and the north-east of Scotland, but also in other areas of the United Kingdom. If we want an inclusive society, we must respect the views of those who would feel that such a move was contrary to their beliefs.

Having always been involved in the European elections, I know that waiting from 10 o'clock on a Thursday night to a Monday morning when we start the count is not the easiest of weekends to live through. A great deal of nail biting and filling in of time goes on.

The Committee should treat this as a matter of respect. We should not disfranchise people with strong religious beliefs, which we should respect, irrespective of our own views. I am a member of my Church and a practising Christian. I would have difficulty with voting on a Sunday, as would many of my constituents.

Mr. Allan: Liberal Democrat Members believe that there should be no automatic presumption that elections should be held on Thursdays. However, some of my hon. Friends, like the hon. Member for Moray (Mrs. Ewing), represent people who hold strong Sabbatarian views, and others have strong views of their own. They expect a free vote on Sunday elections, and my party is committed to such a vote on the Scottish National party amendment. We are less supportive of the proposition that the Bill should specify Thursday as the day on which elections are held. We have no problem with the other four days, and there is a strong case for using Saturday for weekend

[Mr. Allan]

voting. Schoolchildren would benefit from not having their education disrupted by schools becoming polling stations on weekdays.

Dr. Rudi Vis (Finchley and Golders Green): I take the point that was made about Scotland, but we should take into account the fact that voting on a Saturday would be wholly unacceptable to Jewish people.

Mr. Allan: I thank the hon. Gentleman for reminding me of the sensitivities of various groups. Whatever day we choose, there will be problems. We shall hold a free vote on the amendment because people hold strong religious beliefs. I have misgivings about using Thursdays, because people who work or who have family responsibilities have problems voting then.

Mr. Douglas Hogg (Sleaford and North Hykeham): I oppose the Government's proposal and support amendment No. 12, for two reasons. First, many people have a conscientious objection to voting on a Sunday. I do not, but I would be sad if the Committee, directly or indirectly, put in place a proposal that would have the practical consequence of disfranchising a substantial number of people.

Secondly, I am against giving Governments the power to make laws without having proper recourse to the House. The Minister will say that an order will have to be laid, I suspect under the negative procedure. There would be no proper debate; only, at best, an hour and a half of discussion of an unamendable order. A debate in the Chamber is unlikely. I am against giving to Governments powers that do not have to be conferred on Governments.

For those reasons—conscientious objection and the impropriety of the proposal—I support the amendment of my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney).

Miss McIntosh: I shall speak against amendment No. 73 and be specific about why European Parliament elections can be held on a limited number of days.

There is a Council of Ministers agreement that an election must be held within an envelope of days, between Thursday and Sunday. The treaty and regulations govern the handling of elections.

I support amendment No. 12. My right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney) put powerful arguments in favour of holding elections on Thursdays, not Sundays, because of the additional expense. I fear the consequences of changing the day on which elections are held and caution against that. It would be difficult for the very young and the very old to adapt to such a change. If an election were not held on a Thursday, some people might think that it was of no consequence. If elections in this country are always to be held on a Thursday, that day should also be used for the European Parliament election.

Mrs. May: I support amendment No. 12, and the comments of the hon. Member for Moray (Mrs. Ewing) about religious objections that would prevent people from voting. Her amendment refers to Sundays, and the hon. Member for Finchley and Golders Green (Dr. Vis) reminded us of the problems with Saturdays. I understand that both days are ruled out because some people are unwilling to vote then.

The hon. Member for Sheffield, Hallam (Mr. Allan) seemed to be against voting on Saturdays and Sundays, but appeared not to favour weekdays because people were working. It is inevitable that a weekday will be used because Saturdays and Sundays are unacceptable to some people as polling days. As my hon. Friend the Member for Vale of York (Miss McIntosh) said, if we are to use a weekday, we should stick with the one that we have always used, because people know that important elections are held on that day.

The Bill does not state the hours during which polling stations will be open, perhaps because they are specified in the European Parliamentary Elections Act 1978. I assume that the polling hours will be as they are at present.

We must encourage people to vote and make it easier for them to do so. My hon. Friend the Member for East Worthing and Shoreham (Mr. Loughton) said that many people vote on the way to or from work. The hours during which polling stations are open are crucial to enabling people to vote. What hours will polling stations be open on European election day?

Mr. Loughton: I want to reinforce the case against voting on Sundays instead of a working day. Just as people may not be available to vote on a Thursday, they may be unavailable on a Sunday for a host of reasons. If the hon. Member for Wolverhampton, South-West (Ms Jones) is concerned about getting a 100 per cent. turnout, she should suggest that polling stations get in line with supermarkets and open 24 hours a day, or open not just on Thursday between 7 o'clock and 10 o'clock, but all day on Thursday, Friday, Saturday and Sunday. People could choose the day on which to vote according to their religious convictions or business and family commitments.

The Bill does not make such changes, but it changes enough. We are discussing fundamental constitutional changes, the like of which have not been seen since we began electing Members to the European Parliament in 1979. We are not even making these changes to fall in line with the rest of Europe. Much has been said about not only how candidates will be selected differently by different parties, but how countries across the European Union use different electoral systems and vote on different days according to different types of regional government, different party structure and different party list. If Labour Members cannot even agree with that, can we not at least specify Thursdays? In the past, people have known where they are and have been able to make arrangements to vote. That has been the case for many years.

If people are serious about voting—if they are really interested in a democratic process—and, in this instance, if they are interested in electing MEPs, they will find a way of voting on a Thursday. Can we at least keep that link with the past?

8.30 pm

Mr. Lansley: I did not intend to speak, but, having read the amendments and listened to the debate on them, I feel that they point compellingly to the argument

presented by my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney). I also think that the argument has developed during the debate.

We should be grateful to the hon. Member for Finchley and Golders Green (Dr. Vis) for reminding us that it is incumbent on us to respect the views of minorities, and minority faiths in particular, whatever may be our personal view. I share the feeling of my right hon. Friend: although I am a practising member of the Church of England, I would not have any difficulty in voting on a Sunday, but I know and respect others who would. I also think that people with different faiths—Jewish or Muslim—might not want to vote on a Saturday. We should strain not to impinge on the views and interests of minorities. After all, as the debate has made clear, it is far from obvious that there is any benefit to be derived from holding elections at weekends.

Moreover, leaving aside the objections to which I have referred, weekend elections would be a significant constitutional innovation. Such an innovation should not be entered into lightly or ill-advisedly, and—as my right hon. Friend said—it should certainly not be entered into on the basis of an order laid by the Secretary of State without debate in the House and an affirmative resolution. I stand to be corrected by the Minister if I am wrong, but I think that my right hon. Friend was right in saying that, under the Bill, the order would be made under the negative resolution procedure.

If the election is not to be held on a Saturday or a Sunday, I see no reason to give Ministers discretion to choose a day other than Thursday. I do not think that anyone has argued today that one weekday is better than, or different from, another. I think that we are all accustomed to voting on Thursdays. Returning officers, party organisations and, indeed, voters probably consider it normal to vote on Thursdays, and would think it abnormal and unconventional to do so on any other day. We are all creatures of habit, and I suspect that, as voters, we are all very much the same. I think that we might see a lower turnout on a weekday other than Thursday. If Saturdays and Sundays are excluded, therefore, there is everything to be said for accepting the proposal to specify Thursdays.

I dare say that any order presented by the Secretary of State will refer to a day within the normal confines of the election of MEPs on a Europewide basis. That has already been mentioned. Nevertheless, I feel that any discretion used by Ministers should involve an affirmative resolution of the House. It should be customary in the House for electoral matters to proceed as far as possible by way of consensus between parties, and as little as possible by dictate of the majority party. I hope that no Government would want to feel that they were contriving an electoral process—including election day—that was advantageous to that Government rather than to democracy.

Ms Quin: This short debate has raised a number of issues.

The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney), the shadow Home Secretary, seemed to want to be North-West Cambridgeshire's Mystic Meg. He tried to predict what I would say, and I am not sure whether he will be disappointed.

All the amendments deal with the day on which European general elections are held. Let me provide some background information about how the day is selected. As I suspect the hon. Member for Vale of York (Miss McIntosh) knew, the key document is the one entitled "Act concerning the election of representatives of the European Parliament by direct universal suffrage annexed to the decision of the Council of the European Communities dated the 20 September 1976". It provides that a European parliamentary general election must be held five years after the last election; but, should it prove impossible to hold an election on that exact day, the Council is empowered—if there is unanimous agreement—to vary the date by one month in either direction.

As the hon. Member for Vale of York said, the election period runs from the Thursday morning to the following Sunday. Under the legislation, each member state is free to pick the day within that period on which it wishes to hold its election. It is possible, therefore, to vary the day now, although we have no plans to do so.

Several hon. Members, including the hon. Member for Sheffield, Hallam (Mr. Allan) and some of my hon. Friends, pointed out that it was theoretically possible to vary the day. The pros and cons of holding elections on Saturdays were discussed. Elections to the European Parliament are generally held on Sundays in many of our partner countries, but the Government have no plans to switch from our traditional Thursday polling day, and we certainly intend the 1999 elections to be held on a Thursday.

The right hon. Gentleman asked me to rule out other days for all time, but, as we all know, Parliament cannot bind its successors, and it would be very foolish of me, as a junior Minister, to try to bind my successors for all time. I can only offer the right hon. Gentleman the reasonable proposition that we have no present plans to change.

Mr. Hogg: If that is the case, why not include it in the Bill?

Ms Quin: What is being suggested is no different from the arrangements that obtained during the 18 years for which the right hon. and learned Gentleman's party was in power. The Conservatives saw no need to change the arrangements in this way. I have said what the legal position is, in terms of all parties being able to vary the day, but I have also made it clear that we do not intend to do so.

The right hon. Member for North-West Cambridgeshire said he did not feel that the voting day was a partisan matter, and there is considerable merit in that view, in regard to our own general elections as well. We are, however, dealing in this debate with the European elections and their legal base. I accept that, if we were tempted to go down such a route, there would be difficulties. Hon. Members have commented on that. Certainly, people in Britain are used to voting on Thursdays. As for the European elections, I think that the combination of a new voting system and a new voting day would be unfortunate. We hope and believe that the new voting system will encourage more people to vote in European elections, for many of the reasons that have been advanced during our debates. If we changed the voting day at the same time as we changed the electoral system, it would be extremely difficult to know what contribution each of the two innovations had made to the change in turnout.

[Ms Quin]

As the hon. Member for Moray (Mrs. Ewing) has pointed out, there would be problems in certain parts of Scotland and, no doubt, in other parts of Britain where there would be strong religious objections to trying to introduce Sunday voting. I am tempted to say that Scotland pioneered Sunday trading, which I voted against, but the hon. Lady's points were well made in terms of the area to which she referred. As I have said, the Government have no plans to introduce Sunday voting for elections to the European Parliament and, because of that, I hope that the hon. Member for Moray will recognise that her amendment is unnecessary.

I hope that the right hon. Member for North-West Cambridgeshire will see that the first of his amendments is unnecessary and that it could cause problems in the future. As I have already outlined, member states do not have a free hand in setting election dates. The election has to be held in a Thursday-to-Sunday period. It is possible—I accept that it is highly unlikely—that, at some time in the future, that could be changed to a Sunday-to-Wednesday period. In that case, the right hon. Gentleman's amendment would cause real problems and I urge him to withdraw it.

The right hon. Member referred to turnout. I listened to everything he had to say, but he seemed basically to be saying that turnout in the European elections tends to be lower than in national elections—we all know that. We hope and believe that the system we are introducing will encourage people to vote. Whatever the merits or demerits of our present first-past-the-post system, many votes do not count towards the final total. That will not be the case in the system that we are introducing for the European elections. We hope that the turnout for the next European election will be higher than in the past.

Mr. Syms: If the turnout is lower, will the Government reconsider their future position?

Ms Quin: The hon. Gentleman will have heard my right hon. Friend the Home Secretary say that after the elections we will look at what has happened and evaluate it. That was in response to a suggested amendment from a Labour Member. Obviously, we will look at the result of the elections and I hope that we will look at all the factors that obtained in the European parliamentary election period.

The right hon. Member for North-West Cambridgeshire began with a few snide comments about new Labour, new harmonisation. In case there is any doubt, let me make it clear that the Government have no interest in harmonisation for harmonisation's sake. I am more than happy to celebrate the diversity of the regions and the member states of the European Union.

Sir Brian Mawhinney: I will not detain the Committee because I think that we should draw this issue to a conclusion.

My hon. Friend the Member for Maidenhead (Mrs. May) said that we could vote either at the weekend or during the week. For reasons that many hon. Members have adduced, voting at the weekend creates real difficulties. The hon. Member for Finchley and Golders Green (Dr. Vis) made a valid point which helped to strengthen the argument about religious diversity in our country. This issue is important not only to Christians but to a whole variety of religious groups who hold their beliefs strongly and whose lives and life behaviour are influenced by those religious beliefs. That point was also made by the hon. Member for Moray (Mrs. Ewing).

8.45 pm

All were offering me encouragement for my point when I stressed that the House advances any issues involving Sunday activity on the basis of a free vote because it recognises that there are employment, family and religious consequences at weekends. It would be a sad day if the House, which is the ultimate defender of our freedoms, should seek to impinge on religious freedom.

The speech made by the Minister of State, was disappointing. I say that not in a partisan spirit but because she was not able to sense the mood of the points being made to her. The Minister said that no Government or House can bind its successors. She is right, but, as my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said, that is not an argument for not putting this in the Bill. All it means is that some future Government or Parliament would have to change the legislation. That is a more major step.

The Minister said that the previous Government did not do this and implied that, because of that, we have no right to make an issue of it now. We did not introduce this sort of legislation. We did not introduce legislation that was designed to produce a degree of harmonisation with the other countries in Europe in this electoral process.

What most concerned me about the Minister's speech was that she talked about two sets of innovations—the new system and the possibility of moving to Sunday voting. She said that the two changes would not take place in 1999 because we would not know which innovation had affected the turnout. That is slightly chilling. It seems to indicate that there was, in Government, a consideration of moving to Sunday right now and that there is certainly active consideration to look at that for a subsequent election.

The Minister has made her position clear, and she is not going to change. She has made it clear that she does not think that she has the freedom to change. The mood of the House and the mood of the debate has been quite clear. We think that there should be a clear commitment in the Bill that elections will continue to be held on a Thursday and a clear commitment that they will not be on a Sunday. The Minister will not give us that commitment on behalf of the Government so we will have to press the amendment to a Division.

Mrs. Ewing: In light of what has been said, the speech of the right hon. Member for North–West Cambridgeshire (Sir B. Mawhinney) was rather depressing because it was ungracious. I respect the points made on behalf of the Jewish faith. There are other minority faiths in the United Kingdom that we should consider, because we are an inclusive society. Given the good-natured and sensible response from the Minister, I wonder whether it would be possible to ensure that, on Report, it could be written into the Bill that the next elections will be held on a Thursday.

Ms Quin: I am grateful for the tone in which the hon. Member for Moray (Mrs. Ewing) put her question. I am

happy to take advice, but I believe that that would not keep us in line with the original legal base on which the European parliamentary elections are founded. I have said that there is to be no change for these elections and that we have no plans to change the day and I would have hoped that that would be sufficient reassurance for the hon. Lady.

Question put, That the amendment be made:—

The Committee divided: Ayes 95, Noes 223.

Division No. 183] **[8.48 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brooke, Rt Hon Peter
Browning, Mrs Angela
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Cormack, Sir Patrick
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Emery, Rt Hon Sir Peter
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
McIntosh, Miss Anne
Maclean, Rt Hon David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Page, Richard
Prior, David
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Trend, Michael
Tyrie, Andrew
Waller, Robert
Wardle, Charles
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. Nigel Waterson.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Anderson, Donald *(Swansea E)*
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bennett, Andrew F
Bermingham, Gerald
Betts, Clive
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Campbell, Menzies *(NE Fife)*
Caplin, Ivor
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clark, Dr Lynda (Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Cotter, Brian
Cranston, Ross
Cryer, John *(Hornchurch)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Fatchett, Derek
Field, Rt Hon Frank
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Harvey, Nick
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonnell, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Mandelson, Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim (Leicester S)
Marshall-Andrews, Robert
Maxton, John
Merron, Gillian
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Jim *(Eastwood)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*

Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Rooker, Jeff
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dr Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Wills, Michael
Wilson, Brian
Winnick, David
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Noes:
Janet Anderson and
Mr. David Jamieson.

Question accordingly negatived.

9 pm

Mr. Clappison: I beg to move amendment No. 14, in page 3, line 43, at end add—

'3E.—(1) The Secretary of State shall by regulations prescribe the form of the ballot paper to be used at the poll for the election of representatives to the European Parliament.

(2) Without prejudice to the generality of the foregoing, the ballot paper shall include, separately from the list of candidates, a brief explanatory statement describing the method of election and the procedure to be followed by each elector in casting his vote or votes.'.

I do not think that I should be courting too much controversy if I said that the simplicity which has been alleged on behalf of the new electoral system for the European elections is not invincibly self-evident to everyone. If the Committee has at times struggled with divisors, proportionality and so on, the electors will have even more of a struggle when confronted with the system.

We owe it to the electors to explain to them what is happening. We should not just present to them the choices that they are offered, but explain how the system works and what will happen after they have cast their votes. That is a fairly simple proposition which ought to be adhered to in a democracy.

We hope that the Government will welcome the amendment. It requires the ballot paper to include, separately from the list of candidates,

"a brief explanatory statement describing the method of election and the procedure to be followed by each elector in casting his vote or votes."

That would be helpful to electors.

There are grounds for suspecting that the Government themselves feel that the system needs more explanation. There has been talk of expensive advertising campaigns. Apparently, there is an internal debate in the Government about how best to explain the system to the public. The amendment provides one way of doing just that. Perhaps the Government should think carefully about providing reading rooms or something similar where electors could go to study the new system and see how to go about casting their vote.

The amendment is intended to be constructive. I shall be interested to hear the Minister's comments on how the Government intend to explain the new system to the electorate and whether the names of the candidates will appear separately on the ballot as the amendment suggests.

Mr. Hogg: I agree with the spirit of the amendment, but not with the precise form. The real issue is the complexity that flows from the changes that the Committee is considering. I do not think that the problem can be addressed by an explanatory statement attached to the ballot paper—if only because people going to a polling station do not expect to have to sit around for a long time reading an explanatory statement—but that we need an explanatory statement to be sent to the electorate is self-evident.

My suggestion is that the Minister agree to the principle set out in the amendment and agree further that an explanatory statement should be sent to all electors in good time for the relevant election. That would be most desirable and helpful.

Mr. Paul Burstow (Sutton and Cheam): The amendment provides the opportunity to raise the question of access to voting stations for blind and partially sighted people, a matter which I am sure concerns many hon. Members. I have raised this issue in debates on other Bills that will change our voting system. I should be interested to hear what plans the Government have to ensure that, when the new system of voting is introduced for the European elections, the maximum opportunity is provided to blind and partially sighted people to enable them to exercise their right to vote unaided and in person at the polling station.

Mr. John Hayes (South Holland and The Deepings): I had not intended to speak to this amendment, but I am very interested in what the hon. Gentleman says and would like to extend the discussion to include access for people with a range of disabilities, not just those that he mentioned. It is a matter I have raised in the all-party disablement group. The European elections provide us with an opportunity to consider the question of access. I could not miss the chance to say that, because it is such an important matter.

Mr. Burstow: I am grateful to the hon. Gentleman. He and I have attended meetings of the all-party disablement group at which "Polls Apart 2", the report published by Scope, has been discussed. That report highlights concern about access to polling stations during the most recent general election. Several of Scope's recommendations should be considered so that we increase the turnout at the next European parliamentary elections.

I want to find out how the Government will ensure that blind and partially sighted people can vote unaided and in person at the polling station. They are often expected to

use a postal vote instead, but I want to disabuse people of the idea that that is acceptable. Blind and partially sighted people have a fundamental right to exercise their vote on the same day as everyone else. Will the Government experiment with braille templates and larger print formats, so that more people can exercise their vote in person in future European elections?

Miss McIntosh: The arguments for the amendment are self-evident and have been sufficiently rehearsed. My concern is that the local elections will be held on one system, but, within a month, the electors will be asked to vote under a novel and rather complicated system. If the Government are not minded to accept the amendment, what efforts will they make to explain the new procedures before electors enter the polling booth?

Ms Quin: I have listened carefully to hon. Members' comments in this brief debate. I shall respond in the spirit of the concerns that have been expressed, although I do not believe that the amendment is necessary or entirely helpful. On the aim and spirit of what has been said, there is little between the Opposition and the Government—I particularly endorse the comments of the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg).

I assure the Committee that the form of the ballot paper will be set out in regulations which will be made by the Secretary of State and subject to the affirmative resolution procedure. The Government firmly intend that the names of all the people included on party lists should appear on the ballot paper. The Committee will know that we arranged for four sample ballot papers to be placed in the Library. Those hon. Members—including, I presume, Opposition Front Benchers—who have examined the sample will have seen clearly that candidates' names appear. I hope that there are no doubts about the Government's intentions on that.

Obviously, as happens currently, a ballot paper will contain straightforward instructions to the elector about how to fill it in. The new system will continue to be simple—the instruction will be "Place one cross on the ballot paper". No doubt we can consider whether that wording could be improved or amplified, but there will certainly be something of that nature on the ballot paper.

The hon. Member for Hertsmere (Mr. Clappison) suggested that the ballot paper should contain a description of how the electoral system works. Such a move would be unprecedented; it is a surprising proposal from a party that has argued against electoral reform. We do not believe, for the reasons given by the right hon. and learned Member for Sleaford and North Hykeham, that the hon. Gentleman's suggestion is particularly helpful.

We do not have a description of the method of election on the ballot paper. I do not accept that there is less need to do so for elections conducted by the first-past-the-post system, as everyone, including first-time voters, is assumed to understand how it works.

Plenty of first-time voters may be unclear about the mechanics of the existing system. Equally, EU citizens can vote in local elections here, although they may not be familiar with the system. However, we do not provide them with explanations on the ballot paper, and with good reason. As the right hon. and learned Member for Sleaford and North Hykeham said, the design of a ballot paper should be as simple and clear as possible, with no information that might confuse voters or cause unnecessary delay in the voting process. It is significant that in Northern Ireland, where the more complicated STV system is used for all elections other than parliamentary ones, the ballot paper merely gives directions on how to vote, without further explanation of the system.

The hon. Member for Vale of York (Miss McIntosh) raised an important point. Other hon. Members also referred to the importance of explaining to the electorate in the immediate run-up to the election how the system works. I am sure that there will be great interest in and discussion about the new voting system. The media, too, will play a part in explaining how the new system works. The Government will explore ways of explaining the new system to the electorate and everything will be done to ensure that there is no shortage of information detailing the mechanics of the new electoral system.

The hon. Member for Sutton and Cheam (Mr. Burstow) made some interesting points with which I have great sympathy although they were not directly relevant to the amendment. As he knows, because he has raised the issue in Adjournment debates, a working party under the chairmanship of the Under-Secretary of State for the Home Department, my hon. Friend the Member for Knowsley, North and Sefton, East (Mr. Howarth), is examining the issues, which are important, as I know from my own constituency. I am sure that all hon. Members are aware of the difficulties faced by blind, partially sighted and disabled people in gaining access to polling booths and participating properly in elections.

In the light of what I have said, I hope that the hon. Member for Hertsmere will ask leave to withdraw the amendment.

Mr. Clappison: I have listened to the Minister's response and I can assure her and my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) that my suggestion that reading rooms be set aside was slightly tongue in cheek. However, I am still concerned about the complexity of the new system which will be presented to the electorate. I share my right hon. and learned Friend's concern that it should be properly explained to the electorate. He made an important suggestion in that regard.

I am grateful to the Minister for the way in which she framed her reply. I listened carefully, but I did not hear a great deal about how the Government proposed to explain the system to the electorate. It is all very well for the electorate to be invited to vote, but people will want to know what happens next. *[Interruption.]* If the hon. Member for Gedling (Mr. Coaker) is concerned about that, I can assure him that the same issue perplexed the Home Secretary, who suggested that we embark on an expensive publicity campaign. The amendment would be one way to avoid that.

We still have not heard exactly how the Government propose to explain the new system to the electorate, but, in view of the lateness of the hour, although I am disappointed in some respects, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause, as amended, stand part of the Bill.

9.15 pm

Sir Brian Mawhinney: We have spent a long time debating this clause because it is at the very heart of this rather unacceptable Bill.

Thus far, under the Government's leadership, we have deprived the people of Gibraltar of a vote and created regions that are neither recognisable nor manageable. We are to have a voting system, but the Government do not know what it will be. We are to have registered parties, but the Government have no idea what sort of registration there will be. The Government are setting aside the boundary commission and will not consult.

That is a brief but accurate summary of clause 1. It is for that reason that we shall vote against its standing part of the Bill.

Mr. Hogg: I have been in the House for 19 years, or thereabouts, and this is the most objectionable constitutional Bill that I can recall. There are four reasons for that.

The first is this: there is no convincing reason why we should make any change whatever. The only reason which has been given is that some other European states want us to make a change. I do not regard that as either a good or a sufficient reason. I have heard no other sustainable reason why we should make a change.

The second and different point is this: I regard a constituency-based form of election as essential to our democratic system. It has huge advantages. It provides for real accountability. Members of Parliament know precisely to whom they are accountable—first and foremost, their constituents. That will not be so under the proposed system. Under our system, electors know precisely to whom they can go for advice and representation, but under the proposed system for the European Parliament, they will have not a clue. There will be a very large list, and electors will not know to whom to look.

There is another point, too. Under the regional system, we are talking about large, complicated areas. The probability is that large urban areas will dominate the regional selection, with the result that particular issues, such as rural interests, will not be properly represented. Members of any elected representative body get to have a speciality because they are closely identified with the interests of a particular locality. That will not happen under the regional list system. We will be diminishing the accountability, knowledge and authority of the representatives. That is thoroughly bad news.

The last point is the one about which I feel most strongly. We should not give to the central institutions of any political party the right to govern so precisely the character and identity of the people who are to be elected. Be sure about this: nobody will be able to stand for any length of time, far less survive, in the European Parliament unless his or her views are accepted and compatible with those of his or her central political institutions. That cannot be right.

Where will be the free thinkers? Where will be the people who vote according to their conscience? Where, indeed, will be the eccentrics? They make a contribution. We can be certain that nobody will be adopted who does not share the dull conformity that for one moment happens to be the accepted wisdom in their party. If they happen to be adopted, they will not be readopted. That will create a Parliament of clones.

Mr. Beith: I reassure the right hon. and learned Gentleman that I am absolutely confident that, in the Liberal Democrat party, some people whose views do not correspond to those of the central party organisation will be elected, because it will be for ordinary party members to vote for whom they choose. I understood that his party was seeking, through the hustings, to make a similar arrangement. Although I welcome his support for open lists, I hope that he will pay some respect to the internal democracy that his party is cultivating.

Mr. Hogg: It is perfectly true that the Conservative party—and, to be fair, the Liberal Democrats—will choose from the membership, but that can change; the system will be what the Front Benchers of the time wish it to be. The Labour party is explicitly giving the power to its central institution, which will choose the representatives. I believe that that is a derogation from democracy. Once we start with the European Parliament, we may find that, by precedent, we move to other institutions, and ultimately to this House. I regard this as one of the worst Bills I have seen in 19 years in the House, and the clause encapsulates why it is so bad. I very much hope that the Committee votes against it.

Mr. Lansley: We have had debates in which we have won the arguments, but the Government have won the votes. One thing has arisen from our debate on Tuesday. The hon. Member for Cambridge (Mrs. Campbell) was wont to criticise my recommendation of the local Member of the European Parliament for Cambridgeshire. She fell into a trap, because I found that, on Monday evening, the MEP was in the hon. Lady's constituency, meeting his constituents. When she said, "We do not see him," she meant that she did not see him—his constituents do.

Mr. Ian Cawsey (Brigg and Goole): The MEP may have shot his own fox, because that proves that no one recognises him.

Mr. Lansley: The hon. Gentleman is clearly ignorant of the facts.

There has been no reflection on the impact of the Bill on incumbent MEPs. In respect of the incumbent MEP for my area, there would be a differential vote in his favour under a first-past-the-post system or an open list system because he is an excellent MEP. The Government are pursuing a closed list system, designed to make it an irrelevance to the electorate whether one is an incumbent MEP or not.

The first-past-the-post system—and particularly the open list system—should benefit incumbents, yet the Government do not go down that path. There are two reasons why that is so. First, they do not believe that incumbent MEPs from the Labour party would attract any preferential vote in their favour. Secondly, and perhaps more significantly—I agree with my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg)—Labour wants to control who are presented to the electorate and in what order they are presented.

Labour wants to censor and censure its MEPs for ideological or other reasons. That highlights the point made by my right hon. and learned Friend the Member for Sleaford and North Hykeham about the damage that will be done by the Government's proposal to put party control before democratic control.

Ms Quin: As the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) pointed out, we have had an extensive debate on what is the heart of the Bill. Because we have had that extensive debate, I can be brief.

Some strange claims have been made in this brief debate. The Conservatives claimed that the Government were introducing the system only because some other countries wanted us to make the change. As my right hon. Friend the Home Secretary pointed out on Second Reading and earlier this evening, there are clear reasons why the Government are making the change, including the work of the Plant commission and decisions at Labour party conferences from 1993 onwards. It was also a manifesto commitment.

There is a real basis for making the change in the Bill and carrying it out for the next European parliamentary elections. Some of the comments suggest that the electorate are somehow clueless and could not cope with change. I have a higher opinion of the electorate—they will cope successfully with the change. They will be able to understand and grapple with the Bill. They will do so not just because of the Government's explanations, but because our media—which are organised regionally—will help to provide a clear exposition to voters in the run-up to the election.

It is odd that, during the debate, Opposition Members have run down the very regional structure that they created. The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) said that it would be impossible for eccentrics to be elected under the proposed system. As I am sure the hon. Member for Vale of York (Miss McIntosh) will agree, even though most European countries use a list system we are not short of eccentric Members in the European Parliament.

I reiterate the point made by my right hon. Friend the Home Secretary that he would consider arguments advanced by hon. Members about the system that operates in Belgium—the open list, as opposed to the closed list—and then make an announcement. The Home Secretary, both on Second Reading and today, has listened carefully to the arguments, as have my hon. Friend the Under-Secretary of State for the Home Department, the Member for Knowsley, North and Sefton, East (Mr. Howarth), and I. We will consider them carefully and, in the meantime, I hope that the Committee will agree that clause 1 should stand part of the Bill.

Question put, That the clause, as amended, stand part of the Bill:—

The Committee divided: Ayes 210, Noes 94.

Division No. 184] **[9.25 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Atkins, Charlotte
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bennett, Andrew F
Benn, Rt Hon Tony *(Chesterfield)*
Betts, Clive
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Campbell, Menzies *(NE Fife)*
Caplin, Ivor
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Cranston, Ross
Cryer, John *(Hornchurch)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ewing, Mrs Margaret
Fatchett, Derek
Field, Rt Hon Frank
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Harvey, Nick
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keetch, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonnell, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Mandelson, Peter
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Maxton, John
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Jim *(Eastwood)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Osborne, Ms Sandra
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn

Quin, Ms Joyce
Raynsford, Nick
Reed, Andrew (Loughborough)
Robertson, Rt Hon George *(Hamilton S)*
Rooker, Jeff
Roy, Frank
Ruddock, Ms Joan
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Southworth, Ms Helen
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Straw, Dr Howard
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dr Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wills, Michael
Wilson, Brian
Winnick, David
Wood, Mike
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Janet Anderson and Mr. David Jamieson.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, James
Atkinson, David *(Bourn'mth E)*
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brooke, Rt Hon Peter
Browning, Mrs Angela
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Emery, Rt Hon Sir Peter
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
McIntosh, Miss Anne
Maclean, Rt Hon David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Page, Richard
Prior, David
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. James Cran and Mr. Nigel Waterson.

Question accordingly agreed to.

Clause 1, as amended, ordered to stand part of the Bill.

Clause 2

ELECTORAL REGIONS IN ENGLAND

Question proposed, That the clause stand part of the Bill.

Mr. John Greenway (Ryedale): Clause 2 sweeps away the existing European constituencies and imposes instead the European electoral regions, which we shall discuss again in the debate on schedule 1. There has been no public consultation on the matter, and no reference to, or consideration by, the boundary commission, in spite of the Prime Minister's expression of such strong support for its doing so.

My reason for rising at this point is to say that the Bill, and certainly clause 2, provides no real mechanism for reviewing the regional electoral boundaries on which constituencies are based. As people were not consulted, it would not be surprising if people in future wanted to change the boundaries. There is in schedule 1 a small reference to local government changes, but we should like to ask the Minister how the electoral regions can be changed. The Bill makes absolutely no provision for it.

Mr. Hogg: I support what my hon. Friend has said. Lincolnshire has been grouped with the East Midlands. It has much more affinity with the Eastern region. There has been no recent consultation on the grouping of Lincolnshire with the East Midlands. Lincolnshire is essentially a rural county. Its interests are not likely to be represented by grouping it in the East Midlands, where there are many large urban concentrations and the representatives ultimately elected are likely to have much more to do with those urban areas than with the rural areas of Lincolnshire.

The point that I make is similar to the point that I made in the debate on clause 1 stand part. The specific interests—in this case of rural areas—will be prejudiced. I agree with my hon. Friend the Member for Ryedale (Mr. Greenway) that it is important that a system is in place whereby the House and other bodies can reconsider the groupings so that if one grouping is seen to prejudice the position of any county, that matter can be looked at and dealt with. I see no mechanism in the Bill to do that. I ask the Minister to be good enough to tell us what she has in mind.

Mr. Beith: There should be a boundary commission or a standing electoral commission to examine those matters after the first elections, but the Bill is so constructed to ensure that the next European elections, relatively soon, can be fought by a fair system. Therefore, we think that the Bill should proceed in its present form and that the clause should stand part of the Bill, but that we should return to the matter after those elections.

Ms Quin: The effect of clause 2 is merely technical. It provides for schedule 2 to the European Parliamentary

Elections Act 1978 to be replaced with schedule 1, to which the hon. Member for Ryedale (Mr. Greenway) referred. We shall discuss the provisions of schedule 1 later in our proceedings. Some of the matters that were raised by Opposition Members relate to amendments that we have already discussed in our debates on the regions, the regional structure of the Bill and the role of the boundary commission, or to subsequent amendments referring to a referendum and other aspects relating to schedule 1.

I am grateful for the comments of the right hon. Member for Berwick-upon-Tweed (Mr. Beith). He seemed to understand that this was simply a technical amendment to make sure that the elections could take place as foreseen.

Question put and agreed to.

Clause 2 ordered to stand part of the Bill.

Clause 3

AMENDMENTS AND REPEALS

Ms Quin: I beg to move amendment No. 38, in page 4, line 5, after 'enactments' insert 'and instrument'.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss Government amendments Nos. 39, 43 and 44.

Ms Quin: These are minor drafting amendments, like those that I moved earlier, which make no substantive change to the Bill.

Amendment No. 43 removes a reference to consent to nomination, which reflects the fact that, under the new list-based system, an individual standing for election does not consent to nomination in the traditional way.

Amendment No. 44 adds the statutory instrument relating to consent to nomination to the list of repeals. Statutory instruments are technically instruments rather than enactments, and are revoked rather than repealed, which explains the words used in amendments Nos. 38 and 39. The amendments together make no substantive change to the Bill.

Mr. Hogg: I am grateful to the hon. Lady for her explanation, but I am still slightly perplexed about amendment No. 38. It refers to an instrument, but I look at schedule 4 and I cannot find an instrument. To what instrument is the amendment directed?

Ms Quin: I do not immediately have an answer to the right hon. and learned Gentleman's question. I am advised that the drafting amendment does not make a substantive change. I am happy to write to the right hon. and learned Gentleman—

Mr. Hogg: I am grateful to the hon. Lady, but we are being asked to amend the Bill. The premise of the amendment is that there is an instrument in the schedule. There is not an instrument in the schedule. That being so, why are we being asked to amend the Bill?

Ms Quin: Inspiration has just struck me. The regulation referred to is the regulation to which amendment No. 44 relates.

Mr. Hogg: With respect, that is not right. We are told that amendment No. 38 relates to clause 3. Subsection (3) of that clause reads:

"The enactments listed in Schedule 4 are hereby repealed to the extent specified."

The Committee is referred to schedule 4. I see in schedule 4 only enactments, no orders. To what does the word "instrument" relate?

Ms Quin: If the right hon. and learned Gentleman looks at amendment No. 44, he will find the answer to his question. It refers to a change in schedule 4. The amendments are taken together as a group—I thought that the right hon. and learned Gentleman would be able to appreciate that fact.

Mr. Hogg: That is not good enough. We are talking about a particular amendment. Amendment No. 38 amends clause 3. Clause 3 relates to enactments in schedule 4. It can make sense only if there is an instrument in schedule 4, but there is no such reference in that schedule.

Mr. Beith: Amendment No. 44 inserts an instrument into schedule 4.

9.45 pm

Ms Quin: I think that the penny has dropped and the right hon. and learned Gentleman has realised that amendment No. 44 refers to schedule 4. I alluded to amendment No. 44 and the change that it makes to schedule 4 very clearly in my remarks.

Amendment agreed to.

Amendment made: No. 39, in page 4, line 5, after 'repealed' insert 'or revoked'.—*[Ms Quin.]*

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4 ordered to stand part of the Bill.

Clause 5

COMMENCEMENT

Sir Brian Mawhinney: I beg to move amendment No. 16, in page 4, line 22, at end add—

'(3) An order under subsection (1) shall not be made unless a draft thereof has been laid before, and approved by a resolution of, each House of Parliament.'.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 53, in page 4, line 22, at end add—

'(3) No order shall be made under subsection (1) above unless such an enactment as is mentioned in section 3(8)(a) of the European Parliamentary Elections Act 1978 for the registering of political parties has come into effect which—

(a) takes account of any relevant report from the non-statutory Committee on Standards in Public Life; and

(b) requires the democratic approval at regional level of party lists and of the order in which names appear on such lists by members of the registered party concerned.'.

[Sir Brian Mawhinney]

No. 70, in page 4, line 22, at end add—

'(3) No Order shall be made under subsection (1) above unless—

(a) a draft Order under section 2(6)(c) of the European Parliamentary Elections Act 1978 has been approved by resolution of each House of Parliament; and

(b) the report of the non-statutory Independent Commission on the Voting System, established on 1st December 1997, has been published.'.

Sir Brian Mawhinney: Before dealing with the amendments, I must inform the hon. Lady that we shall not reach tonight the selection of amendments made by the Chair concerning election expenses. As a courtesy, I must inform her that, when we consider those amendments next Thursday, we should be grateful to hear from her or the Home Secretary at the beginning of the debate regarding the Government's reaction to the Bowman decision recently announced by the European Court of Human Rights. That decision is absolutely central to the discussion that we shall have about election expenses. I hope that that will help the hon. Lady.

First, the amendments represent our concern that several activities running parallel to our consideration of the Bill should conclude and that the House should have time to debate and consider those conclusions before a commencement order is put in place with respect to this legislation. We have already agreed that the Bill represents a fundamental change. I agree very much with the point made earlier by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) that Parliament, and not the Government, should make a judgment about the commencement of the electoral process.

Secondly, this is a complicated process. We shall be focusing on new and extensive training measures that must be put in place for handling the legislation. We believe that the Government should report back to Parliament when those measures are in place and that both Houses of Parliament should decide on the commencement.

In addition, the Committee on Standards in Public Life is undertaking a review. The Government have also established an inquiry under Lord Jenkins of Hillhead as part of the secret Lib-Lab deal to change out of all recognition the constitution of this country. If anyone doubted that the inquiry was part of the Lib-Lab deal, the choice of Lord Jenkins to chair it would have laid those doubts to rest. It would be hard to find a former Member of this place—now a member of the other place—who had a more flexible constitutional interpretation at the heart of his political career than Lord Jenkins.

Mr. Beith: I must point out to the right hon. Gentleman that the deal was not in the least secret; it was public from the day that it was concluded.

Sir Brian Mawhinney: Oh no. What was public from the day that it was concluded was that there was a deal. The terms of the deal are slowly coming to light, and the more we see of them, the less we like them.

The third element of the amendments relates to our belief that there should be democratic accountability within the parties at a regional level before the election can proceed. As has been made clear, the Conservative party will choose its regional candidates democratically, as will the Liberal Democrats, but the Labour party will not. I am grateful to someone, who will remain un-named, for letting me have a copy of the Campaign for Labour Party Democracy's response to the Labour party's consultation paper on European parliamentary selections. It is absolutely relevant to the amendment before us, because it makes clear the opposition of many Labour party members to the fact that, although local members will be able to select one man and one woman, party apparatchiks will determine the candidates. That is typical of new Labour: new Labour, new control.

I tabled the amendments to ensure that voters throughout the country can have confidence in the democratic nature of the selection of candidates in all the parties. I commend them to the Committee.

Mr. Hogg: I entirely agree with my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney). One of the most objectionable features—there are many—of the Bill is that it potentially gives control over the selection of candidates to the central institutions of the party. The Conservative party and the Liberal Democrats are not falling victim to the temptation to do that, but the Labour party is. It is reserving to the central institutions of the Labour party the power to adopt and re-adopt candidates. That is profoundly undemocratic. The advantage of my right hon. Friend's amendment is that it enables the Committee to consider the desirability of putting into commencement the Bill. It may sound improbable, but the Labour party will repent of its folly. At least it should be given the opportunity to do so. That is the great charm of my right hon. Friend's amendment.

Ms Quin: Amendment No. 16 would require both Houses of Parliament to affirm that legislation, which both would have passed, should come into force. If either House is not content with the provisions in the Bill, it can refuse to approve and enact them.

I accept that there are precedents, although they are few, for the affirmative resolution procedure to be used to bring Acts, or parts of Acts, into force. That procedure is usually reserved for situations where the commencement of the provision is contingent on some other event and Parliament needs to be satisfied that the contingent event had taken place.

There are no contingent events relating to the Bill that would justify the use of the affirmative resolution procedure for commencement and transitional procedure orders.

Amendment No. 53 would prevent the Secretary of State from bringing into force the provisions of the Bill until Lord Neill's Committee on Standards in Public Life has produced a report. That Committee is not looking at issues relating to elections to the European Parliament; its main concern at the moment, as we know, is party funding. The Bill allows the Secretary of State to make regulations that would include regulations to limit the national expenditure of political parties in relation to European elections.

That is necessary because, with the elections proposed for the European Parliament, candidates would campaign not on their behalf but on behalf of their parties and the

party list on which they are represented. It is therefore necessary to provide for expenditure limits on parties as well as on independent candidates. Those regulations could take account of any recommendations that Lord Neill's committee might make in relation to the national expenditure of political parties during elections.

Amendment No. 53 would also impose a condition on political parties requiring democratic approval at regional level of the party lists and the order in which names appear on such lists. Although, on several occasions during our debates, we have welcomed the Conservative party's conversion to party democracy, it is not for the Government to interfere in political parties' internal affairs.

It was interesting that, during our debate on Tuesday, a Conservative Member complained bitterly about his party's approach to organising the European elections and said that it would disadvantage his party. He referred to the meetings arrangements for which the Conservative party was responsible. However, each party must decide for itself how, within the limits of its constitution, it selects candidates for public office. However, the electorate will take account of how parties determine their lists when they vote.

Amendment No. 70 introduces two further conditions before the Secretary of State can bring into force the provisions of the Bill. The first relates to a report of the boundary commission. However, as we discussed on Tuesday, there is simply no need to involve the boundary commissions in the dividing of the country into established regions—the Conservative party is familiar with those, as it established them—which can be adopted with little amendment. The amendment is therefore simply a delaying tactic on behalf of the Conservative party. Why else would the Secretary of State have to wait a further four months after the boundary commissions complete their task before making the relevant order giving effect to their work?

The Opposition now want us to wait for the outcome of the independent commission on voting reform for this Parliament as well, before we introduce the new system for the European elections. We have always made it clear that there should be different systems of elections for different public bodies, and that each electoral system should be appropriate to the body concerned. As has been said many times, unlike this Parliament, the European Parliament does not determine a Government, so the issues that we need to consider are different from those of the Westminster Parliament.

The Government considered this issue carefully in bringing before the House a system based on regional lists, so I ask the right hon. Gentleman to withdraw the amendment.

Sir Brian Mawhinney: We shall not withdraw the amendment. The contingent event to which the Minister refers is the complicated nature of this Bill. The electorate will have confidence in a centralised regional list system only if they can be sure that the people have been chosen democratically. For that reason, we shall press the amendment to a vote.

Question put, That the amendment be made:—

The Committee divided: Ayes 93, Noes 215.

Division No. 185] **[9.58 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brooke, Rt Hon Peter
Browning, Mrs Angela
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Davies, Quentin *(Grantham)*
Day, Stephen
Dorrell, Rt Hon Stephen
Emery, Rt Hon Sir Peter
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Gale, Roger
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jenkin, Bernard
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
McIntosh, Miss Anne
Maclean, Rt Hon David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Page, Richard
Prior, David
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Trend, Michael
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. James Cran and
Mr. Nigel Waterson.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beith, Rt Hon A J
Bennett, Andrew F
Bermingham, Gerald
Betts, Clive
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Stephen
Campbell, Menzies *(NE Fife)*
Caplin, Ivor
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*

Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corston, Ms Jean
Cranston, Ross
Cryer, John *(Hornchurch)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ewing, Mrs Margaret
Fatchett, Derek
Field, Rt Hon Frank
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gilroy, Mrs Linda
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hanson, David
Harvey, Nick
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McDonnell, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Mandelson, Peter
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Maxton, John
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon John *(Aberavon)*
Mowlam, Rt Hon Marjorie
Mudie, George
Murphy, Jim *(Eastwood)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prosser, Gwyn
Quin, Ms Joyce
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robertson, Rt Hon George *(Hamilton S)*
Rooker, Jeff
Roy, Frank
Ruddock, Ms Joan
Ryan, Ms Joan
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Stevenson, George
Stewart, David *(Inverness E)*
Stinchcombe, Paul
Stoate, Dr Howard
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Turner, Dr Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wills, Michael
Wilson, Brian
Winnick, David
Wood, Mike
Woolas, Phil
Wray, James
Wyatt, Derek

Tellers for the Noes:
Janet Anderson and
Mr. David Jamieson.

Question accordingly negatived.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—*[Jane Kennedy.]*

Committee report progress; to sit again tomorrow.

BROADCASTING

Ordered,

That Mr. Mike Wood be discharged from the Select Committee on Broadcasting and Mr. Barry Gardiner be added to the Committee.—*[Jane Kennedy.]*

Local Government Finance (Devon and Cornwall)

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

10.9 pm

Mr. Nick Harvey (North Devon): I am grateful for the opportunity to raise the important matter of this year's local government settlement for Devon and Cornwall. The settlement will impact on the lives of all my constituents and those of my hon. Friends in the Chamber and every other person living in Devon and Cornwall.

It is worth noting that, although local authorities in many parts of the country have faced a tough financial settlement this year and have had to raise council taxes above the rate of inflation, the people of Devon and Cornwall are living in the two poorest counties in England and are, therefore, the least able to afford that. For example, in the newly shrunken Devon county council—after reorganisation it will no longer include Plymouth and Torbay—the increases will average about 20 per cent.

There is plenty of evidence that people are happy to pay more either in local government taxation or national taxation if they are getting better services and better value for money. However, no such compensation can be offered to them when receiving their bills this year. The fact is made worse by the cuts that will have to take place in many local government services throughout the two counties. Devon has had to make reductions in its service budgets of £8.5 million and Cornwall has had to make reductions of £7 million.

Devon has had the additional complication of having to cope with the reorganisation—slimming down after the loss of Torbay and Plymouth. Many of its problems in setting its budget for the coming year are in no small part due to the costs incurred through that reorganisation process. That is highlighted by the disaggregation of last year's spending in Devon being considerably different from the disaggregation of the coming year's standard spending assessment. That has left a £13 million shortfall which, shared out between the council tax payers in Devon, means that they will each be paying an extra £52—that is just to cope with the reorganisation.

One of the biggest regrets that I have is that there has not been a transitional relief programme such as that provided for Scotland when it went through its local government reorganisation, to cope with the costs that the county council has had.

The Government have allowed the capping limit this year to rise by £817,000 because they accept that the education administration costs should be based on the number of schools, not on the number of pupils. That is an important point which should be borne in mind for the future in terms of any review of the formulae used to divide funds being allocated to local authorities.

Mr. John Burnett (Torridge and West Devon): I wonder if my hon. Friend has considered whether it would assist the funding for Devon and Cornwall if the formulae for apportioning central Government funds between different county councils were made more equitable. I am referring specifically to a sparsity factor as it affects school transport. Does my hon. Friend agree that if that were added to the formulae, it would assist Devon and Cornwall county councils?

Mr. Harvey: I have no doubt that further work needs to be done in reviewing the formulae used for the distribution of funds. I am grateful that the Government have acknowledged some of the difficulties, but there is no doubt that there is a need for further significant work to be done in revising the formulae used. I welcome the fact that the Secretary of State has said that there will be further work in this area and I am convinced that it is necessary.

My hon. Friend the Member for Torridge and West Devon (Mr. Burnett) mentioned school transport. It would be a very good thing if the cost of school transport were to come to local authorities through their highways and transportation budgets and not to be seen as a function of education. Doing so would enable transport and highway authorities far better to plan the transportation that they must provide across many different service areas and the costs incurred and tasks involved in managing their highways network.

Education costs are a particular problem in two counties that have so many small schools. Costs are much higher, for example, in keeping 300 pupils in six different small schools than in having them in one larger school. In Cornwall, one in 10 primary schools has fewer than 50 pupils, and two thirds of them have fewer than 200 pupils.

The discretionary parts of the education budget will suffer in both counties. In Devon, post-16 transport will start costing more because it is a discretionary part of the budget. Transport to denominational schools also will suffer. That issue has been cropping up not only in my postbag but in those of other hon. Members.

Other services also will be affected by the rurality factor mentioned by my hon. Friend the Member for Torridge and West Devon—such as maintaining fire services that are able to reach people across the many miles of our road network, and road maintenance. In the county of Cornwall, traffic volume has increased annually by an average of 3 per cent., yet spending on highway maintenance has fallen in real terms by 14 per cent. Moreover, the impact of tourism, particularly in Cornwall, has not been considered adequately.

Mr. Adrian Sanders (Torbay): I am glad that my hon. Friend has mentioned the sparsity factor in the formula. However, one other aspect of the formula has impacted very heavily on some resort towns in Devon and Cornwall—the part that recognises bed nights and people who move into one area from another. That part of the formula has gone. The review has therefore begun already, as decisions have been taken that have adversely affected constituencies such as mine. The remaining part of the review, which has not yet been conducted, will have to re-examine that matter in the light of the sparsity factor. It has affected severely our ability to meet discretionary spending, although we are spending up to cap and will have the lowest council tax in Devon. We still suffer from cuts.

Mr. Harvey: My hon. Friend makes an interesting point. I do not think that many hon. Members will weep about the affect that that change in the formula has had on the city of Westminster—not even hon. Members who pay council tax on flats in London that we use so that we can attend to our parliamentary duties. In—quite rightly—doing something about the situation in the City of Westminster, the Government have caused a knock-on effect in areas such as those of my hon. Friend. The matter will be another priority for any review. I very much hope that the tourism element of the economies of Devon and Cornwall will be given due weight, and that the point that he raised will receive the recognition that it deserves.

The issue of rural deprivation also is in need of serious attention. There is deprivation in both rural and urban areas, and one certainly would not want to suggest that the rural deprivation problem is qualitatively or quantitatively different from that of urban deprivation. Nevertheless, some of the criteria that are used in assessing deprivation fail to recognise the differences between living in the countryside and living in towns. Although some of the measurements used appear to be appropriate, they are not when considering people who dwell in rural areas.

For many years, we have been bedevilled, for example, by the use of car ownership as a measure of deprivation. If people live in particularly remote rural areas, it does not matter how poor they are, because they will simply have to have some type of car. People may not have a particularly elegant or modern car, but they will have a car of some description, as it is the only way of getting around. Simplistic measures of deprivation can therefore distort the emerging picture. That is not unique to local government finance. It is astonishing that although the south-west region has 9 per cent. of the population, it gets only 3 per cent. of the total national spend under the single regeneration budget. That is because of exactly the sort of problems that have bedevilled the local government formula. It is the same in the health service. We need a review whose impact will be felt across all public services, not only those delivered by local government.

Many of the other problems that have to be dealt with have been inherited from the previous Conservative Government and, indeed, from the Conservative administrations of many shire counties. For years, they failed to see the necessity, and still fail to see the necessity, of providing adequate services in shire areas. Perhaps some Conservative Members would be here to participate in the debate if—

Mr. David Drew (Stroud): Look behind you.

Mr. Harvey: Oh, I am delighted that there is one Conservative here, but I regret that he does not represent Devon or Cornwall.

The record of Conservatives in running counties shows that they have not spent adequately. Part of the funding formula is based on the historic spending pattern. By the time more enlightened administrations, whether Liberal Democrat, Independent, Labour or a mixture, finally won control of some of those authorities, it was against a background of central Government by clamping down and not allowing them the latitude that their predecessors had. That simply perpetuated the failure of local Conservative administrations to provide proper local services.

This year, central Government's contribution to Devon's overall spend has fallen from 73 to 67 per cent. That reduction is equivalent to £27 million, slightly more than the increase in council tax receipts. In other words, if the Government's support this year had been sustained at the same level, the council tax would not have had to go up at all, and band D tax payers would have been saved increases of £92.

We quite understand the Government's position. We have heard in this context, as in many other contexts, about the need for responsible stewardship of the public finances and the need to avoid boom and bust. I am sure that we shall have the benefit of hearing those points again this evening. No one is calling for reckless spending, but it was with great interest that I heard the Prime Minister acknowledge during Prime Minister's questions last Wednesday that the Conservative's spending plans had been wholly unrealistic. It seems highly unlikely that, had they won the general election last year, they would have stuck to them, so I implore the new Government not to feel that they should do so.

Last year, the new Government set in train various tax measures in the Budget which, as this Parliament unfolds, will result in a huge improvement in public finances. I am sure—at least, I hope—that the local government settlements made later in this Parliament will be very much more generous and that that will result in council tax payers getting much better value for money. However, for children receiving their education now, there is but one chance. It will be too late to hear that the education system in the two counties has been much better funded in years to come. One hesitates to say it, but, for those at the other end of the age spectrum who rely on social services, it will literally be too late if the improvements come in two or three years' time.

On Sunday, perhaps as many as 30,000 people are expected to come up from Devon and Cornwall to take part in the countryside march. I understand only too well that some of them are motivated by the hunting debate, while the farmers, quite rightly, will want to highlight the plight of their industry, but many of the people taking part in the demonstration will do so out of a sense of frustration with the lot of the country dweller. Despite the hopes of the Conservative party, they will not for one moment think that all the problems started on 1 May last year.

Many people to whom I have spoken understand only too clearly that the problems are the legacy of 18 years of disastrous policies which stripped the countryside of many of the services on which country dwellers depend. People have seen rural transport fall away, the number of village schools decline and so on. I hope that the new Government will listen to what is being said and not believe that the marchers are concerned only about hunting. I hope, too, that the Government will recognise the plea from the heart of many who live in rural areas that something absolutely has to be done to improve their lot. All councils face problems, not only because of the Conservative Government's legacy, but because of the new Government's stance on public finances. People did not elect Labour to carry out the Tory spending cuts, and people in Devon and Cornwall should not be expected to pay so dearly in the coming year for an even lower level of service than they were offered last year.

10.26 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): I congratulate the hon. Member for North Devon (Mr. Harvey) on securing the debate and on taking the opportunity to plead most effectively the case of his county and the adjoining county of Cornwall. Before I come to specific issues that he raised, it would be appropriate to make a few general points about the Government's approach to relations between central and local government—indeed, the hon. Gentleman anticipated that I would make a few such remarks.

The Government have a new agenda for Britain's future, and a vision for local government's place in that future. We want to reinvigorate local government in ways that encourage increased democracy, so that local people can have more of a say in their council's affairs. We want increased autonomy, so that authorities have more freedom to take their own decisions, and increased accountability, whereby elected representatives are more visibly accountable for their actions. We also want increased emphasis on partnership, not only between central and local government, but between local authorities and local people, businesses and groups.

As part of the process to achieve our aims, a review of local government finance is being carried out by the Department of the Environment, Transport and the Regions, which is working closely with local government, business and other representative organisations. Consultation papers on possible changes to aspects of the local government finance system will be issued over the next month or so, as part of the wider consultation on the modernisation of local government.

We have already published the first of our consultation papers, "Local Democracy and Community Leadership", which sets out proposals covering four broad themes. The first is the importance of modernising electoral arrangements to improve councils' accountability and to increase participation in local elections. We explore options such as annual elections, electronic voting, rolling registers and the use of new days and ways of voting.

Secondly, we suggest a number of new ways in which councils can listen to their communities and involve local people in their decisions, policy planning and policy review, through, for example, citizens juries, focus groups, referendums and the rather unattractively named techno-democracy.

Thirdly, we have encouraged new ways in which councils can work, giving them clearer political and management structures. We have, for example, explored the possibilities of executive mayors, cabinet systems, lead member systems and single-party executive committees.

Fourthly, we have set out the case for strengthening councils' roles as leaders of their local communities and for giving councils the powers that they need to meet community priorities and aspirations. For example, we have considered community planning, whether to impose a new duty on councils to promote the economic, social and environmental well-being of their areas, and the option of developing a scrutiny role. Follow-up consultation papers will cover best value in service delivery, a new ethical framework for local government, and the reform of local government finance.

I come to the specific issue of local government funding. All public expenditure programmes have to be examined rigorously each year—local government spending, which accounts for a quarter of all public expenditure, is no exception. Decisions on local government spending must look not only at the pressure on local authorities, but at the scope for greater efficiency and effectiveness within local authorities.

As the hon. Gentleman stressed, we are committed to sticking to the public expenditure plans. Although we shall keep within existing spending targets, we have reorganised priorities. The hon. Gentleman rightly stressed the educational needs of Devon and Cornwall and the importance of prompt action; he said that we could not put off for several years dealing with the educational needs of the current generation of schoolchildren. He will recognise that we have put an extra £853 million into education, every penny of which will be covered by this year's revenue support grant. It is a better, fairer, more flexible settlement than in previous years, although it has been agreed within a framework of tight control on public finances. We have increased total standard spending by 3.8 per cent. and provided an extra £350 million for community care. We have also provided £1.3 billion to improve the state of school buildings through the new deal for schools.

In addition, although not within the general ambit of local government spending, we have released £800 million of additional capital spending power for housing through the capital receipts initiative—£174 million to be released in 1997–98 and a further £569 million plus £41 million in revenue support in 1998–99. Of course, part of the money will go to Devon and Cornwall. We have already released more than £10.5 million in additional expenditure in those two counties, for housing and housing-related regeneration.

Mr. Sanders: The Minister is talking about approvals to borrow more money, not cash in hand. The problem that the authorities face is that they need cash in hand for services that they are not under a statutory obligation to provide. That is where the funding gap exists for local authorities in Devon and Cornwall.

Mr. Raynsford: With respect, I have been talking about a range of different issues, including education. I made the point that the £835 million of additional spending was covered entirely by revenue support grant. I have also touched on other developments, including the capital receipts initiative, which has been warmly welcomed by authorities all over the country, as they were asking for additional borrowing capacity to meet important housing needs.

Standard spending assessments are the basis for the distribution of revenue support grant. They are based on measures of spending need that apply to all local authorities and are discussed with local government representatives. The SSAs for 1998-99 were debated in the House on 5 February, and the local government finance settlement has now been agreed.

Having said that, we are committed to a fair distribution of Government grant among authorities, and we believe that there is scope for improvement in the arrangements in future years.

Mr. Paul Tyler (North Cornwall): I appreciate that this is a short debate, and I am grateful to the Minister for allowing me to make one simple point. Does he agree

[Mr. Paul Tyler]

with a number of his distinguished colleagues that, at the end of the day, Ministers have to make decisions and that even when we improve the formulae to near perfection, they will not be perfect? One of the current problems in Devon and Cornwall is that we are still suffering from the backlog of many years of inadequate formulae, so the cumulative effect on all authorities in Devon and Cornwall, whatever their political control, is that there is a formidable backlog in terms of capital expenditure and revenue support. Does the Minister agree that, at the end of the day, there must be a political decision to assist us?

Mr. Raynsford: I accept readily two of the hon. Gentleman's propositions: first, that Ministers must take decisions, and secondly, that there is a problem inherited from the previous Government, which we cannot expect to overcome immediately, but which we are seeking step by step to improve.

The standard spending assessment review this year was designed to make some changes. In respect of tourism, there was a general view that it was correct, despite the knock-on consequences for authorities that have been highlighted in tonight's debate. We have already said that we shall be looking at other indicators for the forthcoming year, as we believe that there is scope for improvement. There should be proper and full discussion with local authorities to assess the impact of changes before decisions are taken, but I accept absolutely the hon. Gentleman's point that Ministers have to take decisions in the last analysis, and we shall do so.

Mr. Ben Bradshaw (Exeter): Does my hon. Friend agree that the Government have already moved quite a long way in that direction, as this year Devon has received an increase in funding that is above inflation and above the national average? Despite that, the Liberal Democrat-controlled county council is imposing cuts and a 20 per cent. increase in the council tax. By contrast, the Labour-controlled local authority in Exeter received a far smaller increase in funding, yet services are being maintained and there is a zero increase in council tax.

Mr. Raynsford: I congratulate my hon. Friend and, indeed, Exeter council on its achievement. I am delighted to know that the council is able to manage so well with the resources available to it. I shall deal with the wider issues of funding for Devon and Cornwall in a moment.

We shall look further at the standard spending assessment system. We shall listen to local government views on how SSAs might be improved, both for 1999-2000 and in the longer term. If the hon. Member for North Devon feels that the SSA system does not treat Devon and Cornwall fairly, I should be happy to examine any proposals that he has for different methods of calculation.

I noted the hon. Gentleman's comments about the number of small schools in the counties, which is a particular concern. That issue might be looked at if he feels that we should do so. Any system of this nature has to be universal, and any changes must apply to all authorities equally. When making changes, we must therefore be sure that they produce a fair impact across the whole country and that there is a sound assessment of needs.

I shall say a brief word on capping. We again gave clear signals that, although we propose to replace the current crude capping system, capping will continue in 1998–99. The Deputy Prime Minister restated his provisional capping principles to the House on 5 February. They allow authorities, on average, to increase budgets by 4 per cent., compared with 2.4 per cent. in 1997–98. It is now up to authorities to set their budgets in the light of all the circumstances, including the provisional capping guidelines. Authorities are aware of the procedure for seeking a redetermination of their cap if they set budgets above the provisional limit. We would consider their cases carefully, but in the event of an authority not getting everything that it asked for, it would have to bear the costs of re-billing council tax payers.

The particular circumstances of rural counties such as Devon and Cornwall are recognised in SSAs, which include allowances for sparsity. I realise that some authorities have anxieties about the area cost adjustment and the possible implementation of the findings of the Elliott review. That is why we did not implement the proposals this year. We felt that greater agreement should be achieved on the issue, and have therefore commissioned further research, which we intend to look at carefully before taking the matter forward.

Devon county council has seen its 1997–98 SSA increase by £13.2 million, or 3.1 per cent., for 1998–99. That is the figure arrived at after adjustments for changes in function were made. The adjusted increase in the SSA for education is higher, at £13.448 million. Those figures compare with the class average increase in SSAs for shire counties of 2.9 per cent. Therefore, Devon has not been treated unfairly in relation to other counties. It has received an increase slightly ahead of the national average.

The provisional cap for Devon for 1998–99 has been set at £440.104 million. That means that the county council will be able to spend up to £16.932 million above base budget—a permitted increase in budget of 4 per cent., compared with only 2.5 per cent. for last year and the county average of 3.7 per cent. Again, Devon's outcome is slightly better than the average for all counties across the country.

The hon. Gentleman mentioned reorganisation. I accept entirely that Devon is affected by reorganisation as Plymouth and Torbay become unitary authorities. Devon made representations to us on that, principally over the council tax increase as a result of the reorganisation and the disaggregation of its 1997-98 budget for education administration between itself and the new unitaries. We estimate that, as a direct result of reorganisation, the council tax increase in the new Devon will be £40 at band D.

The hon. Gentleman was not correct in saying that there is no transitional relief. There is a transitional relief scheme, but it comes into effect only when the increase is more than £52 at band D. Devon, of course, falls below that threshold. We feel that an increase of less than £1 a week is not unreasonable, and it is important to recognise just what we mean when we refer to a council tax increase as a direct result of reorganisation. In Devon, it has come about because the county council had previously, quite legitimately, been spending more in the remainder of the county than it had in Plymouth and Torbay.

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-one minutes to Eleven o'clock.

House of Commons

Friday 27 February 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PETITION

Day Hospice (Moray)

9.34 am

Mrs. Margaret Ewing (Moray): It is with great honour and humility that I present to the House a petition signed by 8,000 of my constituents, which represents 10 per cent. of the total population of Moray. Those signatures were collected in approximately eight weeks against the difficulties of holiday periods and, indeed, blizzards.

The petition seeks the establishment of a day hospice in Moray. My constituency is a caring community. In the years since I have been elected to represent the area, I have consistently been impressed by the generosity of the community, which is shown by the fact that we raised money to site a scanner in our area and to establish a central maternity unit for our constituents because, of course, in the highlands of Scotland distance is of great importance.

In presenting the petition, I am conscious of the fact that people in the areas surrounding Moray are keen for the hospice to be established because it would save journeys to Inverness and Aberdeen. We can all appreciate the importance of ensuring that families are in contact with relatives suffering from terminal illness. We greatly appreciate the work done by our community hospitals and the Macmillan nurses—

Madam Speaker: Order. The hon. Lady is a long-standing Member of the House. She should know that, when presenting a petition, she should confine herself to only a few points to explain what it is about and then present it. The ruling on that is in Standing Order No. 153. Hon. Members who wish to present petitions should look at that Standing Order before so doing. The hon. Lady must now come to an end and present the petition.

Mrs. Ewing: I appreciate that, Madam Speaker, but you will appreciate the strength of opinion in my area.

I will read out the petition, which relates to seamless care. It states:

Unto the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled. The Humble Petition of concerned Citizens of Moray, including the Moray Hospice Steering Committee

Humbly Sheweth

That your Petitioners are concerned that the health and wellbeing of those residents of Moray who endure long-term and terminal illness be safeguarded and enhanced by the provision of proper Palliative care in the area;

That it is acknowledged that such provision can best be made by the speedy establishment of a Day Hospice in Moray to complement Community Hospitals and other existing services;

Wherefore your Petitioners pray that your Honourable House Graciously Commend to The Right Honourable the Secretary of State for Scotland to have particular regard for the need for a Day Hospice in Moray during the current review of Health Care provision in the Grampian Health Board area;

And your Petitioners, as in duty bound, will ever pray, etc.

To lie upon the Table.

Women (Government Priorities)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

9.37 am

The Secretary of State for Social Security and Minister for Women (Ms Harriet Harman): The debate marks an important moment for the Government and for women. We are determined to achieve a real alignment between what women want and what the Government intend. We have a Prime Minister, a Chancellor and a Cabinet who are all committed to putting the concerns of women at the heart of government. That has happened because this Administration understand the central message that women have been trying to get across for years: that, although women and men share the same values and objectives, women's lives are different. They have a different pattern, so we have a different perspective and a different range of needs and interests. Those are not a side issue, but are fundamental to our society and our Government.

These are the things that women say matter to them, or to us, I should say: a better education for our children; better health services; freedom from the fear of crime and violence; security in old age; and the opportunity to work and to go out to work, balancing the responsibilities of work and of the home. This Government are delivering on all those issues, laying the foundations for a better Britain.

In the hearts of all mothers is a burning desire to ensure a good education for their children, and at the heart of the Government is a commitment to a good education for all children. My right hon. Friend the Secretary of State for Education and Employment is driving down class sizes and driving up school standards.

Women want to be certain that the national health service will be there for their families, and that it will give the care and attention they need, when they need it. Moreover, when women fall ill, they need prompt treatment, but not in mixed-sex wards. My right hon. Friend the Secretary of State for Health and his team are modernising and investing in the NHS to ensure that it delivers those services.

Women want safety for their families and for themselves; they do not want to fear crime. Violence against women—even in their own homes—remains a blot on our society. It is still largely a hidden crime, which is swept under the carpet. Too many women are afraid of what might happen if they speak up; they are not sure that they will receive the protection that they need. It is estimated that one in three cases of domestic violence go unreported.

The Government will not tolerate a culture of fear, which leaves women unsupported and the men who abuse them unpunished. That is why, with my colleagues across Government, I have made tackling all forms of violence against women one of my key priorities. That includes violence in public spaces—including buses and trains—and in the home. The Government will work with local government to combat violence, creating a national strategy to tackle violence against women.

The Government's concern is for women throughout their lives, particularly as they grow older. The whole House will agree that it is a scandal that, after a lifetime of work or caring for their families, women in retirement—particularly the very old who live on their own—are some of the poorest people in Britain today. When they were of working age, even those who worked were probably low paid and may not have paid national insurance contributions for a pension in their own right. They probably have no savings, no state earnings-related pension and no occupational pension from their employer—nothing. Often, they do not receive the benefits to which they are entitled, because they are too proud to claim them.

We will tackle the poverty of today's women pensioners. We have already given extra help for fuel costs, and are ensuring that they receive the benefits to which they are entitled. To ensure that today's women do not become tomorrow's poorest pensioners, we have set as one of the 10 key targets of the pensions review the narrowing of the pension gap between men and women in retirement.

We will ensure that, on top of the basic state pension, women have access to a good second pension—either an occupational pension or a new stakeholder pension. We will introduce for carers a citizenship pension, which will recognise that, although they may not go out to work, they make a valuable contribution to society through their caring responsibilities, and so should have a second pension in their own right.

Mrs. Jacqui Lait (Beckenham): What advice has the right hon. Lady received from the actuaries about the effect on pensions of the difference in life expectancy between men and women? How will pensions be funded equally?

Ms Harman: The hon. Lady raises an important issue, about which the pensions review is liaising with actuaries.

After fewer than 10 months in government, we are already delivering on a range of issues that are of concern to women. One of the most important of those is women's desire to combine their family responsibilities and paid employment on a fair and manageable footing.

Women's lives have changed profoundly. The days are gone when women were as rare a sight in the workplace as men are, even today, in the kitchen. *[Interruption.]* Not all men, I hasten to add; there are some honourable exceptions on the Labour Back Benches.

Over the past 50 years, the number of women going out to work has greatly increased. They go out to work because they want to and need to, and because we need them to. The nurse, the teacher, the factory worker, is probably someone's mother. Seven out of 10 women now have paid jobs. Two thirds of married mothers go out to work—whether full time or part time, their work is vital to the family income. Britain now depends on women's work as well as men's; our economy depends on women, but so, still, do their families.

Women are redefining their role as mothers. Nowadays, they provide for their children as well as care for them. Women increasingly expect men to redefine their role as fathers in caring for their children, as well as providing for them. Many of us, including many of my hon. Friends who are present today, have campaigned for years for public policy to support women's choices and to recognise that women's lives are changing. We are now in government and doing just that.

The Government believe that parents should decide what is best for their children. The best thing that we can do is to support parents, by offering them choice backed up with opportunities, and opportunities backed up with real investment. We want to make it easier for all parents to meet their responsibilities in the workplace and in the home.

The previous Government took no action to help women balance the changing demands in their lives. Women have been left to manage their extra responsibilities without access to child care that they can trust and afford, or that matches their working hours. Let us make no mistake: in child care, Britain's children are Europe's poor relation—in most other European countries, high-quality child care is taken for granted. Parents in Britain must have a choice of accessible, affordable and high-quality child care.

That is important for children, for their parents and for the economy. It is important for children, because good child care can give children a head start by offering educational and social opportunities before they start school. There is strong evidence that it improves their chances of doing well as they grow older. It is important for parents, because it is what they want—the waiting lists for nurseries, after-school clubs and child minders are endless—as it helps them to support their families by working, so that they can bring up their children on income from work, not benefits, and so break the cycle of joblessness and social exclusion.

Mr. Michael Fabricant (Lichfield): Will the right hon. Lady give way?

Ms Harman: Yes. I welcome the hon. Gentleman to the debate, and I look forward to his intervention.

Mr. Fabricant: I am grateful to the right hon. Lady for her courtesy. She said—I think that the whole House will agree—that parents are best able to look after their children when they can go to work and find good carers. Will she confirm, however, that, under the new deal, only 6.2 per cent. of parents have been able to return to work? I understand that the figure is even lower for single mothers under 25. What percentage does she think would show that the new deal was a success? What targets will she set?

Ms Harman: The new deal for lone parents, which I shall speak about later, is the subject of an academic evaluation that will cost the best part of £1 million. We shall set targets on the basis of that evaluation. The new deal is a pioneering project—it has never been tried before—so we cannot set targets before we have evaluated what works and how it works.

Child care is also important because Britain's economy depends on women's work, as does the welfare of their families. Ensuring the right child care is crucial to building strong families and communities, and to running a sound and stable economy. The Government will, therefore, as we promised in our manifesto, implement a national child care strategy, which will be set out in a Green Paper to be published after Easter.

The key words of our strategy will be quality, accessibility and affordability. We want to improve the range and choice of child care, but that child care must, first and foremost, be of high quality. Parents want to be sure that their children receive the very best child care. That means more and better-trained child care workers, an improved system of regulation and inspection, and a seamless service of education and child care that has the interests of children at heart. To underpin quality—indeed, it is essential for quality—child care must not be a poor service only for poor families, but an excellent service for all families. It must be universal.

Our second watchword is accessibility. Child care must be accessible to all. At the moment, access to child care is a lottery, depending on where one lives. Parents in rural areas especially have little chance of obtaining the type of child care that they want. The 1997 rural services survey—carried out as part of the excellent decade-long attempt by the Rural Development Commission to ensure child care in the country—shows that 93 per cent. of rural parishes have no public nursery, and 92 per cent. have no out-of-school child care groups. Families in rural areas are losing out.

Mr. Damian Green (Ashford): Will the Secretary of State give way?

Ms Harman: I welcome the hon. Gentleman to the debate, and I look forward to his intervention.

Mr. Green: I endorse the Secretary of State's tribute to the Rural Development Commission's important work on child care in rural communities. Will she tell the House why the Government propose to abolish the Rural Development Commission?

Ms Harman: The excellent work of the Rural Development Commission will be developed as part of the regional development agencies. We want to see that work developed and strengthened; that is why I have raised the subject today. It is wrong that families in rural areas should lose out.

To provide choice for all families, we are investing £300 million to expand out-of-school child care provision over the next five years. That will provide places for up to 1 million children. Some £40 million will be available for the first year, starting from April, and we are also developing early excellence centres in all regions.

Our third watchword is affordability. We are already providing extra help to low-income families with the cost of child care, but we want to be certain that more help with the cost of child care is available to those people who need it. The new working families tax credit and extra help through the tax system for the cost of child care will offer the opportunity to ensure that all working parents on low incomes get the help they need with the costs of child care. Help with the cost of child care also helps to underpin the quality of child care, because child care on the cheap is not good child care. Therefore, help for parents to afford child care will help to ensure the right standard of child care.

To give parents a real choice, we will foster a range of different kinds of child care, for non-working mothers as well as working mothers. That means playgroups, mother and toddler clubs and one o'clock clubs, as well as child minders and nurseries; it means breakfast clubs as well as after-school clubs; and it means holiday play schemes during half term and holidays.

[Ms Harman]

The national child care strategy will build on the effective partnerships that exist between local government and other child care providers in the voluntary, public and private sectors. As we put child care at the centre of the Government's social and economic policies, I pay a warm tribute to all those child care providers and campaigners who, in the long years when child care was not a Government priority, struggled to make the argument and take the issue forward. They have played and will play a crucial role in taking forward our national child care strategy. Local authorities, often without the backing and help of Government, have pioneered excellence on the ground. We look forward to a vibrant partnership with them to deliver the national child care strategy.

Mr. Nick St. Aubyn (Guildford) *rose—*

Ms Harman: I have already given way to the hon. Gentleman, so I shall not do so again. *[Interruption.]* I am sorry, he looks exactly like the hon. Member for Ashford (Mr. Green).

Mr. St. Aubyn: I hesitate to accuse the Secretary of State of sexism in her attitude to men. In view of the importance of child benefit in helping families to pay for child care, will she give an absolute assurance that she will not make it harder for women to go out to work and earn a salary by introducing any forms of means testing of the child benefit that is paid to women?

Ms Harman: The Government have already extended help with the cost of child care by extending the child care disregard in family credit. As the Chancellor said in his Green Budget statement in November, we will provide extra help with the cost of child care. Child benefit is the subject of a manifesto promise that we shall keep.

I have mentioned the important and pioneering work of local authorities. I pay tribute also to the voluntary organisations—both local providers and the excellent national organisations such as Kids Club Network and the Daycare Trust—and to those employers who have led the way, such as Midland bank, working through organisations such as Opportunity 2000. I pay tribute also to the women in unions who have pressed for child care to be on the collective bargaining agenda for their members. All those organisations and individuals have struggled to build child care, and now they will have a Government who will back them.

Child care is not the only important aspect. What happens at work is also important. Although women are crucial to today's workplace, there is little recognition of their responsibilities at home. We must have family-friendly working, so that patterns of work reflect the needs of families to a much greater extent. At present, it is too often the other way round.

Last year, we agreed to implement the European Union directive on parental leave and, this year, we are working towards an early extension of the EU directive. We also wish to make work pay for women. Women still lag behind men in the pay stakes.

Miss Julie Kirkbride (Bromsgrove) *rose—*

Ms Harman: I shall give way to the hon. Lady.

Mr. Bernard Jenkin (North Essex): She looks just like the others.

Miss Kirkbride: But I am still wearing blue. I am curious about something that the Secretary of State said a few moments ago. She claimed that, under the Government's new scheme, non-working mothers would be given state money—up to three quarters of the cost—to help to pay for child care. I can understand why the Government might wish to help mothers go out to work so that the benefit bill is cut, but why should non-working mothers be eligible for state help with child care?

Ms Harman: Because non-working mothers want quality playgroups, mother and toddler groups and one o'clock clubs. The fact that they care for their children at home should not mean that their children should be denied the opportunity of good pre-school education. Those mothers and children will be helped by the development, from the local level, of the national child care strategy.

Women are more likely to be in low-paid or part-time employment than men, and the gap is getting bigger. We are determined to tackle low pay. We shall do it by introducing, for the first time, a national minimum wage. Among the first to benefit will be more than 500,000 women who now—disgracefully—earn less than £2.50 an hour. We shall help make work pay by giving help to low-income families through the tax system—as my right hon. Friend the Chancellor set out in his Green Budget in November.

The Government are helping women when they are in work, and we are making work pay. The third part of our three-track strategy is to provide active help in getting women into work. Until now, many women—especially lone parents—have wanted to work, but have been denied the opportunity to do so. The facts speak for themselves—more than 1 million lone mothers are bringing up 2 million children on benefits.

Our new deal for lone parents is already showing what can be done. For the first time, specially trained personal advisers are offering help and advice so that lone parents can overcome the barriers to moving into work to make themselves and their children better off. In eight months' time, that service will start to be available to all lone parents across Britain.

Mr. Jenkin: May we take it that, if the figures of 1 million mothers and 2 million children on benefit do not fall, the Secretary of State's policy will have failed?

Ms Harman: I want to see the numbers of lone parents on income support fall. If we get right child care, family-friendly employment and good advice and information to help lone mothers into work, we will see the steady rise in lone mothers on income support start to fall. I am sure that that will be welcomed by the whole House, because those women and children will be better off, and the mounting burden on the taxpayer will start to reduce.

Mrs. Teresa Gorman (Billericay): I am listening with great interest to the right hon. Lady. Her remarks have

dealt with women at the bottom of the pay and opportunity scale. Before she finishes, I hope that she will refer to the child care needs of all those outstanding women who make tremendous intellectual contributions to our society, not a few of whom are represented here. They also go to work and have to leave their children. They do not want the state to look after them; they want to use private facilities, for which they need tax relief on the gross cost. Will she consider that, because such women make an important contribution to our modern economy?

Ms Harman: The development of our national child care strategy will help all women, working or not working, by providing a good choice of child care facilities for their children. Of course high-earning women use and need child care. They will benefit from the availability of well-regulated, properly inspected nursery and child care facilities in all areas. They will benefit from the extension of child care and out-of-school clubs through our national child care strategy.

I am sure that the hon. Lady agrees that, in helping to make child care affordable, the Government's priority must be to help those who have the greatest difficulty in paying for it rather than spreading it evenly across the range. Some women can afford child care, but find that it is still a headache because they do not have the right choice or quality. They will benefit from our national child care strategy. Women on lower incomes will be helped in respect of quality and accessibility but also of cost.

The developments are set against a sea change in British politics. There are now 121 women Members. Still too few, I would say, but almost double the number returned at the previous general election. There are five women Cabinet Ministers and 15 women Ministers outside the Cabinet. Still too few, I would say, but still more than at any other time in history. We have a new Cabinet Sub-Committee that draws Ministers from all Departments together to co-ordinate and drive forward policies that will improve the lives of women. We shall soon have a Scottish Parliament and a Welsh assembly that will genuinely represent women as well as men in Scotland and Wales.

Throughout the United Kingdom, we are committed to building a new bond of trust between women and Government, to replace cynicism and detachment by developing and sustaining a genuine dialogue with women, so that women's many voices are heard and heeded. We are strengthening our links with women's organisations and reviewing the Women's National Commission.

At the same time, we will reach out to women who do not join organisations to hear the views of those who do not normally take part in consultative exercises. They are the people who most often feel cut off and alienated from the world of politics and government.

I am pleased to announce today a new initiative that signals our determination into enter a new dialogue with women. We have commissioned two pilot women's juries to be held later this spring. They build on the model of citizens' juries, which have been used successfully by several health authorities and local authorities. In a citizens' jury, a small group of ordinary citizens from the population at large is asked to take part in an informed and extended discussion on a policy question. Unlike a focus group—

Mrs. Theresa May (Maidenhead): It sounds like a focus group.

Ms Harman: The hon. Lady clearly does not understand. This is not about focus groups but about drawing people together and asking them to go through policy issues. It is a deliberative process. It is not like a focus group, which researches public opinion. The jury model is intended to improve and enrich our democratic practice. *[Interruption.]* Conservative Members laugh, partly because they have never heard of it and do not understand it; but, in a few years, they will be trying to imply that they invented it.

The proceedings of the jury and the report of its findings will be in the public domain. The jurors must approve the report before its submission to Government. It complements the normal channels of consultation and decision making, adding a distinctive voice that is not usually heard, especially in the House.

For the first time in two decades, Britain has a Government who are listening to women, giving priority to what they say about their lives and families, and bringing their perspectives into all work across all Departments, building it into the routine mechanisms of policy making, not as an add-on but as an essential part of the policy process. We are committed to building and sustaining a new habit of governance that has women's voices and interests at its heart. We are proud to be part of that Government and proud to be part of that change.

10.4 am

Mrs. Gillian Shephard (South–West Norfolk): I apologise to the House because constituency commitments made 12 months ago mean that I cannot remain until the end of the debate. I have been in touch with the Minister who is to reply and written to the Speaker. It is not because the Leader of the House did not give us enough notice—she gave us three full weeks—but because my commitments concern an annual general meeting.

I am delighted that the Government have found time for a debate on priorities for women. Some of us were in the Chamber for the very first such debate, which was initiated by the then Member for Derbyshire, South and junior Health Minister on 10 June 1988. It should give pleasure to all, regardless of party affiliation, to see what our predecessors would have rejoiced to behold: a House in which one Member in five is a woman.

I take pleasure in congratulating all the new women Members, all those women who have taken up ministerial office for the first time and those in opposition in positions of authority. Britain has a woman Head of State and has had an outstanding woman Prime Minister. We have a woman Speaker who is known and respected throughout the world. Women in senior positions run the affairs of Whitehall and Parliament. Although there is always more to do, more mountains to scale, this is a day of minor celebration.

I regret that, although this is a good day, the Secretary of State went into her usual tone of carp and scold. I take great encouragement from the words of the Secretary of

[Mrs. Gillian Shephard]

State for International Development, who, in a 1994 publication, "Uphill all the Way", said of the election of more women to this House:

"The quality of debate will be altered . . . The topics and tone of debates will be changed".

Let us hope that it might be. I am not sure that we could have guessed it from the first contribution, but we have the rest of the day.

The Secretary of State had some interesting things to say. They were leaked, as is the Government's practice, to *The Guardian*. There were suggestions elsewhere in the press that she leaked them herself ahead of the Budget. One wonders whether *The Guardian* could become a sort of *Hansard* in advance; it would save time.

Barbara Follett (Stevenage): I thank the right hon. Lady for her courtesy in giving way. I note that she hopes that the tone of debate will change and that we will move away from carp and scold, but she has almost immediately started carping and scolding.

Mrs. Shephard: Dear, dear; I stand reprimanded.

I have some frank things to say, and I think that Labour Members share my concerns. The Government's handling of benefits for less well-off families and lone parents has been a catalogue of disaster. There have been claims and counter-claims. The Prime Minister gave a straight denial of a change of plan on Wednesday. The Chancellor of the Exchequer's people have been briefing furiously that he intended to announce the proposals as the centrepiece of his Budget. The Secretary of State, sadly, walked out of an interview yesterday. It has been a sorry saga. It is no wonder that the proposals have been slammed by the Government's own supporters, in the meetings that they have held around the country, and by the interest groups.

The Secretary of State has announced a Green Paper. There are some good ideas in what she has outlined. We await it with interest. We also await the plans to be announced in the Budget, which we are told about on another page of *The Guardian* this morning. We hope that all those things will combine to do what the Secretary of State hopes.

There are a number of issues on which I can agree with the Secretary of State. I certainly wish that we had more women Members on the Conservative Benches. Those we have are deeply committed and very much in demand, which is why not all of them could be here today, much to their regret. We do not have the luxury of one week off in four, which I understand is the arrangement for Labour Members, but, of course, I understand that, too.

Mr. Dennis Skinner (Bolsover): You had better not believe that.

Mrs. Shephard: Well, we know that the hon. Gentleman is always on duty.

The Conservative party wants to see women succeed in traditional roles, in business and in public life. In government, we pioneered many practical measures that have helped women to succeed. I shall detail a few of them later. We created flexible labour markets which have successfully created jobs. We built on education reforms to provide opportunity. However, we recognise as Conservatives that we have to do more to help women to succeed in politics. Our party reforms are changing the way in which we do business to encourage more women to take part in the main stream of the party, and there is certainly much to be done.

There is another matter on which I hope that the Secretary of State and Labour Members, and hon. Members of all parties, agree with me. It is a matter of regret that the arrival of so many new women Members in the House has been given less than serious media coverage. This is not an envious snipe, although perhaps it is; hon. Members can judge for themselves. It is true that publicised makeovers in which some women have indulged—perhaps I could have done with one—make for trivial coverage. It is sad that some journalists—some of the worst offenders have been women journalists—have been so gratuitously offensive about women in the House.

The Secretary of State told us of her Government's new deal for women. She has—correctly, I am sure—said little about all that has gone before, but I should like to take a few minutes to set the record straight. The previous Government established women's issues as a Cabinet responsibility and set up a Cabinet Committee chaired by a Minister to deal with women's issues across government. We established a women's issues working group which, among other things, oversaw "New horizons for women"—a series of seminars up and down the country in which we listened to women's views. We also developed the after-school child care initiative, creating 67,000 places at a cost of almost £60 million. A nationwide child care strategy called "Work and family" was developed by my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan).

It was the previous Government who established a ministerial responsibility for women's health, screening programmes, well woman clinics and other health care initiatives especially for women. The previous Government, through the economic success that they passed on as a golden legacy to the Labour Government, saw record numbers of women in the workplace, the narrowing of pay differentials to a record low, and a record rise in the number of self-employed women. The previous Government gave help with child care costs, family credit and other benefits. We guaranteed the future of child benefit untaxed and launched fair play for women with the Equal Opportunities Commission. We saw the fastest ever rise in the number of women graduates and we saw girls outstrip boys in almost every measure of academic achievement, although we all know that that creates another problem in its own right.

Mrs. Gorman: Why?

Mrs. Shephard: Did I hear the word "why"? Well, one has to be logical about this. I will explain to my hon. Friend. It is a problem. If, in the past, we regarded it as a problem that girls under-achieved, we must now regard the fact that boys are under-achieving as something which has looked at and solved. Obviously, we want girls and boys to achieve well across the board.

Mrs. Gorman: Does my right hon. Friend agree that, with the modern development of our economy thanks to the excellent policies of the Conservative Government, the growth in the labour market will require more highly skilled and highly educated people? The only increasing

source of labour will be women and young girls coming into the labour market, so it is essential that our girls achieve more than they ever did, and certainly perhaps more than some of the boys.

Mrs. Shephard: My hon. Friend is, as ever, refreshing. She is not wrong. As I said, we want girls and boys, and men and women, to be equipped to compete in an increasingly competitive and global marketplace.

The previous Government ensured an increase in the number of public appointments of women. It was previously 23 per cent. We edged it up to 30 per cent., and we want to see it pushed further still. I hope that the Secretary of State will work on it. We also signed up to the Beijing platform for action. All those are real and measurable achievements. I hope that the Secretary of State will feel that she can accept that we established a good foundation on which she and her colleagues can now build.

Mrs. Lait: In that long catalogue of achievements, which I am grateful that my right hon. Friend has listed, does she include independent taxation of married women?

Mrs. Shephard: I certainly do. I have some questions for the Minister for women, who will reply to the debate, and I shall put them to her at the end of my remarks. Independent taxation was an achievement, and we certainly do not want to see it threatened.

The Secretary of State made some announcements this morning. I welcome them and congratulate her on them, and I wish her well. However, what has been achieved for women in the first nine months of this new Government is not a great deal. Labour promised before the election that there would be a Minister for women with full Cabinet status. What happened? There was rather a long delay and then a rushed announcement, following protests from women's groups, of the appointment of the hon. Member for Lewisham, Deptford (Ms Ruddock), for whom I have great respect. However, she was appointed without Cabinet status and forced to take the job on low pay and now half pay. That is not a good message for women around the country. I understand that she sits on just two Cabinet Sub-Committees. I am sorry to say—I am sure that she will be expecting me to say this—that her sole parliamentary activity since her appointment last June has consisted of giving just five oral answers from the Dispatch Box and 18 written answers.

Ms Margaret Hodge (Barking): Does the right hon. Lady consider that it was a good message for women under the previous Government to have a man representing women's issues in the Cabinet?

Mrs. Shephard: I think that the record of the previous Government stands for itself. [HON. MEMBERS: "Yes."] For several of the years in which I had these responsibilities, I chaired that Cabinet Sub-Committee. I am sorry to say that we have yet to see any achievement as a result of the hon. Lady's appointment.

Mr. Jenkin: Would we not be going backwards if, while we were trying to abolish woman-free zones in public life, we started to create man-free zones?

Mrs. Shephard: I do not think that that is the Government's intention—it certainly would not have been the previous Government's intention.

However, it was a considerable disappointment to women's groups around the country that we did not hear from the Minister for women when they protested about the cuts in lone parent benefit; nor, for that matter, did we hear from the majority of women Labour Members. Their curious post-election silence on the matter led to an accusation from their own side that they resembled the Stepford wives. Indeed, the hon. Member for Reading, East (Jane Griffiths), who is in her place, revealed to the *Reading Chronicle* of 13 January that she and others have formed a club poetically named—in contradistinction to the Stepford wives, I believe—"the Stroppy Cows". I should make it clear to the House that I am quoting the hon. Lady. Neither description is helpful to the cause of women in the House, and it is a matter of regret that both descriptions originated on the Government Benches.

There have been other broken promises. What about national health service waiting lists? Labour promised women that waiting lists would be cut by treating an extra 100,000 patients, using £100 million saved from NHS red tape. However, recently published figures show that waiting lists had increased by 50,000 at the end of last year.

Ms Julia Drown (South Swindon): Does the right hon. Lady agree that the extra £10 million for breast cancer services is a welcome initiative for women in this country who are worried about breast cancer?

Mrs. Shephard: Any initiative of that sort is very helpful to women, but Government Members have to get it into their heads that, on average, health spending when we were in power rose by more than 3 per cent. each and every year, whereas so far the increase in spending under Labour has amounted to 1 per cent.

The Government's commitment to education, education, education, does not square with the cuts in council funding, mostly in rural areas, which they did not need to make and which, coupled with the huge hikes in petrol prices that have already been imposed, with more to come, mean that rural women and rural families have had their choices appallingly reduced. The Secretary of State's announcement has done little to clear up the muddle that the Government have created in her policy area. I hope that the Minister for women will take the opportunity to clear up some of those points, once and for all.

Does the Minister believe, as did her right hon. Friend the Secretary of State before the election, that lone parents are financially at a disadvantage compared with married couples; or does she agree with the Prime Minister that abolishing lone parent benefit was necessary to stop unfair treatment of married couples? Does she, like her right hon. Friend the Secretary of State, refuse to rule out taxing or means-testing child benefit? How would taxing it square with the Government's so-called principles of achieving greater equality or, for that matter, of preserving independent taxation of women?

Will the Minister make the new deal for lone parents compulsory during the life of this Parliament? How does she intend to deal with the unemployment among women that the introduction of a national minimum wage will certainly create? How will she give women a meaningful choice between working and staying at home?

[Mrs. Shephard]

There is a lot to do, and a lot of confidence for the Government to regain, because—regrettably—there is nothing to show for nine months of work. We have an underpaid Minister whose parliamentary record so far has been well-nigh invisible. We have a string of broken promises. We have utter confusion on the lone parent benefit front. We have real hardship for rural women and their families. We have seen the sort of hostile reaction from the public that one would expect when expectations have been dashed by the reality of Labour in power. They have made a bad beginning; that fact cannot be dispelled by press leaks and a few announcements on a Friday morning.

Labour made many promises before the election, and women deserve more than they have so far received from the Government. Successive Conservative Governments have strengthened the position of women in British society. We and the women of Britain will judge the Labour Government by what they achieve, not by what they tell us they intend to achieve. We want real improvements, real opportunities and real choices for the women of Britain.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. There are many hon. Ladies—and Gentlemen—who want to speak and, obviously, if speeches are kept short, more people will be able to do so. I hope that hon. Members will bear that in mind.

10.24 am

Lorna Fitzsimons (Rochdale): I warmly welcome the announcements made by my right hon. Friend the Secretary of State in the first momentous debate under our Government celebrating the achievements of women, both inside and outside the House. The £40 million, the Green Paper and women juries are all welcome.

I was going to welcome the statements of the right hon. Member for South–West Norfolk (Mrs. Shephard), having had dealings with her previously when she was a Cabinet Minister. However, I revised that intention after hearing her say that she wanted debate to take a different course now that there were lots of women in the House, but then practise the Conservative historical revisionism we know so well. The reality is that there are millions of women who will benefit from the minimum wage, and the question to be asked is: do the Conservatives support poverty pay and keeping women and therefore children in poverty? Do they support it or not? Over the past nine months, and for the first time in this country's history, women have been taken seriously at the heart of Government, not only in economic policy, but in every other policy area.

Mrs. Cheryl Gillan (Chesham and Amersham): May I correct the hon. Lady? My right hon. Friend was quoting the words of the present Secretary of State for International Development. I hope that that puts both the hon. Lady and the record straight.

Lorna Fitzsimons: In terms of the debate, perhaps it would be more healthy for us to go through the achievements announced in a thorough manner by my right hon. Friend the Secretary of State. We should be debating what we have managed to achieve for women in a real and meaningful sense, whether our child care strategy, our family-friendly employment policies—policies which were sadly lacking under the previous Government—or our taking seriously the issue of violence against women, one of the most insidious crimes, which the previous Government failed to take seriously.

The Conservatives had 18 years in which to take all those issues seriously and to implement strategies, so their saying that we have done little in nine months will not wash with my constituents. Many women working in their communities suffered as a result of the Conservative Government's policies, from poverty and from the rundown in local services. They had to ensure that, in their work in the communities, they bridged the gap between resources and the reality of their lives.

I am glad that the Labour Government, in the most senior Departments, are taking seriously the issues of women and of children. Those issues are a true economic issue and I welcome the recognition of that fact in our economic policies. We are starting to treat child care as an economic issue—*[Interruption.]*

Mr. Deputy Speaker: Order. There are lots of conversations going on in the Chamber. I want to hear what the hon. Lady has to say.

Lorna Fitzsimons: Child care is not only about nurturing children, but about enabling women to participate in society. We have to start at the top and one of the first things we discovered on coming into government was how women were not taken seriously in a systematic fashion across government. Would the House believe that there is no ability to do modelling in terms of the gender impact analysis of Government policies, because the previous Government did not collect statistics that would make it possible to determine the effect of policies on women's lives? That is how much attention the previous Government paid to women.

Mrs. Gillan: Is the hon. Lady aware that I was the Minister who produced the first set of disaggregated statistics based on gender? Has she even bothered to look at them?

Lorna Fitzsimons: Yes, I have. However, does the hon. Lady agree that, although the Fawcett Society and several senior academics have tried to conduct gender impact analysis throughout Government, the previous Government did not set up the necessary data collection procedures to make that possible? That places the Treasury and other Departments in a difficult position; we must start from scratch. One can disaggregate some statistics but, in the absence of the basic information to disaggregate, it is impossible to do so.

We are finding that, to a great extent and in many areas, women have not been taken seriously. The opening remarks of the shadow Leader of the House disappointed me, because I believe that, if we do not put women at the centre of government, throughout Whitehall, we shall be cutting off our nose to spite our face. Some of the least known work of the women's unit and the Ministers for women will have the longest-term impact on the lives of women in this country.

During the short period of nine months in which I have been a Member of Parliament, I have come to understand that often it is very hard to wade through the bureaucracy of Whitehall and the House to make things transparent to the outside world. Therefore, it is incumbent on us to use this debate to flag up some of the differences between this Government and the previous Government. I hope that women will come to trust and value the features that make us different—not only the fact that we have 101 Labour women Members of Parliament, but the fact that we as a Government, to a man and woman, take women's interests seriously.

On pensions and citizenship pensions, it is important that we are talking about pension sharing. It is important that we are talking about our responsibility for carers, and for women—like my mother—who have been unable to participate in the world of work for any reason, whether it is because they have had child care responsibilities, because they have always done intermittent part-time work or low-paid work or because they carry the burden of looking after families, older people or relatives. It is our responsibility as a Government to cherish them and to ensure that the pension system does not discriminate against them, because they have been doing some of the most crucial and under-acknowledged work, in the unpaid economy.

I very much welcome the work that is being done by the National Audit Office, post-Beijing, to collect data about the value and importance of unpaid work—and paid work—to the economy. These vital planks will allow us to build a far more sophisticated picture of the true economic value of the participation of women in the economy, because there are knock-on costs to women staying at home looking after relatives.

Mr. Denis MacShane (Rotherham): Is my hon. Friend aware of studies by economists at the university of York, which suggest that it can cost as much as £100,000 to bring up a child to university age, and does she agree that that shows the immense contribution that women, mothers and families make to the economy, which should be recognised?

Lorna Fitzsimons: I thank my hon. Friend for that intervention. He notes one study. Non-governmental organisations and women academics are doing a myriad of studies, enabling the new Government to build a picture based on empirical research, instead of starting from scratch. That is of great value to us.

Mr. Jenkin: Will the hon. Lady acknowledge that the work that the previous Government did on that issue was reflected, not only in our manifesto commitment to introduce transferable tax allowances, so that women bringing up children and not working could bring the benefit of their tax allowances into their family earnings, but in the introduction of basic pension-plus? That would have meant that the Government would pay amounts from the national insurance fund into the personal pension funds of women who were carers and not working, so that they would benefit from a proper funded pension, instead of depending on the basic state pension, which increases only with the rate of inflation.

Lorna Fitzsimons: The majority of my women and pensioner constituents do not recognise the picture that the hon. Gentleman paints of the past 18 years. They feel sadly betrayed. They feel—

Mr. Jenkin: You do not understand it.

Lorna Fitzsimons: I do understand it. Does the hon. Gentleman support the pension package that my right hon. Friend the Secretary of State has announced regarding pension sharing and the stakeholder pension?

Mr. Jenkin: What pension?

Lorna Fitzsimons: The stakeholder pension, as I have patiently outlined and as my right hon. Friend patiently outlined, is a vital plank to help ensure that women who do the unpaid work in society or who cannot, for any reason, participate regularly in the workplace, are not cheated in their pension years. It is a very simple point, but it seems to bypass the hon. Gentleman.

In my constituency of Rochdale, several groups of women work tirelessly in parent-teacher associations, child care groups or housing associations to ensure that the community in which they live and work runs smoothly. I pay tribute to them. Throughout my education as a candidate and as a Member of Parliament, many of them have given me valuable insight into the daily impact on their lives of local government, regional government and national government. Without their work, we should be the poorer, and on this day, when we are celebrating women and the work of women, it is important to recognise that rich tapestry of unacknowledged work.

Many women are involved in mainstream politics—I am glad to see that on 1 May their number hugely increased—but many women's significant political work goes unacknowledged and unaccredited. It is important that, on this day, we acknowledge that from the House. They are fellow politicians. Many Asian women's groups are breaking down the barriers of language and culture in my constituency, tirelessly working against all odds.

Mr. David Rendel (Newbury): Will the hon. Lady give way?

Lorna Fitzsimons: I am sorry; I should like to, but I must make progress because many hon. Members want to speak.

I welcome the new initiatives that the Ministers for women have put together in only nine months and pay tribute to all the work that non-governmental organisations do, internationally and internationally. Specifically, I pay tribute to the women's organisations, the unsung heroes of our communities; we should be better off if we listened to them. I do not consider that the issue of a women's jury is a laughable commodity. I believe that ensuring that we give a positive platform to a myriad of the rich tapestry of women makes us richer as a Government.

10.36 am

Mrs. Marion Roe (Broxbourne): Mr. Deputy Speaker, I am grateful to you for calling me early in the debate. Like my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard), I should like to apologise to

[Mrs. Marion Roe]

you, to the Minister and to my hon. Friend the Member for Chesham and Amersham (Mrs. Gillan) for the fact that I cannot be in the Chamber during the winding-up speeches. I have written to Madam Speaker, explaining that, unfortunately, I was unable to cancel engagements to which I was already committed this afternoon, but I shall, of course, read the *Hansard* report so that I am aware of the Front-Bench responses to the issues that are raised.

I welcome the debate. Women's role in society has become increasingly complicated. Until recently, the female's role was to produce and care for children. Now, with the greater automation of society and the advances in health, contraception and education, there are choices to be taken in women's life styles. Do women work outside the home? Do they have to have children? Do they look after their children themselves or do they choose another to fulfil that function? Those choices are highly personal and private, and they depend on circumstances—inherited attitudes as well as inclinations. What can be said is that we have arrived at the point where we can no longer stereotype women into convenient packages.

There has been an inclination to label women crudely as either "high fliers" or the "little woman at home". No longer: different women want different things at different times in their lives. In our journey through life, we all fall into various groupings. The movement is greatest among the under-45-year-olds. A woman can be single, childless, a step-parent, a high flier, a mother, a worker, divorced, a lone parent, a young mother or even a grandmother. At each stage of her life, she needs different support. The challenge for us as commentators, legislators and opinion formers is to cater for the greater fluidity in society and respond to it accordingly.

One of the most fundamental changes in the British labour market this century has been the increasing participation of women. We hear a great deal about that, but without much detail. Women make up 45 per cent. of the working population. In 1996, 61 per cent. of mothers worked outside the home, compared with 47 per cent. in 1973. The figures mask some interesting trends. I should like them to be broken down further. I should be interested to know the ages of the children of employed mothers. We know that most women with pre-school-age children work part time, but as children grow older, mothers' participation in the employment market becomes more committed.

There was a significant increase in the number of women in employment between 1973 and 1989, after which participation rates steadied. Although we have to be wary of reading too much into what could be blips, some commentators have detected a shift in attitudes. A recent British social attitudes survey revealed that the absence of good child care provision is not the only factor that prevents mothers from working outside the home. Their outlook is also important. There is a growing belief that mothers question the value of paid employment above child raising when their children are young.

The Office for National Statistics general household survey shows that, rather than women's self-esteem being rooted in the workplace, many found a new sense of confidence from being at home. Some 35 per cent. of mothers with children under 16 care for them at home without external paid employment, while 37 per cent. combine part-time employment with caring at home.

Mrs. Caroline Spelman (Meriden): We have heard a great deal of academic evidence. I should like to add to my hon. Friend's thinking in exploring the reasons for the attitudinal shift. Recent research by a professor of economics at Cambridge university shows that only one woman in 20 with children under 10 wants child care to release her for paid work. The great concern of many of my constituents at the bottom of the pay scale is that, if the new deal is made compulsory, they will be denied the choice of staying at home with their children.

Mrs. Roe: I thank my hon. Friend for that helpful intervention.

Women can have a different approach from men to the value of work. The argument is that women's employment patterns are guided by their home responsibilities, not because they are victims of family ties, but because that is what they choose. Women have their own life goals and are prepared to make positive choices about them.

The issue of working mothers raises important questions. It would be inappropriate to put pressure on them to seek employment if attitude surveys show that mothers do not necessarily want to leave their young children. The proportion of lone mothers in employment has fallen. As the Government progress with their welfare-to-work new deal for lone parents, I advise them to be aware that some women feel that looking after their children is a life goal. A woman staying at home looking after her young children or acting as a carer is working. There is no such thing as being just a housewife. That role should never be undermined or underestimated. To take up a point made by the hon. Member for Rochdale (Lorna Fitzsimons), such women certainly participate in society. Having done the job, I assure the hon. Lady that there is no finer career for a woman than to mould a future generation.

If we accept that women have a variable employment pattern to suit their child-rearing role, we must ensure that our taxation, welfare and employment arrangements respond to today's looser and less formalised working and living patterns. Women who choose to give priority to domestic responsibility should not be discriminated against.

During my time in public life, I have been concerned to ensure a fair tax system. It is not right that tax and benefit arrangements have hit families harder than others. I applaud my right hon. Friend the Leader of the Opposition for saying that the Conservatives were wrong to start phasing out the married couple's allowance without seeking some compensation for married families with children. It takes courage to admit mistakes. I am pleased that we can plan afresh.

The Conservatives had positive policies for women, including the introduction of independent taxation for wives. I was pleased that our manifesto pledged to take that reforming spirit further. The tax system should not discriminate against those whose work is equal to formal employment.

Mr. Rendel: Does the hon. Lady agree that there is a further point on the separate taxation of men and women?

Women who are abused in the household sometimes find it difficult to get away from the home. Separate taxation helps women to have the courage to move out of an abusive household.

Mrs. Roe: I accept the hon. Gentleman's point.

I looked forward to the introduction of transferable tax allowances. Our manifesto proposal would have given considerable help to 2 million couples who look after dependent children or relatives. I do not know of any indication that the present Government are considering the introduction of transferable tax allowances. I suspect that their hands will be full with their ideas for merging the tax and benefits systems. As my right hon. Friend the Member for South–West Norfolk has said, those proposals will be difficult to administer.

For women who work outside the family home, our concern should be how to reconcile paid work with family life. If access to employment provides the means of lifting the poor out of a cycle of dependency, it is illogical to adopt policies that stifle the availability of the jobs that people need. The adoption of the social chapter and the introduction of the minimum wage will stifle enterprise and the creation of fresh opportunities.

Even more important, without further restrictions and conditions on employment, we have been freer to develop working patterns that people want. People want to be able to combine family and work more easily. That freedom is threatened. The main casualties will be women who depend on less formalised working arrangements. We need to encourage greater flexibility and imagination in employment. Employers must put more effort into providing family-friendly working patterns.

Ms Beverley Hughes (Stretford and Urmston): Does the hon. Lady accept that, as a majority of women work part time to combine work with child care, the implementation of the part-time workers directive in the social chapter and moves to strengthen the security of part-time workers at work are beneficial to women? Does she agree that increasing flexibility for the employer creates job insecurity for many women, making it difficult for them to combine child care and work?

Mrs. Roe: I am worried that there will be no part-time jobs for women. I shall explain why. I believe that employers may decide to offer full-time jobs and not provide the employment opportunities that allow women to balance work and family life. That is why I am most concerned about the points that the hon. Lady has raised.

Flexible time, term working and annualised working hours should be more commonplace. I commend the system that will be introduced for nurses, which will allow them family-friendly rotas so that they may choose when to be off duty. Job sharing and part-time work are increasing in popularity. Some 44 per cent. of the total female work force work part time. That provides a window of opportunity for many gifted and capable people who want to mix some employment with their family responsibilities. More women and men are becoming self-employed so that they may work from home more easily and choose the hours that suit them. With the help of modern technology, that is becoming a more realistic option.

Entry to the employment market or re-entry after a break for domestic responsibilities can be frightening. I have not had the opportunity to learn about the Government's proposals for lifetime learning, but I hope that they will encourage women to learn the necessary skills to help them go back into work. That will be a valuable component of the scheme.

Many women take a break from employment when their children are under school age but return to work when their children start school. For those women, school hours and school holidays present a problem. The previous Government offered assistance through the out-of-school child care initiative, and I am pleased that this Government have expanded the initiative.

If we are to help vast masses of women in this country, we must stop thinking of them in the convenient categories of "economically active" or "inactive". We must acknowledge in our tax, welfare and employment systems that their life cycles are fluid and flexible. In that way, we can help women to fulfil their expectations, both in their careers and within and for their families.

10.51 am

Ms Debra Shipley (Stourbridge): I welcome today's statement by my right hon. Friend the Secretary of State for Social Security about child care, nursery education, employment, health and domestic violence. I was wondering what the Conservative party was afraid of, until I heard the hon. Member for North Essex (Mr. Jenkin), who has now left the Chamber, mutter from a sedentary position, "Man-free zones." That is really sad.

For me, this debate is about equality and justice—social justice, equality of opportunity, economic equality and equality under the law. After 18 years of rule by a party that has not the slightest notion of what equality means, there is much to be done. I have the honour of serving on the Council of Europe. The United Kingdom delegation to that body is 25 per cent. women—and they are all from the Labour party. There is not a single female delegate from any other political party. How far out of touch the Opposition are with the 40-nation Council was clearly demonstrated when the British Conservative delegates blocked the establishment of a full standing committee on equality.

Mrs. Roe: I assure the hon. Lady that, before she arrived in this place, Conservative women served on the Council of Europe: I was one of them.

Ms Shipley: That is past tense. There are now more women in the United Kingdom delegation to the Council of Europe than ever before.

A month or so ago, the issue of equality was raised again in the Council of Europe and the Tory all-male delegation was almost alone among delegates in voting against the motion to establish a committee. That motion was carried overwhelmingly. The Tories are as out of touch in Europe as they are in Britain. As male and female delegates from eastern and western Europe voted overwhelmingly for equality, many of the Tory delegates—who are led by the hon. Member for Bournemouth, East (Mr. Atkinson)—kept the company of the extreme right-wing Russian nationalist Zhirinovsky, whose rantings were a disgrace to the Council chamber.

I turn now to legal justice. I have referred previously in this Chamber to the sufferings of rape victims. Instances of victims' sexual histories being circulated in our prisons as pornography are shaming to us all. It is

[Ms Shipley]

also highly debatable whether victims' sexual histories should be used in court—I condemn that practice. It is a disgrace that personal information, including a victim's medical history, should be available to a convicted attacker.

Some issues affecting rape victims were debated in another place during consideration of the Crime and Disorder Bill. Some of our most experienced barristers and judges are intent on maintaining the status quo. They argue that the protection of defendants' rights is paramount. I believe that victims' rights must also be protected. We should be able to look to our finest legal minds not simply to identify legal problems but to use their well-honed skills to find solutions. There is clearly a need for change among those who practice in our legal profession. I hope that many more women will rise to the most senior positions in that profession.

I have heard some Opposition Members comment that there is no such thing as "women's issues"—to be fair, not every Conservative Member who has spoken this morning has said that. They claim that all issues are relevant to everyone, and I agree. However, the fact remains that, after 18 years of Tory rule, women still do not have economic equality, social justice or equality under the law. My Government have demonstrated that they are ready to take up the challenge for change; the Conservatives wish to maintain the status quo. Last year, the people voted to elect more than 100 women Labour Members of Parliament. They demonstrated that they want to see change, and today my right hon. Friend has shown that we are delivering it.

10.56 am

Mrs. Jackie Ballard (Taunton): I also welcome the opportunity that this debate provides to consider the Government's attitudes and policies towards women. I have read some of the debates on this subject from the last Parliament, and I realise that times have changed for the better in many ways. There have been some welcome announcements today. However, I have several regrets about what the Government have not done—although, to be fair, they have not had much time in which to implement many changes—and a few regrets about the things they have done.

We have heard about the priorities of the Minister for women upon which the Government will take action. They are very welcome. Women do not have an equal place in society, as we have seen from a number of examples, including differentials in wages for men and women and the low female participation in some areas of the work force. I share the views of the hon. Member for Stourbridge (Ms Shipley) about the judiciary.

We all agree that the Government should take positive steps to address those inequalities, as society cannot be considered healthy when women still earn, on average, 20 per cent. less than men for doing the same job. We have also heard about women part-time workers, who are in an even worse position. I welcome the provisions in the social chapter that will help to address that problem.

Women are still under-represented in many areas of public life. Although the gender balance in Parliament has improved, it is still 80 per cent. men. All political parties must continue to address that issue. I freely acknowledge that the Opposition parties have the biggest problem in that regard. We on the Liberal Democrat Benches—perhaps today I should say "I"—have not found it easy to get female candidates elected, despite the fact that we fielded a high proportion of good women candidates at the last election.

Mrs. Lait: The hon. Lady has fought on the hustings on several occasions. Does she agree that electors do not differentiate between male and female candidates: they vote for a party? The problem is with selection.

Mrs. Ballard: I agree entirely with the hon. Lady. Voters were probably more willing to elect women than men at the last election because they believed that female candidates were free from some of the sleaze that was attached to the previous Government. There is a problem with the selection procedures.

I return to what the Liberal Democrats are doing to increase our female representation. We have adopted zipped lists for the European and Scottish Parliament elections, and we are taking practical measures to help women to gain confidence and experience, such as our recent work-shadowing scheme. However, the problem of women's representation in public life is not just about the number of women Members of Parliament. There are many other areas where women are under-represented.

Those who wield power in Britain are still overwhelmingly male. We have only to look, as has been mentioned, at the number of High Court judges, heads of large companies, newspaper editors and members of powerful quangos to see how far we have yet to go before the glass ceiling is broken; but the ceiling is being cracked, and progress is being made towards equality.

The fact that those who wield power are, by and large, men conditions the way in which decisions are made that affect the lives of all of us. Any decision by Government or anyone who holds power will affect men and women differently. I am pleased that the Government recognise that, and I hope that the Cabinet Sub-Committee is successful in ensuring that the impact of all legislation on women is considered. It is vital that mainstreaming, to use the jargon, goes through all Departments.

Men have been the legislators for centuries, and whatever the Conservative Government thought, legislation is not gender-neutral. However, the claim that the new Government are listening to women's concerns has been contradicted by some of the Government's behaviour. The public have high expectations of the increased number of women Members of Parliament. They hope that that will change the way in which the Government conduct their business.

I thought at the start of this Parliament that the increased number of women Members of Parliament would prevent some of the phenomena which we saw were prejudicial to women in the previous Government, such as the setting up of the Child Support Agency or the campaigns that demonised single mothers. I never thought that I would see women Members of Parliament voting for the Government's cuts in single parent benefit. If the Government want to improve the lives of women, as I believe they genuinely do, that was not a good start.

That cut was defended on the grounds that it was part of a wider welfare reform programme that includes welfare to work. The Government have made clear their aim to get people into work.

Will the Secretary of State consider the case of a constituent who came to see me recently? She is a single parent on income support, with a six-year-old child. She desperately wants paid work. She found herself a job earning £200 a week, and she has decided to take it because she believes that it has prospects. However, from day one of starting work, she loses her income support, yet she still has housing costs, food costs and all the other expenses, and she now has travel-to-work costs to add, plus child care. How can she exist for a month until she gets her first pay cheque?

The DSS told my constituent to ask her employer for an advance on her salary. It is obviously very difficult for someone starting a new job and feeling vulnerable as a woman and a single parent to go in and ask for an advance on her salary. I hope that the Government will consider back-to-work benefits for the many people in that situation. Those of us who have been single parents on income support know that people do not have savings to fall back on in such situations.

Any welfare system with paid work as its primary goal has serious implications for women and for society. I do not believe that it is in our best interests as a society to force carers out to work. The majority of carers are still, and probably will continue to be, women. The philosophy behind that aim does not value the role of parenting. It rejects the idea, as has been said, that every mother is a working mother, and ignores the role of those carers, predominantly women, who look after elderly relatives.

The belief in welfare to work as a panacea fails to recognise the contribution that women make as members of the unpaid economy, which we heard about earlier from the hon. Member for Rochdale (Lorna Fitzsimons). I share her view that women are predominant in the unpaid economy, and that the economic value of their work has not been recognised. The paid and the unpaid economies are interdependent. To remove labour from the unpaid economy will have economic consequences that the experts have probably not fully estimated.

I am worried that Ministers believe that there should be only one role for women to follow. There is a real danger that the only woman who will be respected is the woman who goes out to paid work. Although Labour in opposition rightly rejected the Tories' attacks on single mothers, it could end up condemning those same single mothers not for their morality, but for their failure to follow a new Labour model for women.

Perhaps single parents would be better off if they and their children started a rock band and persuaded the Secretary of State for Culture, Media and Sport to allow them to stay on benefit to develop their creativity.

Ms Drown: I want to correct the impression that we are presenting one option to women. We are not doing that. We value the role of women who work at home in unpaid work. Nothing is more valuable, and often more satisfying, than bringing up children. That is important not only to those children, but to society. When we speak to women, many of them say that they want choice. At present there is not enough choice and not enough facilities to enable women to take up those opportunities. We value women working at home, but we also want to give them opportunities for education, training and paid work outside the home, if they want it.

Mrs. Ballard: I am pleased to hear that. I do not want the House to think that I am promoting only one option for parents—to stay at home rather than going out to work. I want what the hon. Member for South Swindon (Ms Drown) says she wants—genuine options for women. Many women cannot have meaningful choices unless the Government take action to remove the barriers to those choices. The barriers are economic, social, political and cultural.

I therefore welcome the Government's national child care strategy. It is a step in the right direction, and long overdue. I recognise that building such a strategy is a difficult task. There are difficult choices about priorities—whether pre-school nursery provision for under-five-year-olds, or after-school care for children who are at school, and so on. Any national child care strategy must address four concerns—I notice that the Secretary of State had three.

Accessibility is certainly one of those concerns, especially in rural areas; the others are affordability, and the quality of child care, to which I shall return; and diversity and choice of provision. For example, some people who work erratic hours would prefer a live-in nanny. It may be the only sensible form of child care available for them. Others who work more settled hours or who have smaller houses would prefer to use a child minder or out-of-school care, or some other arrangement outside their own home.

I welcome the proposals for tax credits for 75 per cent. of child care costs. I hope that the credit will go to the parent who actually pays for child care, not to the higher earner. I do not understand why it is limited to the cost of caring for two children. Many of the women currently in the benefits poverty trap are those with larger families, for whom the economics of paid work simply do not add up.

Single parents with, say, three or four more children may still not find it financially advantageous to go back to work and get the tax credits, if the credits apply only to two children. As the number of children in the family increases, not only does the actual cost of child care increase, but it is more difficult to find free child care from family or friends.

I was fortunate when I went back to work, as I had only one child, who could easily be slipped in unnoticed to a friend's family; but my personal assistant has three children. I do not think that anyone would look after them for nothing. That is a slur on her three children, one of whom is my godson. They are delightful children, but it is much more difficult to incorporate three of someone else's children into one's family, so paid child care is usually the only option for a larger family.

I hope that the problems of accessibility and choice in rural areas will be seriously addressed. The right hon. Lady spoke about that, but she did not suggest that extra funds might be directed at rural areas. This week, I received a letter from Ruishton Rascals, an out-of-school club in my constituency. It is experiencing difficulty in managing the numbers who use the club, and needs funds to enable it to continue providing high quality care in a rural area. It is not enough just to provide start-up costs—there must be continuing financial support, particularly in rural areas, where the numbers may not be as high as they would be in an urban area.

I am concerned about the quality of child care. Many child care workers have had no specialist training. The Government's promotion of paid child care over that of the parent seems highly dubious if they cannot guarantee

[Mrs. Ballard]

that it will be of a high standard. I recently had an Adjournment debate in which I called for a registration scheme for child care workers. I was disappointed with the Minister's response. He did not recognise the vital need to protect parents and children through a national register of nannies and child minders.

Child care should be available in conjunction with family-friendly policies in employment—I welcome the Government's recognition of that. I hope that businesses will recognise that both fathers and mothers are parents. Mothers will not have freedom until fatherhood is taken seriously by employers.

Families in all forms are the basic structure of society. A healthy and peaceful society needs support from government and from business. I am sure that hon. Members with families will agree that long working hours put a great deal of pressure on families. Functional families need functional parents, who are not tied to the desk or production line. We must get away from the idea that people must prove their commitment to their job by being in the office at 7 am and not leaving until 11 pm.

Mrs. Rosemary McKenna (Cumbernauld and Kilsyth): It sounds like us.

Mrs. Ballard: It sounds very like our job. We must get away from those hours.

Family-friendly policies are also about more adaptable working practices, including part-time work, job sharing and flexible hours. Such policies will help women to return to the work force and parents to accommodate the timetables of their children with their timetables of work.

Ministers have signalled many good intentions, but good intentions alone do not help women in the real world. Women should be able to make choices about how they want to live their lives, and Government should enable and empower them.

There is not time for me to talk about pension provision. We have already heard that many of today's pensioners are among the poorest people in society. I hope that the Government will not only address the problems of tomorrow's pensioners but take on board the problems of women pensioners who are living in poverty now.

I am pleased that the Secretary of State talked about citizenship pensions, which would not be based on contributions—at least, I hope that is what she was talking about. Such pensions will relate especially to carers, who will have a break in their contribution records.

I hope that the Government will tackle also the problems faced by divorced women over their husbands' private pension provision, and the need to split it on divorce. I hope also that they will consider the idea of uni-sex annuities, as proposed by Legal and General, which do not discriminate according to gender.

What all women want is equality, not special treatment. Our daughters are beginning to expect equality as the norm. But equality should be extended to older women as well—those who are on pensions now or are about to retire, those doing the same job as men but still earning less than men, and those who make the choice to look after their children or an elderly relative. They should not have to pay the price of Government cuts in spending or the history of a male-dominated political culture.

11.12 am

Laura Moffatt (Crawley): It is a great pleasure to speak in this debate on women's priorities, certainly as recognised by the Government. However, I feel ghastly. I feel terrible because I travelled overnight from Washington. As many right hon. and hon. Members will know, it is not a pleasant experience. My eyes are burning, I feel tired, and my legs are like lead. This has reminded me how I felt most of the time when I was bringing up my children.

I had three sons. When they were small children, I did a night duty job as a nurse, and I was a busy borough councillor for 12 years. If I am honest, I felt as I have just described for most of the time. The feeling is nothing new: it has merely served as a slight reminder for me.

With the help of my family, I muddled through. I did not have to make child care arrangements, because I had my family around me to help, in the same way as I helped my sister, who is a lone parent. I helped with her child after she returned to work after six weeks away from it, as a trained nurse.

I survived, and so did my sons—just. It was a valuable experience, because it brought to me, and brings to the House, a new experience. I believe that we as women should share the experience with everyone else.

I travelled to Washington as a member of the Select Committee on Defence. We were discussing issues such as NATO enlargement, the procurement of materials for our armed forces, and many other issues relating to our armed forces. This gave me the opportunity to speak to some interesting people, one of whom was General Lesley Kenne of the United States air force. General Kenne is the highest ranking woman officer in the US armed forces. She is a fantastic women, who is running the joint strike fighter programme that will replace our F16 and F18 aircraft. General Kenne flies those aircraft, too.

I sat next to General Kenne during lunch, and she told me that she had made definite choices about what she wanted. She felt that she should not have had to do that, and she added that it was very difficult.

I met other women, who were also doing valuable work. It is—*[Interruption.]* It is shame that we giggle about women who are making their way in the world and are an example, such as the two women ships' captains who have recently been promoted. I am sure that the House will join with me in celebrating their success. Those are women who have helped to forge the way ahead.

We know that we are all very different women. I met a woman called Sue, who was a corporal. She joined the marine corps several years ago. Incidentally, I say to the right hon. Member for South–West Norfolk (Mrs. Shephard), the shadow Leader of the House, that, in the passing-out exam for women marines—the right hon. Lady was speaking in a derisory manner about women who involved themselves in life-style articles in the press—they are asked, if they were to have four articles of make-up, what they would be. They are asked what they should wear on the basis that they should always be properly presented. It is not right and proper to make comments of the sort that we heard from the right hon. Lady.

Mrs. Shephard: I shall set the record straight. I think that the hon. Lady will find when she reads *Hansard* that

I was getting agreement—from the body language of those on the Government Front Bench and Labour Back Benchers, I believe I got it—that, since new women Members have come into the House, there have been unprecedentedly vicious attacks on them, because they are women, from some members of the press. I think that that is deplorable. I made a light-hearted remark about make-overs, and said that I could do with one. From what the hon. Lady has said this morning, although she does not look as if she needs a make-over, she sounds as if she feels that she could do with one.

Laura Moffatt: I thank the right hon. Lady for her intervention. I am glad to have her explanation. It is wrong to start pinpointing women and making remarks about the way in which they like to conduct their business. That is not right and proper.

I return to Sue, because her position is crucial to what we, the Labour Government, are trying to do. Sue is able to do the job that she wants to do, and we must ensure that that is made possible for women in this country. Sue is a corporal, and she has decided to have a baby. She will return to the marine corps, and she will have child care when she returns, from six weeks if she so chooses. That child care provision will be commensurate with her wages. The US armed forces ensure that those serving in them do not pay too much for their child care. Sue feels secure as a result.

I was interested to hear the comment that only one in 20 women, if given the choice, would go out to work. I suspect that women will always choose the best for their children. If they believe that child care will not be permanent, not of good quality and not available at a reasonable cost, they will choose to keep them at home. That is what the Government's thrust is all about, and that offers choices to women—in other words, allows them to make an informed choice in deciding what they want.

These are down-to-earth policies. They have not been adopted because they are sexy or interesting. They are designed to elicit the best out of our society, to ensure that everybody is able to play her or his part and to grow and expand, offering all they want in our community.

I joined the Labour party, the day after I gave birth to my second son. Incidentally, it was the day after the Labour party lost the election in 1979. I went to my first meeting when my baby was two weeks old. I now have the great honour to be a Member of this place, and able to share experiences with colleagues. It is crucial to me that we forge ahead with all these issues, including child care.

I have heard it said that we are not taking the issue seriously, but Labour is listening to women. My right hon. Friend the Secretary of State held a conference in Southwark on this very issue—getting women to participate and tell us what they want, so that we can respond as we should. There is so much happening on women's issues. People know that. That is why they elected us. We will not let them down. When I went to my first Labour party meeting, I knew that one day we would be here, in power, putting forward the policies that will make a real difference to women's lives.

11.20 am

Mr. Michael Fabricant (Lichfield): I feel privileged to be the first man to take part in the debate on the Government's priorities for women. Although I am patently not a woman, some of my best friends are. I tried that out on the hon. Member for Barking (Ms Hodge) in the Tea Room, and she thought that it would go down well. Clearly some Members on the Government Benches do not share her sense of humour.

Although I fully support any Government initiative to give equal opportunities, I will never support—I do not think that any Opposition Member will—positive discrimination for women, or, indeed, for any other section of the community. It leads to a lowering of overall standards rather than offering equal opportunities to women, which is what I hope hon. Members on both sides of the House will support.

Mrs. Lait: I have a problem with my hon. Friend's use of the words "positive discrimination". There is enormous confusion in people's minds about positive discrimination, which puts in place systems to help women, and quotas, which are positively not helpful to women. Does he agree with me?

Mr. Fabricant: That was a helpful intervention. The point I was making is that I support—as I believe we all support—equal opportunities. What we do not support is positive discrimination and quotas, which tend to lower standards.

Barbara Follett: Positive discrimination is illegal in this country. Positive action is legal, and quotas come under positive action. I would point out to the hon. Gentleman, whom I thank for his courtesy in giving way, that positive discrimination and positive action have acted in favour of men for centuries, and I agree with him that it has lowered standards.

Mr. Fabricant: The hon. Lady is absolutely right. She knows everything about positive discrimination being illegal, as her own party was ruled illegal in positively discriminating for women when it tried to introduce women-only shortlists for Parliamentary candidates.

Lorna Fitzsimons: It has shown to be a success.

Mr. Fabricant: We shall judge from the hon. Lady's speech whether it has, if she catches your eye, Mr. Deputy Speaker.

Ms Drown: Will the hon. Gentleman give way?

Mr. Fabricant: I should like to move on, as I want to give hon. Ladies on the Government Benches a chance to contribute.

I shall first present some of the background to the current position regarding women, and then make a positive—if I can use that word after what I have just said—suggestion about what the Government should be doing, as an additional tranche of their activities, to help women.

The Secretary of State for Social Security, who is no longer present, said that the Prime Minister and the Chancellor are committed to women. We observe that neither the Prime Minister nor the Chancellor is a woman. Of course, the first woman Prime Minister of the United Kingdom was Mrs. Thatcher, in the 1980s. Unlike Mrs. Thatcher in the 1980s, the Secretary of State for

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Social Security is known for turning. She has done one U-turn after another, which is an unfortunate precedent for the Labour Government.

We were told that women are factory workers and teachers. I would add that they are also bank managers, scientists, engineers and doctors. Women are achievers. I remind the hon. Member for Crawley (Laura Moffatt), who has just returned from Washington, that one of the finest Secretaries of State in the United States since the second world war is Madeleine Albright.

I shall now speak about the current position of women, because all is not doom and gloom, although I am the first to admit that women still do not have equal opportunities, for all the reasons that have been discussed.

Women now have more job opportunities than ever before. That is a direct consequence of the Conservative Government's policies on flexible labour markets. *[Interruption.]* It is true. There are 12.3 million women in our work force. They account for 30 per cent. of the work force, compared with only 8 per cent. in 1984. A study by the Institute of Employment Research shows that, by 2001, 40 per cent. of corporate management jobs—I made the point earlier that we should not say that women work just in blue-collar areas—will be held by women. More than 50 per cent. of employees in the United Kingdom will be women by 2001.

The number of women who are self-employed has risen by 88 per cent. since 1981. Women account for well over one in four of the self-employed. The Government cannot say on the one hand, "We've been in office for only nine months, so don't blame us," and on the other say, "We've been in government for nine months, and look how good we've been at getting women into the work force."

We are talking about positive discrimination for women. I could argue that women have shown themselves superior to men in certain circumstances.

Mrs. Shephard: You should not sound so surprised.

Mr. Fabricant: There are so few men on these Benches—quite rightly, I guess—that I feel that I have to stand up for the minority in the Chamber today.

In 1995-96, 49 per cent. of girls achieved five or more GCSE grades at A starred to C, compared with only 40 per cent. of boys. Girls are doing better than boys at GCSE. Thirty-two per cent. of 17-year-old girls achieved two or more GCE A-levels or AS-levels, compared with 27 per cent. of boys. That is an lead of 5 percentage points over boys.

In higher education, the number of female entrants has risen. Both sexes are virtually equal. I am sure that the whole House will welcome that.

Mrs. May: I apologise to my hon. Friend and to the House that I will not be able to listen to the whole debate, because I have a lunchtime speaking engagement addressing, as it happens, a women's group.

The figures that my hon. Friend just gave were alluded to by my right hon. Friend the Member for South–West Norfolk (Mrs. Shephard). Does he agree that the paradox is that, now that we have taken positive action—this relates to his point about positive discrimination—to improve the achievement of girls in our education system, what is now of concern in the education system is the under-achievement of boys? Equality means enabling both sexes to achieve their best potential.

Mr. Fabricant: I agree. I would go further, and say that equality means that, next Friday, we ought to have a debate on the Government's initiatives for men. I pay tribute to my right hon. Friend the Member for South–West Norfolk, who, for a long time, was Secretary of State for Education.

Over the past 10 years, the number of female first-degree graduates has improved: it has risen by 129 per cent., compared with 81 per cent. for men. There is no question that, in education, the better half of society is achieving over men.

Before I make positive suggestions, which I hope the Government will take up, I shall make two points about which the Government have been wrong, in my experience as an employer, before I became a Member of Parliament, and now representing the rural constituency of Lichfield.

First, the Government have been hasty in abolishing nursery vouchers. The vouchers had only just come into existence, and there can be no doubt that the way in which they operated caused some difficulties in the first few months. Nobody would deny that, but we could always have refined the system, and we intended to do so.

Mr. Chris Pond (Gravesham): Will the hon. Gentleman give way?

Mr. Fabricant: In a moment.

The abolition has meant that women living in rural areas with no local schools cannot place their children in nursery classes. Previously, private organisations in the rural areas had been getting nursery vouchers and could offer nursery services. Now those mothers have to take their children—often using their own cars, which means paying a lot more for petrol because the Government's green policies have penalised rural areas—into towns to nursery schools or classes that are part of the state education system.

Now I shall give way to the hon. Member for Gravesham (Mr. Pond)—I was also talking to him in the Tea Room.

Mr. Pond: Will the hon. Gentleman confirm that one of the effects of nursery vouchers, especially in rural areas such as that represented by the right hon. Member for South–West Norfolk (Mrs. Shephard), was to destroy many local playgroups? Will he also confirm that the right hon. Lady, to whom he has just paid tribute, was the Minister responsible for the abolition of the wages councils, which both the Equal Opportunities Commission and the TUC considered a discriminatory measure, because the great majority of people covered by the wages councils were women? As a result, many women had their pay cut in absolute terms. Did that assist women?

Mr. Fabricant: The abolition of wages councils meant that fewer women were employed. *[Interruption.]* At the end of the day, the hon. Gentleman and other Labour Members—

Mrs. Shephard: More, not fewer.

Mr. Fabricant: More people were employed. I am sorry; that was a slip of the tongue.

The hon. Gentleman must ask himself whether he wants to see fewer women employed earning a particular wage while the others earn nothing at all. The whole thrust of his Government's policy is to get people back to work, not to put them on benefit.

Let us move to my second point, which the hon. Gentleman almost anticipated. Personally, I do not oppose the minimum wage. [HON. MEMBERS: "Oh."] Personally I do not, because I recognise that some people are employed at very low wages in sweatshops, and that is wrong.

However, I certainly oppose the Labour Government's policy on the national minimum wage. Time and time again, the Prime Minister has defended his policy by saying, "Well, they have it in the United States of America." The Prime Minister is mistaken, or is misleading the House. They do not have it in the United States of America.

Barbara Follett: Yes, they do.

Mr. Fabricant: There is no national minimum wage in the United States. The minimum wage there varies from state to state, and there are huge exemptions, such as those for youth and for people working in certain types of employment. If we suggested sensible legislation of that nature, I would be tempted to vote for it, I must tell the Conservative Whip sitting in front of me.

Dr. Rudi Vis (Finchley and Golders Green): The fact that the hon. Gentleman is using the word "exemptions" means that there is a minimum wage. Otherwise, there could not be exemptions from it.

Mr. Fabricant: The hon. Gentleman is missing the point. I am saying that there is no national minimum wage in the United States, for the very reason—

Mr. Deputy Speaker: Order. Although the national minimum wage would affect women's rights and employment, we should not dwell on the case for or against a national minimum wage.

Mr. Fabricant: Thank you, Mr. Deputy Speaker, for your guidance.

My precise point is that the Government's national minimum wage legislation, which, unlike that in the United States, does not have exemptions or regional variations and is not likely to be set at £3.05—the level in the United States—will result in greater unemployment for women. There is an analogy with what the hon. Member for Gravesham (Mr. Pond) was saying about the result of the abolition of wages councils. The abolition meant that more women were employed. The direct consequence of the Labour Government's introduction of a national minimum wage with no exemptions will be greater unemployment for women.

Now I shall make some brief comments about what I think the Government should be doing for women—issues that I believe are not being addressed at present. I look forward to being corrected if I am wrong.

At the moment, there is a thrust towards saying that women should be encouraged to get out and work and use carers for their children. The hon. Member for South Swindon (Ms Drown) rightly said that we should also encourage women, if they wish, to stay at home and look after their children. It should be their choice.

However, there can be a third choice; the two are not necessarily mutually exclusive. There are opportunities for women to look after their children and work at home as well. We are approaching the millennium, a time when teleworking will become more popular and practical.

As a Member of Parliament, I employ a former secretary from my previous job in Brighton. She left my employment and married my business partner while I was on business in Nairobi and Botswana. I came back to a nasty shock. Not only was she getting married, but she was marrying my business partner.

Christine Bowden—I think that I may mention her name—now has two gorgeous children whom she looks after. However, she is now able to look after me and, more importantly, some of my constituents, as well, because she teleworks from home, using her computer to write sensible and sometimes critical letters to Ministers about what they are not doing to help women in my constituency.

Women often want that opportunity to work at home. When children are ill, they often do not want them to be looked after by carers, no matter how caring the carers may be. Modern technology allows that. Using British Telecom's star services, calls can easily be diverted from one building to another. Much can be dealt with from home.

The Government should be looking into all that. Have they considered giving partial grants to provide computer systems for people who have gone on courses and learnt to use computers, but cannot afford to buy their own to work at home? There could be pump-priming opportunities for women, so that they could look after their children and work at home, too. The Government should be addressing that possibility.

The problem with the Government—we have seen it again today—is that they are all soundbites and reviews. Every time anyone asked the Secretary of State a question, she said, "It is under review." I believe that the Government have betrayed the electorate. Indeed, the hon. Member for Taunton (Mrs. Ballard), representing the Liberals, poignantly described how the Government, including some of the ladies in the Government, had done that. I suspect that they have betrayed their own principles too, which is far worse.

We have a Minister for women who has appeared in the House even less than the Minister without Portfolio—and that is saying something. We have a Government—

Ms Drown *rose*—

Mr. Fabricant: I am sorry: I am reaching my peroration now.

[Mr. Fabricant]

We have a Government who have abolished nursery vouchers to put up petrol prices, so putting rural mothers at an even greater disadvantage. We have a Government who have given £10 million for a breast screening programme, but who in nine short months have put up hospital waiting lists by 50,000. We have witnessed the total fiasco of the changes to single parent benefit. As I said, Baroness Thatcher was a lady who was not for turning. The Secretary of State for Social Security has turned, turned and turned again. No doubt we shall witness more U-turns.

I said at the outset that girls are outperforming boys in their GCSEs. The Government have so far failed their GCSEs. I look forward to them doing better in their re-sits.

11.39 am

Mr. Malcolm Chisholm (Edinburgh, North and Leith): Many hon. Members want to speak, so I shall briefly counter the Opposition charge that the Government have been inactive on women's issues.

My greatest privilege in government was to be a member of the Cabinet Sub-Committee on women. I know from the inside that both Ministers for women have done a massive amount of work on women's issues, much of it behind the scenes. It is a tragedy, I hope a temporary one, that that work has been overshadowed by the lone parents controversy, but if the stories that I have heard this week are true, great progress has been made, which I welcome.

I shall not become involved in the controversy over how we arrived at this situation, but shall look forward. I particularly want to mention the rapidly evolving national child care strategy. I pay tribute to my right hon. Friend the Secretary of State. More than any hon. Member, she is responsible for the new salience given to child care in the affairs of this country. It has been one of her concerns since the first day she was elected to the House. Although I was not a Member of Parliament at the time, I am reminded that one of her first interventions at Prime Minister's questions was to ask Baroness Thatcher whether she was concerned about the lack of child care in this country. Baroness Thatcher gave the brief and penetrating reply: "No."

Since being elected in 1992, I have observed my right hon. Friend's work on child care. When she was shadow Chief Secretary to the Treasury, child care became a matter of economic policy for a major political party for the first time in this country's history. The national child care strategy will be a lasting monument to her. I hope that those who have their knives out for my right hon. Friend will put them back in their pockets or, better still, throw them away.

Looking forward, I am not without worries. I await the details and timing of the lone parent proposals in the Budget, and while the working family tax credit has many attractions, I hope that there will be a presumption that it goes to the woman in a couple, as with family credit. The Government have many other exciting initiatives, spearheaded by the women's unit, such as the new deal for lone parents, which has already achieved much. Although training is separate, I hope that it will be given greater salience, because lone parents would benefit from the training options in the mainstream new deal.

Like other hon. Members, I have learnt from constituents that women—lone parents and others—want to work, and education and training are key parts of that aspiration. On a constituency point, I regret that one of the best projects I have come across that gives opportunities to women, called women and new directions, is closing. I hope that the Government will examine such projects, because they are fundamental to the new deal.

The work of the Ministers for Women has many other aspects, such as the major task of mainstreaming women's issues. We are beginning to do that in the Scottish Office on issues such as transport and best value. I note the answer to a parliamentary question this week given by the Minister for women, who indicated that progress is being made on the issue of family-friendly work practices. There are also initiatives on public appointments: the representation of women is a key policy priority for the Government.

The setting up of the Scottish Parliament is an exciting prospect, and the Scottish Labour party is committed to gender equality. We introduced the mechanism of twinning and believe that through it we shall be able to achieve for the first time in any legislature an equal number of men and women representatives. That may be subject to challenge, like all-women shortlists. I regret that we did not appeal on that, but that is a matter of history. The debate on how to avoid the intentions of the Labour party, and of other parties, being sabotaged by challenge will begin when the Committee further considers the Government of Wales Bill on Monday.

The other priority for the Ministers for women is the development of a strategy against violence against women, which was flagged up earlier. I am an Edinburgh Member of Parliament and was first drawn to this matter because the zero tolerance campaign began in the city. When I spoke about it for the first time five years ago, the Minister for women was on the Opposition Front Bench. She and others value and admire the zero tolerance campaign. I hope that we can liaise with the campaign, particularly on publicity material, which will be part of the general strategy on dealing with violence against women. I also welcome the campaign launched in Scotland involving local authorities that targets young men and boys. Research by the Zero Tolerance Trust has produced disturbing evidence of the tolerance among boys and young men of violence against women.

The strategy for dealing with violence against women depends on three things: prevention, provision and protection. Scottish Office research on the extent of and gaps in current service provision should be published within the next two weeks. It will be the foundation of the strategy in Scotland, which must be cross-cutting, because health, housing and the criminal justice system are all involved.

Referrals to Scottish Women's Aid increased by 16 per cent. in 1996, yet there are threats to the provision of places. There is a shortage of refuge places in Scotland, as, no doubt, there is in England. Rape crisis centres also have funding problems. The Scottish Office must consider central funding for some of those vital services. I hope that the Government will consider the suggestion from the Zero Tolerance Trust that a panel of experts should be set up to advise them on such matters.

I shall speak briefly about protection, the third aspect of the strategy, and mention two controversies in Scotland. First, there has been controversy about the use of pre-court diversion schemes for perpetrators of violence against women. The Government have inherited that situation, and I hope that the Scottish Office will look into it. It seems to send out the wrong signal if some perpetrators of violence are not taken to court, but put on diversion schemes. There is nothing wrong with post-court diversion schemes, but pre-court schemes should be ruled out as part of the strategy.

Finally, as my hon. Friend the Member for Rossendale and Darwen (Janet Anderson) is on the Front Bench and was active in securing legislation against stalking, I must refer to an incident that took place in Scotland yesterday and which the Government must consider. Under the Protection from Harassment Act 1997, a sheriff refused to grant a non-harassment order against a man who had been convicted of five breaches of the peace for stalking against the same woman. The Appeal Court judges argued that previous convictions could not be examined to find out whether the offence was of the same kind and indisputably constituted a course of conduct. The judges argued that they were following the letter of the legislation. I hope that the Government will look into that and, if it is the case, make the appropriate changes.

11.50 am

Mrs. Teresa Gorman (Billericay): I must join my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) in welcoming so many new women's faces to the House. I hope that they will acknowledge that the quality of the women on the Conservative side at least makes up for the lack of numbers.

I went to the Library to find out the age and background of many of the new women Members, and I was surprised that none of them have complimented the former Conservative Government for the opportunity to go to university, which so many of them enjoyed. When we took over from the previous Labour Government, only one in eight young people went to university; now it is one in three. Furthermore, the percentage of women has increased—from less than 20 per cent. under the previous Labour Government to 50 per cent. in 20 years. Most of those women, therefore, owe their opportunity of higher education to the former Conservative Government, and I hope that they will accept that and pay credit to that Government.

The debate is to discuss the Government's policies. We have heard much about women as victims. We have heard an awful lot about single mothers with problems and not nearly enough about women as achievers. We have talked about lone parents, which has come to mean a woman on her own with children, but we have not heard what we should do about our daughters who are at school.

To paraphrase Oscar Wilde, to have one baby is a misfortune but to have two looks like carelessness. We should be teaching our daughters that having children on their own is no prize and no great shakes. In the United States, young women who are struggling to bring up their children go round schools to inform pupils of that. Nowadays, young women do not have to be victims of their biology; they have choices. That is one of the great advances that we have made.

Women have choices not merely in education, but in occupation. As has been pointed out, almost half our work force are women, but they are not all in low-paid jobs struggling on a few pounds an hour; there are a great many women of ambition in higher occupations. In the past week, I have visited three institutions in my constituency that prove that. GEC Marconi optics division has an employment roll of 1,200 people and a woman managing director—a highly qualified engineer. Half its work force are women. They have all benefited from the education opportunities provided under the previous Government, which makes one proud of that Government—it certainly makes me proud.

I also visited my local hospital, where the chief executive is a youngish woman, and I went yesterday to the forensic laboratories across the river. I invite every hon. Member to go and see the laboratory, which is astonishing. It carries out all the behind-the-scenes forensic investigations for the police and has several hundred employees—I think that the service as a whole has about 5,000—more than half of whom are young women science graduates and, surprise, surprise, so is the director of the organisation, Janet Thompson.

I point that out because the House often gives the impression that young women are an underclass or an underdog group, who have to be looked after and patronised by their parents. We would do well to teach our young women that a young man in a hurry is likely to leave a young woman with a worry, and to stop patronising them with the idea that having babies out of wedlock or a partnership is all well and good because the state will pick up the bill. We do not do young women any favours by impressing the poverty trap on them. Everyone talks about that and says that we want to get out of it, but the first thing to do is to make our young women realise that they do not have to go down that route.

Laura Moffatt: Does the hon. Lady agree that there has been no suggestion of painting women as victims, as the debate has been wide-ranging—about all sorts of women and the contributions that they make? Does she also agree that many of the women she met were of postgraduate age and that it is a little later, when one has to face child care issues and all that those bring to bear, that women start to run into trouble?

Mrs. Gorman: I hear what the hon. Lady says. I think that women are perfectly capable of making their own arrangements if they want to adopt a dual career. Of course, women are much blessed, as they can have the benefits of both a career in the home and one in the workplace if they so wish. That is a great advance. Our grandmothers did not have much of a choice—it was going out scrubbing or taking in other people's washing. Nowadays, we all enjoy the opportunities we have gained—certainly all the women in the House are enjoying them. I am simply urging that we should look on the bright side.

Bearing in mind a woman's dual opportunities, at home and for a career, I must suggest to the Secretary of State ways in which the Government could help rather than impose the poverty trap on women. First, women in work have told me that they have difficulty with the school system. They have the problem of who will look after the kids during the school holidays—we know that it is likely to be mother and not father. So why can we not have a flexible school timetable? Parents could take their children out of school at different times of the year to tie up with their working lives. Why not? There is no reason

[Mrs. Gorman]

why we should all be on holiday at the same time. They could take advantage of all the opportunities for cheap winter holidays that we look forward to in our old age. Why not enjoy them while we are younger? Flexible teaching hours and time at school are entirely possible. If we brought more private sector interest into our education system, I am sure that those would come.

The next thing is to make better use of school premises and to make them available for private sector organisations that are happy to run pre-school and after-school clubs and opportunities. I praise the previous Conservative Government, of which I was a part, for introducing the grant-maintained system, which led to many schools opening their doors at other times of the day—not locking their gates at 3 pm—and allowed school managements to use premises flexibly to increase the school's revenue and its usefulness to the community.

Mrs. Ballard: I cannot allow to go unchallenged the hon. Lady's statement that grant-maintained schools were the first to open their premises to the public. I was a member of the local education authority in Somerset, the county council of which pioneered community schools long before grant-maintained schools existed.

Mrs. Gorman: I accept what the hon. Lady says. My point is that state schools usually empty out at 3 or 4 pm and lock the gates. Under the private funding that the Conservative Government introduced, schools were given the opportunity to decide how their premises and resources were used. School buildings are now opening up in all sorts of ways, not least for wedding receptions on Saturdays. They have also taken the opportunity—especially that provided by the voucher scheme, which the Government are foolishly doing away with—to lay on other facilities at other times. The Government can at least recommend that local authorities encourage such activities.

The Secretary of State should have a word with the Chancellor about the taxation system. The women I talk to do not want the state to provide nurseries. Moreover, they usually do not want workplace nurseries, as they do not want to take their children to work. They want to be able to offset the cost of child care, not against their net earnings—when they have already paid their taxes—but against their gross earnings.

That also applies to other care costs, such as those incurred in caring for the elderly. Many women help to support older parents, and if they want to go out to work as well, why should not the costs be offset against tax? If I require a secretary to assist me in my work, the expenses can be tax deductible. If I need care or help with people in my household, however, I have to pay it out of my net income.

The Government can change that. The system that was introduced in France has allegedly created some 40,000 additional jobs, because people can afford to pay for care. In this country, many highly qualified women have to give up work because of the cost of child care. They do not want the state to provide child care; they want to be able to afford to pay for whatever system they require—probably private care. The costs of that care must be treated as part of women's legitimate work expenses.

We must congratulate the previous Conservative Government on freeing the market, which has provided the jobs at the upper end of the economy that are increasingly available to women.

Mrs. McKenna: Will the hon. Lady give way?

Mrs. Gorman: Not at the moment; the hon. Lady will have time to make her own speech if I sit down soon.

In the future, women are likely to be our most important economic resource. Short of mass immigration, only those women who are as yet unemployed can be brought back into the labour force to fill the jobs in the new industries. The free market, not the state, provides those jobs. The Government can, at best, ensure that businesses are not overtaxed, that their pension funds are not raided—as they have been by the Government in the short time that they have been in office—and that capital remains in the private sector to be invested in creating opportunities in information technology, science and many other new industries that will undoubtedly emerge.

The Government can adopt policies to help women. The ones that I have suggested would help educated, intelligent and high-achieving women. I urge the Government to stop referring to a large proportion of women as unthinking robots, who are unable to control their instincts and who have to have all sorts of services laid on for them—especially child care.

The Parliamentary Under-Secretary of State for Social Security (Ms Joan Ruddock): I very much admire the hon. Lady, but can she cite any instance of any member of the Government making such a statement?

Mrs. Gorman: I am asking the Government to think about the ways in which they can continue to implement Conservative policies to assist high-achieving women, who do not expect the state to do everything for them. The Government should ask them what they want. I am telling the Minister some of the things that such women have told me. I do not have focus groups or juries, but I have talked to women in the workplace.

When the Minister consults her focus groups, I would like her to remember that a role should be opened up for older women, of whom I am, of course, a perfect example. I did not enter the House until I was over 50. The Government have a huge opportunity to make use of older women coming back into the work force. I want the Government to consider what they can do to assist women, who have had the experience of raising a family and who are wise in the ways of children and men, to adapt those talents to contribute to society.

It concerns me enormously—as I am sure it does every woman and man in the House—that we keep hearing terrible stories of child abuse in state-run homes, although I make no issue of the fact that they are state-run. Most of the abusers are men and I am sure that the men in the House deplore that as much as we all do. I suggest to the Minister that mature women would make excellent directors of those homes and would not be bamboozled in the same way that some of the male directors of such homes seem easily to be. In that way, the children who have the misfortune not to have a stable family, and who have to live in such institutions, would have a woman—a motherly figure—to turn to. That would make good use

of the background and talents that such women have to offer to our communities, and that is just one example of an imaginative approach to utilising the attributes of older women.

Thanks to improvements in health—the previous Government made a large contribution to improving the services available to women—we all now have the chance of living into our 80s. By the time many women are 50, their families have left home and the women do not want to sit at home making cabbage soups to keep slim on. We should therefore think carefully about the opportunities that the late development of women offers to our society and go out of our way to welcome such women into our ranks, whether in the House, the other professions or other areas of work. In that way, the Government—through their management of many of the services provided in our communities—could make a positive contribution.

12.7 pm

Mrs. Ann Cryer (Keighley): I apologise in advance for the fact that I will have to leave before the conclusion of the debate. Although I am not speaking at a women's lunch, I have a very appropriate reason for leaving. My three-year-old grandson, Robert, tells me that he is very poorly with chicken pox and I shall have to go home to pick up his two brothers from kids club and nursery. It is also appropriate that I should follow the hon. Member for Billericay (Mrs. Gorman), because I entered the House at the age of 57. It gives me great pleasure to follow the hon. Lady.

I am proud to be here today, with so many women, contributing to our debate on women. We can celebrate in advance international women's day, which takes place next week, when I shall speak at a Wirral trades council women's event. I know that many of my hon. Friends will attend similar meetings.

I wish to start my celebration of international women's day now, by talking about women I have known and admired and what I have learnt from them. I hope that other hon. Members will also learn from them. Yesterday, as I was rapidly going through the mountain of unsolicited mail that we all receive daily, I came across *India Perspectives*. I always look through it and read bits, and then post it to my daughter-in-law, whose parents were born in India—in fact, they are there now. Yesterday, the journal was celebrating the half century of Indian independence with some potted histories of people who fought and worked for it, including the late Mahatma Gandhi. On the next page, to my amazement, was Annie Besant, a name from my past. I first heard of her as a social reformer and heroine of women's rights in many feminist publications of the 1960s and 1970s when I was taking O-level economic history. Until yesterday, I never knew of her Indian connections.

I have brought the journal and I shall quote some relevant parts of the article, which is headed "Annie Besant The Irish Woman Who Fought for India". Her epitaph was

> "She tried to follow Truth".

She fought throughout her life for justice and free thought, from her early days in England when with Charles Bradlaugh, a Bradfordian, she published a pamphlet on family planning to test the right of free discussion on the population question—for which she was arrested—down to her work for home rule for India. On her work for India, the article says:

> "The women of India owe a special debt of gratitude to her. In 1917, she laid the foundation of the Indian Women's Association. This Association spread its network throughout the country for furthering the progress of women in education, industry, politics and general uplift. Thus the women were banded together for the service of the country. This made it possible for her and Mrs. Sarajini Naidu and others to present a memorandum in favour of women's franchise to Mr. Montague, Secretary of State for India. It is because of the efforts of persons like Annie Besant that on attaining independence, Indian women obtained the right to vote automatically and without further struggle."

I want to talk about another women, who post-dated Annie Besant by 20 or so years. Her name was Dinah Place, known to friends and family as Dainty Dinah. No one here will know of her, but she was one of those brave working-class champions of the women's suffrage movement. She was my grandma, a socialist and a pacifist; but she never allowed fear to get in the way of her convictions, tiny though she was. In 1918, when women over the age of 30 were allowed to vote, she threw her small weight behind the Independent Labour party. She had lost two brothers on the Somme; a third came home physically and mentally broken from gassing, later to take his own life; her husband Tom, with his badly injured leg, was lucky to be alive. Hence her conversion to pacifism.

Without hesitation, Dinah made her terraced house in Waterfoot, in the Rossendale valley, available as a committee room for the ILP, whose candidate was a man aged beyond his years by having spent three years in solitary confinement in Durham gaol for his stand as a conscientious objector. For her trouble, she was left with not a window intact. Despite her loss, the crowd could see her only as the enemy. As with her, my beliefs, my politics, come from the people I have known and my experiences of life—not from student politics, because I left school at 15, or from Marx or Millbank. If experience is the best educator, my education was second to none.

Some hon. Members may think that I am living in a time warp, so I will talk about some of my more recent experiences. For nine years, I served as a member of the social security appeal tribunal. I heard many cases involving women who had worked all their lives in the textile industry. Bradford and Keighley have a long history of wool and, more recently, synthetic textiles. Many women there have suffered much from industrial deafness and should be entitled to industrial injury benefit. To my horror, I found that they were not entitled to it because of the narrow qualifying conditions. Only two descriptions qualify: weaving and high-speed false twisting. Almost every woman who appealed to my tribunal for the benefit was told that her case was outside the rules because of those descriptions.

I started to ask the women questions. I would say, "So you have not been a weaver?" If they said no, I would ask what they did, and they would tell me. I would say, "So you never did anything by the way of high-speed false twisting?" They would say, "I have never heard of it." I think that there is something wrong with the regulation. Perhaps this is not the place to raise it, but I keep asking questions about it and I am not getting anywhere so I thought I would have a go today. Something needs doing to make the regulation wider. Women are suffering and are not getting what they should be getting.

[Mrs. Ann Cryer]

One of my constituents, Kathleen Waddington, has been arguing her case for four years through tribunals and is now in the process of appealing to the social security commissioners. I wish her well, but, as the law stands, I do not think that she will have a great deal of success.

I should like to tell the House about another aspect of my life before I came to this place. When, in 1983, I was out of a job, I decided to work with Keighley technical college in its scheme to improve the lot of Asian women living at home with small children. Many of them did not have any English at all. They had come here as spouses and, because they had small children, they could not go to the local centre to learn English. The only way in which they could learn it was for those with a bit of spare time to go to their homes and teach them.

I joined the scheme and went to teach three women, Ruqia, Asiya and Ghanimat Jan. As often happens in this sort of case, I learned a great deal more from them. They are my constituents now. There is another message for the Government here. If we are to improve the lot of Asian women, many of whom do not have any English, we shall have to put more money, perhaps through technical colleges or wherever, into teaching them English so that they can be aware of their rights and of what benefits they should have.

It is fair to say that some of my Asian women constituents are the most deprived. That is largely because they do not have English so they do not know where to turn for help or what help is due to them. I appeal to our Government to look into that.

I am in touch with my constituents week after week in my advice surgeries. I shall refer briefly to a number of concerns that I believe are being tackled by the Government. Many of my women constituents live in rural areas and are appreciative of what we are trying to do for them. We are already starting to address the need for first-class education for our children; for good quality health care, free at point of use, through our national health service; for safety for women and families within and without their homes and freedom from the fear of violence; for a good quality of life for women into retirement with decent pensions and help with fuel costs; for good-quality child care at affordable fees—I know that we are already well on with that—for a good, reliable, safe and cheap public transport system, which can be such an enabling feature in women's lives; for a national minimum wage along with the working time directive and the social contract.

I look forward to my right hon. Friend the Chancellor's Budget. I really do not care who leaks what to whom or for any sort of point scoring. I simply look forward to measures that will ensure that the poorest of our poor children are not penalised by our Government but are given financial help. I should like to put on record my appreciation of any part that my right hon. Friend the Secretary of State has played in that decision.

12.19 pm

Mrs. Jacqui Lait (Beckenham): I much appreciate the opportunity to take part in this wide-ranging debate, in which a huge number of issues have been raised. When we look back and read *Hansard*, we will see that there has been great agreement on the analysis of the problems. Even though the language in which we have discussed them may have differed and our solutions to them will differ, there is a great degree of accord on the issues that face women. I hope that Opposition Members recognise that the Conservatives went a considerable way in successfully tackling the issues that faced us during our 18 years in government; but there will always be other problems that need to be solved, and I am sure that there will be as many contributions toward those solutions from Conservative Members as from Labour Members.

One of the achievements of our 18 years in government of which I am particularly proud is the introduction of independent married women's taxation, which, although hardly mentioned today, freed married women from many of the constraints facing them. I took part in the battle for it for many years: year after year, I turned up to see the assistant secretary to the Treasury and demanded, and put on record the views and arguments for, the independent taxation of married women. Needless to say, given the way in which the Treasury works, every two years there was a different assistant secretary, so often we had to start from the beginning and educate them all over again.

With me in that battle was the Conservative women's national committee, which did a great deal of work in encouraging our Government finally to give us independent taxation, and Women In Media—an organisation with which I was associated for many years—did much of the intellectual analysis of the need for independent taxation. It was not until an occasion at the Conservative women's conference in 1987, when I was able to suggest that it was not the best thing that the most powerful Prime Minister in the world had to have her tax form signed by her husband, that we got the Chancellor of the Exchequer to move. It saddens me that the question has raised its head again and that the Prime Minister may have to be asked whether he would be happy to sign his wife's tax form. The many women Labour Members here today should also consider whether they would be happy to have their husbands sign their tax form.

The issue has raised its head again because of the rumour, which will not go away, that the Government are preparing to tax child benefit. Today, the Secretary of State said that she had no intention whatsoever of taxing child benefit. However, we read in this week's newspapers the conclusions drawn by journalists from the fact that, when the Minister for Welfare Reform appeared before the Select Committee on Social Security, he did not rule out taxing child benefit. Because there is conflicting information coming out of the same Department, we are unable to say that the possibility of taxing child benefit has gone away.

I am sure that there are Labour Members here who, like Conservative Members, fought for a long time to get child benefit. Child benefit is, in effect, a tax relief recognising the cost of raising children that is paid in cash to the carer. It is all too easy to forget that it was and still is, in effect, a tax relief. In the 1970s battle to get child benefit, one of the biggest obstacles was the attitude of the trade unions, which did not want money to be transferred from the wallet to the purse, but I do not think that the trade unions are the problem this time. The problem is that, because we have recognised the cost of raising children—something that any civilised society should do—through the tax relief of child benefit, it appears to cost a huge

sum of money, and when the Treasury sees a huge sum of money, its first and instinctive reaction is to ask, "How can we reduce it?"

One reason why we wanted child benefit to be a cash benefit was that poorer families could not benefit from the tax relief: by and large, they did not have sufficient income. I suspect that that may still be true. Therefore, if we, a civilised society, intend to recognise through the tax system the cost of raising children, we must maintain child benefit as a benefit to the carer, who should get the money.

None the less, it is argued that the cost of child benefit is so high that the benefit should be taxed. There is logical nonsense in taxing what is, in effect, a tax relief. However, if the Government intend to take that route, I have some questions for them. I should be grateful for answers from the Minister, when she replies to the debate, or the Chancellor, in the Budget. If child benefit is to be taxed, at what level of income will it be taxed, and on whose income will the tax fall? In the case of a married couple, will it fall on the higher of two incomes, or on the joint income? Or will it fall on the carer of the child, who would be taxed with one hand and given benefit with the other?

Those questions must be asked, but there is an overriding question: why tax child benefit? If it costs too much, perhaps it should be reduced; the Government might like to consider that. Perhaps child benefit should go only to poorer people, in which case the Government would introduce a means test and live with the resulting opprobrium.

Perhaps it is the age-old Labour problem of envy; perhaps the Labour Government do not like rich people, in which case, let me help them. If they really want to tax rich people and take their child benefit away, the easiest way to approach the matter may be to stop calling it child benefit, call it "child's benefit" and give every child the benefit. It could be paid to the carer; he or she could pick it up at the post office, if they wish. Children without other income would not need to fill in a tax form, so there would be no extra bureaucracy, but children from families that were rich enough to allow the child to have trust income—investment income—who pay tax, could pay tax on their child benefit. That would be the way to tax child benefit. The Government may wish to consider that.

Child care costs are also a problem. I understand that, following a briefing by the Secretary of State for Social Security, information is starting to emerge from the Government on how the Budget will help with child care costs—many hon. Members have mentioned that. The newspapers tell us how generous the Government are thinking of being.

There will be up to £100 a week tax relief for child care costs for each of the first two children for couples earning under £20,000. That interested me, because in April 1997 average gross earnings were £19,120, so the Government are planning to help couples who have a joint income above national average earnings. If that couple have two children, and they are able to claim child care costs up to £100 each, that gives that couple an untaxed income of £10,400. If that couple are earning between £19,500 and £20,000, that untaxed tax relief will take them into the 40 per cent. tax bracket. That is not quite right; it feels wrong.

Is that the Government's intention? If it is, what will happen to people who earn slightly more than £20,000 or to those who earn just below that figure and are offered overtime or promotion to take them over the limit? Will they lose the £10,400 immediately? I can think of no bigger poverty trap. The Government must be considering a taper. Will it taper up to the 40 per cent. income tax bracket? Perhaps the Chancellor will increase the level at which the 40 per cent. band kicks in.

Will the £100 a week child care costs be met by the Treasury on the basis of receipts from the carers, as I read in the newspapers, or, as I understand from the pressure groups to which the Government have already spoken, will no proof of payment be needed? If the latter is the case, that £100 a week could be used for child care, granny care or anything else. It would be useful to know whether the Government are planning to give £10,400 to couples earning less than £20,000 with no controls, putting them into the super-tax bracket.

The system will be a disincentive for anyone earning more than £20,000.

Barbara Follett: May I suggest that the hon. Lady's questions might better be addressed to my right hon. Friend the Chancellor at Treasury questions? They are based on speculation, and might better be asked after 17 March.

Mrs. Lait: I am grateful to the hon. Lady. I have every intention of making a speech on the Budget. I am sorry if I am boring her. However, the subject has come up this week. According to today's newspapers, it was the Secretary of State for Social Security who briefed the papers. As the issue affects women directly, I thought that it might be of interest. The Chancellor may wish to address the fundamental questions about the £10,400 tax-free allowance in his Budget.

Mrs. Gillan: Does my hon. Friend agree that it would be surprising if the Minister for women, who has no responsibilities other than for women, had no knowledge of the issues and was unable to respond today?

Mrs. Lait: I have every sympathy with my hon. Friend's point. I have every intention of being here to listen closely to the response. I suspect that we shall be told to wait for the Budget, but at least we are pointing out that such questions will need to be answered then. I see the Minister for women nodding in agreement that they will be. I look forward to hearing the Chancellor going into the issue in great detail in the Budget, because he will be pursued to the bitter end on it.

Anyone earning more than £20,000 will be so "disincentivised"—if I may use the word—that the enterprise economy will never move again. In a sense, I hope that the Chancellor goes ahead, just to show that such a major redistribution of national income may buy short-term popularity, but at the expense of stifling enterprise and enraging married women—all that just to give a few people an unsustainable tax allowance.

I look forward to hearing the Minister's reply. The issues are crucial to the economic well-being of this country and of women. If she cannot answer my questions—I suspect that she cannot—I hope very much that the Chancellor will do so in detail in his Budget.

12.34 pm

Ms Beverley Hughes (Stretford and Urmston): I join other hon. Members in welcoming the opportunity to participate in this debate. It is a particularly important occasion, as no such debate took place last year when the Conservatives were in government, despite many requests from Labour Members.

Mrs. Gillan: The hon. Lady is not correct. The last women's debate in this place was held in Government time and was called by my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) and me.

Ms Hughes: I shall certainly return to the *Official Report* to check that. My research this week found that there was no debate on women last year and that the previous two debates occurred in Opposition time. If the hon. Lady is right, I stand corrected.

I shall be brief, as I am aware that many of my colleagues wish to speak in this important debate. I want to focus on one priority that the Secretary of State highlighted this morning: the importance of family-friendly employment policies. In so doing, I shall address the needs of children—which my right hon. Friend also stressed—and the contribution that men can make to the issues facing women and to the well-being of children. I make no apology for placing at the heart of my contribution the needs of children and the contributions of both parents to children's lives.

We have heard about the changed and changing role of women in terms of economic activity in the past 10 years. Female participation in the work force has risen. However, the overall figures disguise the fact that the greatest increase has occurred in the activity of women with children, and particularly among women with children under five, whose participation has risen from about 40 per cent. to 54 per cent. in the past 10 years. That shows that the majority of women with children now work, including the majority of women with very young children.

The fact that that increase occurred at a time when the previous Government were bent on destroying rights at work, increasing job insecurity, abolishing wage councils and encouraging a low-pay, short-term contract culture in employment is testimony to both the need and the wishes of many women to work. The previous Government talked much about family values, but did very little to help parents meet their family responsibilities. I am glad that this Government recognise that fairness and security at work are a woman's issue, and have introduced measures to strike a better balance between flexibility in the workplace on the one hand and security in work on the other.

Despite the fact that many women have had to work for low wages in poor conditions, many women still want to work. We shall not return to the time when most women stayed at home. Work gives women benefits other than finance. Work provides other things that women value which, once experienced, they do not wish to relinquish—on that point, I part company with the hon. Member for Broxbourne (Mrs. Roe). The problem which defeats many women, and which many others confront at no small cost to themselves, is the difficulty of combining work and child care in the hostile work environment left to us by the previous Government which makes no concessions for children's needs.

As women's economic activities have increased, what has been the pattern for working fathers? It is worth noting that it is very difficult to obtain official statistics about working fathers because, in tabulating data, statisticians have not bothered about whether men are fathers. Some recent secondary analysis of the 1994 labour force survey paints a disturbing picture. It shows that not only are fathers more likely to be in work than other men but they are more likely to be in full-time work and to work longer hours—an average of 47 hours a week. The study concluded:

"Over all, the increase in mother's employment has not resulted in any compensating change in father's employment: there is no indication of a substantial shift to a more part-time employment or of a reduction in working hours among those employed full-time. The consequence is an increasing workload on parents, as mothers' employment increases and fathers' high employment rates and long hours remain constant."

If children and the quality and stability of family life are the prime concerns, what should be the response of Government? Good-quality, flexible, affordable child care, as we have heard from many hon. Members today, is rightly a priority. Equally important, and also one of the Government's top three priorities, is the introduction of family-friendly employment policies, not just for mothers, but for fathers too.

There are several reasons why that is important. First, some parents want to look after their own children. Secondly, it is not so bad looking after one child, but when there are two or three children, the difficulty of getting them to different arrangements at different times and juggling child care with work increases exponentially.

Thirdly, and I believe this to be the most important reason, for many children there are advantages in experiencing daily daytime care from their father. Although in practice it is a women's issue, we must try to redefine the issue of who cares for children as an issue for men and women. In demanding an end to the segregation between work and mothering, we must extend the argument to ending the segregation between work and fathering.

My time is drawing to a close, and I wanted to say a great deal more. I conclude with some features of a family-friendly employment policy. It is extremely important that the Government have taken the step of implementing the parental leave directive, which will give all employees rights to unpaid parental leave. Parental leave at the time of birth or adoption is vital for parents at that important stage when a child enters the family.

I hope that, in the longer term, we can move closer to some of the conditions that employees in Scandinavia and other European countries have. In Sweden, for example, parents have the right to share parental leave of up to a year when a child is born or adopted.

Mrs. Gillan: The hon. Lady mentioned adoption. I do not know whether she is aware that, when I was first elected, I tried to introduce a measure in the previous Parliament to ensure that all mothers who were adopting babies could have the same maternity leave as a mother giving birth to a baby. That, unfortunately, is not the case. Will she join me in urging this Government to examine the issue? The matter needs resolving, and I greatly regret the fact that, when my Government were in power, they did not have time in the legislative timetable to fit it in.

I would commend any Government who introduced that small equalisation, which would make a great difference to women who adopt babies.

Ms Hughes: I thank the hon. Lady for that intervention. I commiserate with her at the fact that her Government at the time did not support her. The distinction between what parties say and do in relation to women's issues is becoming a defining distinction between the Labour party and the Conservative party. I support what she said, and I expect this Government to take action on the matter.

I return to the flexibility of working patterns. I was disturbed to hear it said earlier that the tensions around work and children could be accommodated by making the school day and the school week more flexible. Clearly, that would have disadvantageous consequences for children. We must make working patterns and work contracts more flexible.

Caroline Flint (Don Valley): I draw my hon. Friend's attention to a wonderful initiative in my constituency by Coats Viyella Clothing Ltd., which in the past week has advertised jobs offering a parent shift. The advertisement referred to a chance to work and put one's kids first. The firm is offering a shift from 9 am to 3 pm, with seven weeks' holiday, covering school patterns. Labour Members will be pushing what employers can do, not what they cannot do.

Ms Hughes: I thank my hon. Friend for her intervention. She has given an example of something that is happening.

I was about to give an example of something that the Government have done in the public sector over the past few months. My right hon. Friend the Secretary of State for Health has introduced an innovative information technology package as a pilot scheme in hospitals, and it is to be extended. It has allowed nursing staff to create their own working patterns—I do not have time to go into details, but the scheme is extremely innovative—and at the same time it has brought back into nursing women who had to leave, having had expensive training, because previously they could not combine work and child care. The scheme embraces an economic advantage that needs to be taken into account.

I welcome the Government's top priorities. We need to consider how to enable not only mothers but fathers to contribute to resolving some important tensions while retaining the needs of children as a centrepiece of our policy.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. I remind the House that, unless hon. Members shorten their speeches, many other hon. Members will be disappointed.

12.45 pm

Mr. Damian Green (Ashford): I shall heed your remarks, Mr. Deputy Speaker.

It is clear that the debate is being conducted, in a way, on two levels. In many practical, detailed ways, little divides the two sides of the House. For example, I was interested to hear of the initiative of Coats Viyella. I join the hon. Member for Don Valley (Caroline Flint) in commending it, and urging that sort of initiative on other employers. I am pleased that we have a flexible enough labour market to enable employers to take that sort of approach.

As I said, little divides us on detail, but there is a problem at the higher level of rhetoric. The Government's claims about the way in which they are changing the priorities of government towards women are just incredible. The Secretary of State described the problem well. In particular, the specific policies to which she referred do not necessarily have a separate women's dimension. If they are of benefit to women, or to girls in school, they are also of benefit to men, and boys in school. Attempts to create a corpus of policies called women's issues are doomed to failure. At the same time, they are rather patronising.

The main problem that the Government need to address at the higher level, as it were, is the thought that they will replace, if they are not careful, the old-fashioned male chauvinism, which is that some areas of life and public policy are of no interest to women, with a new form of chauvinism—equally regrettable and reactionary—which is that some areas of life are specially reserved for women.

The right hon. Lady showed that in a small way with her prepared responses to interventions in her speech from any man who dared to intervene. She gave the clear impression that it was somehow improper for men to have views and to express them in the House on these issues. She is dead wrong on that. The important policies—especially the ones that she mentioned on health and education—are of the same importance to both men and women.

The Secretary of State made the extraordinary statement that mothers care passionately about their daughters' education. As the father of two daughters, I can tell the right hon. Lady that fathers care passionately about their daughters' education. Both parents care equally about children's education. I dare say that, when the right hon. Lady took the sensible decision to send her child to a grammar school in Kent, her husband was as involved in that decision as she. Artificial distinctions hamper debate on the practical matters that affect both men and women.

The last vestiges of the old male chauvinism that affect parts of our country should be swept away. They are entirely unacceptable. I regret that one practical measure that I tried to implement myself over the past few weeks has temporarily failed. As a member of the MCC, I voted to allow women members. It is ludicrous that the MCC does not allow women members. I am glad that a majority of MCC members agreed with me. I regret that its rules mean that this cannot be implemented without a two-thirds majority. I hope that the rules are changed so that women can become members of the MCC, and of similar institutions. The day of the single-sex institution trying to keep out the other sex has gone, and that applies across the board.

The idea that there are specific women's issues is in many ways an insult to modern women, as several of my hon. Friends have said. It is more than time for women to break out of any ghetto, whether those are old-fashioned male views or a misinterpretation of feminist views. I hope that the feminist debate has moved beyond the era

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of separatism, and that we can say, particularly in terms of public policy, that there are no longer specific women's issues.

The Secretary of State made the point that we now have a Government who have unique insight into, and unique sympathy with, the needs and aspirations of women. As so often the case with the Government, not only is there a gap between rhetoric and reality, but the truth, as expressed in policy, is the dead opposite of the rhetoric. To illustrate that, I shall deal with issues that are not regarded as traditional women's issues: tax and benefits, which are of importance economically to women as well as men. These are issues that old-fashioned male chauvinists would say women should not discuss, but they are women's issues.

Let us look at the Government's attitude to tax and benefits, and start with the lone-parent premium fiasco. We all know that, when the Secretary of State was in opposition, she said:

Perhaps he"—

the then Secretary of State for Social Security—

"does not realise that, when people move from being in a couple to being a lone mother, they become worse, not better, off."—[*Official Report*, 28 November 1996; Vol. 286, c. 501.]

I am sure that the right hon. Lady remembers that quote; it has been quoted back at her a lot over the past few months. She said that she would not introduce a cut in the lone parent premium, but in government she did so. I hope that some hon. Members on the Government Benches voted against the Government on this issue. We thought that the policy was worth implementing for reasons of fairness. Labour opposed it in opposition, but implemented it in government.

The story continues, because the right hon. Lady, or one of her hon. Friends, leaked the decision that compensation would be available for lone parents, and that the cut would in some way be reversed. It was a double U-turn. Having U-turned once, she did so again. Then, last Wednesday, the Prime Minister specifically denied in the House that the second U-turn would take place. Now we read in *The Guardian* some more details that suggest it will.

That leaves many of us in a great dilemma: do we believe the Prime Minister, or do we believe *The Guardian*? Many of us were brought up to regard neither as a normally reliable source of information. We are in a genuine quandary as to which contradictory story we are supposed to believe. I hope that the Minister who will reply to the debate can put me out of that quandary. Should I, in this instance, believe the Prime Minister, or *The Guardian*?

The underlying important message to women in this country from the Government's charade and fiasco on the lone parent premium is that women's and lone parents' priorities are the Government's least important priority. The Secretary of State's priority is to keep her job; the Chancellor's priority is to keep public spending down; and the Prime Minister's priority is to ensure that the presentation is done well, and in this instance he has manifestly failed.

Whatever happens, the discussion about what lone parents need has been entirely lost. That sends a much more powerful signal to women of this country than any of the Government's rhetoric about their concerns.

Another issue of current debate, which was dealt with eloquently by my hon. Friend the Member for Beckenham (Mrs. Lait), is the proposal for the working families tax credit. It is a shame that the Financial Secretary to the Treasury is not here, because she is involved in some of the detailed and difficult work on the subject.

However the Government try to wrap it up, that will mean an attack on the independent taxation and the separation of benefits allowed to women. I have read all the leaks in the papers—not all of them in *The Guardian*—suggesting that the Treasury has found a magic solution that will allow it to introduce the tax credit without suffering the "purse or wallet" dilemma that was discussed in great detail when the previous Government were considering social security reform.

The previous Government found that that dilemma was not soluble, so they moved towards the system of family credit, which has been successful in many ways, not least because most family credit is paid direct to the mother, and thus directly benefits women in a practical way.

The problem with any kind of earned income tax credit, as the Americans call it, and thus with the working families tax credit, is that, however we wrap it up, if the main earner in the household is a man—statistically, that is the most likely—he will have to give permission for the tax credit to be passed to the woman. There will be no automatic right. There will have to be a family discussion.

Lorna Fitzsimons: I am interested in the thesis that the hon. Gentleman is advancing. As he is so interested in family credit and the change proposed, or floated, in the working families tax credit, is he aware that family credit is currently assessed on joint income, so there would be no difference and no threat to independent taxation? Secondly, is he aware that, of the 750,000 recipients of family credit, in only about 300,000 cases does the woman receive the benefit, because the man is in low-paid work? Would he therefore support the working families tax credit if the money went to the woman unless the man and the woman jointly elected—

Mr. Deputy Speaker (Mr. Michael Lord): Order. My earlier remarks about the length of speeches apply to interventions, too.

Mr. Green: My attempt to deal with the intervention will be briefer than the intervention itself, Mr. Lord. Where the man is the main earner, it is practically impossible for the woman to be paid the money without a previous family discussion. I therefore assure the hon. Lady that what she suggests would not achieve the effect she desires, and preserve independent payments to women.

I know how many other people wish to speak in the debate, so I shall draw my individual examples to a conclusion. Both examples I have given provide powerful reasons for rejecting the Secretary of State's opening thesis that the Government have a unique sympathy with the priorities of women. Their actions belie their rhetoric; actually, they are treating the women of this country worse than the previous Government did.

12.57 pm

Jane Griffiths (Reading, East): Thank you, Mr. Deputy Speaker, for the opportunity to participate in this important debate. If I heard the hon. Member for Chesham

and Amersham (Mrs. Gillan) correctly, it is the first such debate since 1988. Perhaps I misheard; I hope I did, because if that is true, it is a great shame.

We have heard a lot about tax and benefits this morning, and of course economic issues are important to women, as they are to everyone. However, other things should also be a priority for women; I know that they will feature among the Government's priorities for women.

One of those is the fact that a whole generation of young women have grown up under a Tory Government. My daughter, who is 21, does not remember the previous Labour Government, because she was a small child at the time. She and all women of her age have grown up under Tory Governments who treated whole groups in society with contempt, effectively excluding them, and saying, "Jobs, opportunities and prosperity are not for you; they are only for the few."

We now live with the consequences of that attitude, and we must ensure that women have high expectations of themselves.

Mr. Robert Syms (Poole): Does the hon. Lady not consider that the position of women in society today is better than it ever has been, and is improving? It has certainly improved over the past 20 years, especially under Conservative Governments.

Jane Griffiths: If the hon. Gentleman believes that there is reason for complacency about the position of women, I do not agree with him. We have a great deal to do. Many women do well and are prosperous—the number of women in the House is evidence of that—but many others are not, because of economic, child care and housing problems.

Health must be a priority for women. At times, I have agreed with Conservative Members that there is no such thing as women's issues, as health issues are issues for all of us. I am sorry that the right hon. Member for South-West Norfolk (Mrs. Shephard) has left. I was flattered by her commenting on me. The *Reading Chronicle* is an excellent newspaper, and the editor will be delighted that she reads it so carefully.

Health is an issue for everyone, but certain matters—not just pregnancy and childbirth—are particular to women. The Tory manifesto at the last general election said nothing about osteoporosis, which affects many more women than men, especially older women who make up an increasingly large proportion of the population. It would be relatively inexpensive to make the problem of chlamydia and ectopic pregnancy a Government priority, and the good consequences would far exceed the necessary resources.

Ten women a year die from ectopic pregnancy—that number has not changed—and its incidence is increasing: there are about 10,000 cases a year. Those women are admitted to hospital for emergency surgery without which they would die. Ectopic pregnancy could be much reduced, if not eliminated, if screening for chlamydia was routine. Chlamydia has no symptoms, so young women may not know they have it, and infertility, ectopic pregnancy or both can result. Those issues have been ignored in the past, but I believe that the Government will give them the attention they deserve.

1.1 pm

Mrs. Eleanor Laing (Epping Forest): The hon. Member for Reading, East (Jane Griffiths) made some interesting remarks. Perhaps it is a symptom of the debate that, although I could not disagree more with her remark about the way in which women live their lives, I agree 100 per cent. with what she said about health issues. I share her hope that the Government will pay attention to what she said.

The hon. Lady will perhaps disagree with some of my remarks. We have dealt with many issues, but the basic fact that has emerged from the debate is that women need freedom—economic freedom, the freedom that comes from good health, and the freedom to choose their own life style. Women generally have more life style choices than men. We are always asking ourselves why there are not more women at the top of the professions or in power in areas of public life. The answer often is that, because women have more choices, they do not choose the same career pattern as men. *[Interruption.]* Hon. Ladies on the Labour Benches seem to disagree, but that is exactly what they have argued this morning.

Often, a man will start his career in his early twenties and plod up the promotion ladder until, 30 years later, he reaches the top. Women often take a different course, perhaps taking time out to have children or to travel with their husband, which is why they often take longer than men to reach the top. We all know that they can achieve the same as men.

I mentioned freedom, and economic freedom comes from earning power, which often does not depend merely on child care or women's difficulties in having to look after other family members. We have already discussed those problems to a great extent, so let us not get the balance completely wrong. Child care is important, but it is not the only factor affecting a woman's earning power or her ability to continue with a career. Education is every bit as important—indeed, I would argue that it is more important.

My hon. Friend the Member for Billericay (Mrs. Gorman) mentioned the obvious and unarguable statistic that, when the previous Conservative Government came to power, which was just after I went to university, approximately one in eight 18-year-olds went on to higher education, whereas now one in three do so. That has nothing to do with the policies of the present Government. It is entirely to do with the policies of the previous Conservative Government, who, over 18 years, steadily increased the numbers going into higher education, and therefore increased opportunities for women in particular, as they were the ones who were often left out of higher education in the 1960s and early 1970s.

The first thing that this new Government did, after saying that they wanted to create opportunities especially for women, was introduce tuition fees for universities. If one policy is designed to give women fewer opportunities than men, it is that. There are still families who will decide, when considering the opportunities for their teenage children, that they can afford to help one child through university but not more than one. Who is likely to get the opportunity? The boy.

That happened for decades, even centuries, and, because the previous Conservative Government gave women the chance to go to university on their own merit and funded them through it, more women have come out

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with higher qualifications. It is sheer hypocrisy on the part of this Government to say that they care about women and talk about all they want to do to help them, when, with that one policy, they have taken away opportunity from women. We will not see the effects for quite a few years, but I will not forget what I have said this morning, and I will ask questions about it in years to come.

Mrs. McKenna: Does the hon. Lady agree that, in future, that option will not be available, because all students will be able to apply for properly funded loans, which they will be able to pay back once they are in proper employment? Therefore, they will not have to depend on their families. Only the families of the very well off have that choice at the moment—poor families do not have that choice.

Mrs. Laing: No, I do not agree. I do not want to get off the subject, and I must be brief, but the hon. Lady must recognise the difference between loans for maintenance, which help individual students and which we have supported for many years, and loans for tuition fees. There is no doubt that people will be deterred from going to university if they have to bear the cost of their tuition fees. Also, the policy demonstrates a lack of responsibility on behalf of the Government. Providing university education is good for the whole country, and the country should bear the cost of university tuition.

Mr. Syms: Will my hon. Friend consider the fact that university education is an investment in the future and in people? Through their policies, the Government have diminished opportunities for young people and the future investment in human capital.

Mrs. Laing: I could not agree more with my hon. Friend. His remarks are in direct contrast to those of the hon. Member for Cumbernauld and Kilsyth (Mrs. McKenna).

This morning, we have heard much about child care and young women's issues, and I am not saying that those are not important—they are very important—but let us not forget our duty also to look after older women. We must give them good pensions. That is especially important in view of the fact that there are more widows than widowers—men tend not to live as long as women. We must make provision for women in their older years. Women who are now of pensionable age had fewer opportunities than our generation has to work, save and build up their own pensions.

We have heard much talk in this debate about what the Government might do about pensions, but they have done nothing. The Conservative Government proposed the excellent basic pension-plus scheme, which was designed precisely to take care of this matter. All that the new Government do, however, is talk and have reviews. People deserve better.

Mrs. Gillan: Does my hon. Friend agree that the Government have done at least one thing about pensions—they have taken a large amount of money from pension funds, making Robert Maxwell look like an amateur?

Mrs. Laing: I entirely agree. That also affects women more than men, as women retire earlier—their capacity to earn ends earlier. The policy is retrospective and cruel—I use the word advisedly—as it affects people who no longer have the chance to change their economic position.

I am surprised that health matters have not been mentioned more in this long debate. Women need to be free of the fear of health problems. They need the important freedom not to have children, and the freedom to choose when to have children.

I have been disturbed by rumours in the media—although it is now hard to tell whether a rumour in the media has arisen because of a journalist or because the Government are flying another kite to decide whether to do a U-turn before or after they have published their proposals—that, because the Government think that they have to make cuts in the national health service budget, they are considering making women pay for the contraceptive pill on prescription. I am sure that Labour Back Benchers will be just as concerned as Conservative Members about such an extremely dangerous policy.

There is no doubt that the best way to deal with unwanted pregnancies is to prevent them. Along with the automatic washing machine, the free availability of the contraceptive pill is one of the most important factors in gaining freedom for recent generations of women—although I am not suggesting for a moment that the Government should pay for automatic washing machines.

Mrs. Lait: Does my hon. Friend agree that, if the rumours are true that people will not need receipts to claim the child care allowance, they could indeed spend the money on washing machines?

Mrs. Laing: Yes: my hon. Friend makes an excellent point.

I hope that the Minister will assure us that, whatever changes are made in the NHS budget, the contraceptive pill will continue to be free to everyone to whom it is prescribed—I believe that that should include those aged under 16, although that is a complicated matter, which I do not have time to explore now.

Many hon. Members have noted that there are fewer women Conservative Members than women Labour Members. I must point out that most of the Conservatives' female Members have been present this morning, because we care about this issue. Although female Labour Members have managed a reasonable representation, they have not matched the proportion of female Conservative Members who have been present.

I must also point out that the number of women who sit as Conservative Members does not reflect the proportion of women who are active in the Conservative party. *[Interruption.]* Labour Members have no idea just how many women hold important positions in the Conservative party.

Ms Sandra Osborne (Ayr): Making the tea.

Mrs. Laing: I am happy to give way to the hon. Lady if she wishes to make her point, but it seems she does not. It is only a matter of time before many more of those active Conservative women join us in the House.

It has been interesting to hear Labour Members talk about the past 18 years and how Conservative policies affected women. They seem to have forgotten that Baroness Thatcher was Prime Minister of the United Kingdom for 11 years. One would think from listening to Labour Members that she had never existed.

Ms Shipley: Wishful thinking.

Mrs. Laing: Not on my part.

Labour Members like to claim that Baroness Thatcher did nothing for the cause of women, but they completely ignore the fact that, by being Prime Minister, and achieving all that she did in her 11 years in that post, she made it impossible for anyone to say that a woman cannot rise to the top of her profession—and that includes our profession.

Various hon. Members have mentioned positive discrimination and quotas. I am very concerned by the proposals that the Scottish Parliament should be gender-balanced. The hon. Member for Edinburgh, North and Leith (Mr. Chisholm) addressed that point earlier. If that policy becomes part of the operation of the new Scottish Parliament and the Welsh Assembly, the women who are elected under it will be damaged in their future political reputations. Women who are selected because men have not been allowed to stand against them are for ever open to the criticism that they would not have succeeded had they been competing against men.

I stress that I intend no personal insult to any hon. Lady opposite who was selected from a woman-only shortlist. My point is that it is the system itself that is insulting—especially to female Labour Members who are of high quality and would have succeeded in any case. However, they will have to go through the rest of their lives—

Ms Julie Morgan (Cardiff, North): Will the hon. Lady give way?

Mrs. Laing: I shall give way to the hon. Lady, although I must be brief.

Ms Morgan: Does the hon. Lady not agree that we must overcome centuries of discrimination before women can take their rightful place here and in the new Scottish Parliament and Welsh Assembly? It is therefore appropriate that efforts are made to ensure that women take their place so that the policies of all those bodies are properly informed and address the needs of the whole community.

Mrs. Laing: I do not agree with the hon. Lady. She suggests that men ignore matters of interest to women. That is nonsense, and is far too great a generalisation. Quotas are dangerous. It is like saying that a man can swim on his own but that a woman always needs to wear water-wings. We know that it is not true, so why have a policy that suggests it is?

We will not improve freedom of choice and opportunity for women by talking about them patronisingly. Women's issues are society's issues. All we have discussed today is important not only to women but to everyone. I hope that, in a few years' time, as we make further progress, there will be no need and no demand for debates such as this.

1.19 pm

Mrs. Rosemary McKenna (Cumbernauld and Kilsyth): I am grateful for the opportunity to speak in this important debate on the Government's proposals for women. I join other hon. Members in welcoming the Secretary of State's announcements on helping women.

Contrary to what the hon. Member for Epping Forest (Mrs. Laing) said, there is no doubt that the arrival of so many women in Parliament on 1 May last year will have a long-term impact on the life of everyone in the United Kingdom. There is no truth in the rumour that we were elected solely to upset our male colleagues, either in the House or in the media. Far from it; we find some of them quite agreeable, especially those who have been house-trained. Some of us are even married to men and have sons as well as daughters. That may surprise Conservative Members. A colleague compared us to the Sedgemore—sorry the Stepford—wives. I recall that the Stepford wives were pretty, young and slim. Our colleague obviously agrees with me that size is not everything.

After 70 years of votes for women, some tremendous advances have been made, and the Government are making more significant advances, but there is still much to be done. The Government take the problems seriously and this debate is welcome. We should be moving towards the day when women are equally represented in all decision making so that decisions truly reflect the concerns of all. There will be no need for debates such as this when women are at the heart of the decision-making process.

Mrs. Laing: Will the hon. Lady give way?

Mrs. McKenna: No.

Local authorities have done some good work since the mid-1980s in setting up women's or equal opportunities committees. I welcome the Secretary of State's recognition of the good work of local authorities and the voluntary sector on child care over the past 18 years, when it was difficult for them to get support for it. Other hon. Members have spoken about those problems, but I want to speak about the process.

One of the great lessons that we have learnt is that to tackle equality issues effectively, we need to regard them not separately but as a key element of policy development. That is why I welcome the Government's recognition that mainstreaming is crucial: putting equality at the heart of policy making with equality issues regarded as integral to every Department and aspect of policy, not kept in a separate little box to be brought out every so often and looked at. Only then will we begin to address inequality in all its aspects.

I hope that the Secretary of State and the Minister for women will examine the excellent research being undertaken in Britain under the auspices of the fourth action programme of the European Union. We have learnt from that experience that the most significant impact comes when women are involved in the decision-making process. Women's concerns are the same as those of men: the economy, jobs, health and education. We are not from another planet, but we have not been involved in decisions about our lives, about the life of our country or the lives of our families. We do not want all the power, as the

[Mrs. McKenna]

hon. Member for Ashford (Mr. Green) suggested. We will settle for half—our fair share. We ask only to be equal partners.

The comment made by the hon. Member for North Essex (Mr. Jenkin) about men-free zones clearly demonstrates that Conservative Members do not understand the issues. The real issue is democracy. The House prides itself on being the seat of democracy, yet any elected chamber must reflect the society that it represents. When half the population is excluded from the decision-making process, we get different decisions—some would say bad decisions. I refer to decisions made by Government-appointed bodies. When we exclude half of the population from the business world, we lose the tremendous talents, energy and innovation that we need to succeed in the global economy.

History shows that, unless positive steps are taken, there is no improvement in the representation of women. The fact that there are 101 Labour women in the parliamentary Labour party is entirely due to positive action taken by the Labour party. All the political parties must face that reality.

The hon. Member for Epping Forest, who suggested that women elected to the Scottish Parliament would be damaged, is quite wrong. My right hon. Friend the Secretary of State has already referred to the fact that we shall have a Scottish Parliament and a Welsh assembly. We have in Scotland and Wales an opportunity and the prospect of the first gender-balanced Parliaments in the world. What a start to the millennium if we can produce an equal number of men and women Members.

Labour Members are committed to a process by which we will ensure a list of candidates with equal numbers of men and women of equal ability. Any other party that does not recognise that will suffer the wrath of the electorate. We shall never be forgiven if we wake up on the morning of 7 May 1999 and face the prospect of a small group of women in the Scottish Parliament and the Welsh assembly.

I do not want to speak any longer, because I know that some of my colleagues want to contribute. In any case, the microchip implanted in my brain is telling me that it is time to sit down.

1.26 pm

Mr. Nick St. Aubyn (Guildford): I have listened carefully to the debate. I have come to the conclusion that the Government are as stuck in their attitudes to women as they have been slow in their actions to improve the position of women. I hope that, as a result of the positive attitudes and approach of the Opposition today, the Government may think again about their whole policy.

We have seen a lack of vision from the Government and a refusal to acknowledge the many powerful and positive outside forces that have shaped the development and greater role of women in our society. I am grateful to my hon. Friend the Member for Epping Forest (Mrs. Laing) for mentioning the role of the dishwasher.

Lorna Fitzsimons (Rochdale): He means the washing machine.

Mrs. Laing: And dishwashers.

Mr. St. Aubyn: Indeed, I could carry on. I am bound to say that, compared to the unimpressive efforts of the Government, washing machines, dishwashers, microwaves and, above all, disposable nappies have had a profound effect on the role of women in society, not to mention that of the men who live with them. I have had five children.

Mrs. McKenna: Do the men who live with the wives who have these children not contribute at all to bringing them up?

Mr. St. Aubyn: I was about to go on to explain how the changes that technology has made in family duties and jobs have played an important part in encouraging men in families to take a bigger role, and have made it much easier for them to cross that threshold.

Rather than focus on the rivalries and differences between men and women, we should focus on the dependency between men and women. There has been too little said in the debate about the fact that we are very much dependent on each other. I listened to my hon. Friend the Member for Billericay (Mrs. Gorman) speak about children in care and, having once worked in a children's home, I do not think that we should ignore the important role played by the many excellent men who work in children's homes, including homes for girls. They provide a positive role model for children who have been subjected to abuse and, by doing so, help those children to take an important first step in making their way back to mainstream society.

The hon. Member for Rochdale (Lorna Fitzsimons) attempted to quantify the input of women who do unpaid work. It is important that we should focus on those who do unpaid work, but the hon. Lady was in danger of falling into the same trap as the Government have. They feel that, if they quantify a problem, they somehow solve it, but the truth is that the contribution of women who stay at home is priceless—it cannot be quantified. Oscar Wilde has already been quoted in the debate and I am reminded of his warning against those who know

"the price of everything and the value of nothing."

We have to recognise that women's domestic role is vital. By doing so, we immediately understand why there will be a natural limit to the participation of women in the work force. There will be those women, however well qualified they are, who decide that they are best qualified in the role of a mother; and, through that role, they will make a tremendous contribution to the development of their children and perhaps as powerful a contribution to society as anyone in a high-powered job.

I went to the House of Commons Library to check my figures and discovered a striking fact about the period of the Conservative Government: as far as I could tell, going back over nearly all of those 18 years, in every year the level of unemployment among women was lower than that among men. I am grateful to the labour force survey for that finding, although I see hon. Members shaking their heads; I shall be happy to share the figures with them after the debate.

Those statistics bring us back to the issue of price over value: many of those jobs may be relatively low paid, but the value of having a job goes beyond pay. It contributes to one's sense of independence and pride, and sometimes to the ability to escape an unfortunate family situation.

Having a job is far more important than the precise level of pay for that job. None of us wants to see women or men exploited by being underpaid, but we should be wary of introducing policies that put the principle of price before the value of having a job at all.

The fact that we have debates about women has been remarked on and there has been discussion about when we last had one; but there can be no doubt that we have never had a debate on men. There is clearly a disparity between our attitudes to men and to women. That disparity was displayed in the Select Committee on Education, on which I am glad to serve. A few months ago, we decided to carry out a study into disaffected boys, but, between formulating the study and the start of our hearings, it became a study into disaffected children.

None of us would deny that there are problems with disaffected girls, but disaffection is predominantly a problem among teenage boys. That, too, goes back to the role of the mother and the fact that boys, even more than girls, find that her support plays a vital role in their development. From evidence given to us, our Committee has found that families with disaffected children are often those where parental support is noticeably lacking. In such families, the detrimental effect on boys of the lack of parental support is even more marked than the effect on girls.

Not only should we perhaps pay more tribute to the vital role of mothers—unpaid, unquantified, but invaluable—but perhaps we should pay tribute, and give our good wishes, to the most famous unpaid worker of all: the Minister for women.

We have been told many times that those who are underpaid find that it undermines their motivation. We are told that they tend to lose their self-respect and that some even withdraw from society. In the six months since the Minister for women was put into her post without being paid for it, she has had found it difficult to answer more than a smattering of questions in the House, and to find time to make more than a smattering of contributions.

I believe, as one of those who argued strongly in the House, when the Minister was appointed, that she should be dignified by being paid a decent wage for the job that she was undertaking, that that lack of pay is all the more to be objected to when one contrasts it with the extravagance of the men in the Government. The Lord Chancellor is spending hundreds of thousands of pounds on his furnishings and carpets, and the Chancellor of the Exchequer just throws his carpets away. Given the threadbare treatment of the Minister, Labour men should be hanging their heads in shame.

Today is the Minister's chance. It is her chance to stand at the Dispatch Box—something that we see as often as a male Member of the House standing at an ironing board—

Mr. Syms: Does my hon. Friend consider that, as the excellent results that women are now achieving are a good thing, we should bring men up to their standard?

Mr. St. Aubyn: That is a good point, but I shall finish with my suggestion to the Minister. When she stands at the Dispatch Box, she has a chance to strike a blow for women by resigning her post, explaining why she is doing so and suggesting that no one else should take it until they are paid a decent wage.

1.36 pm

Ms Julie Morgan (Cardiff, North): I am pleased to have the chance to speak in the first women's debate since the Labour Government came to power in May 1997. I believe that I am the only woman Member of Parliament from Wales who could stay up in London today, although I was pleased that my hon. Friend the Member for Clwyd, South (Mr. Jones) was present earlier.

There are only four woman Members of Parliament from Wales—four out of 40. The fact that there have been only seven woman Members of Parliament for Wales since women gained the vote 80 years ago tells us that there is something wrong with the system. That record stands despite a long history of radical women from Wales. Some hon. Members may have heard of Jemima Nicholas, who, 200 years ago, stopped the French invading Fishguard. More recently, there have been the women in the miners' support groups in the South Wales valleys. I am proud that the Minister for women is from Wales; she is another radical woman from Wales.

I pay tribute to all the women from Wales who work tirelessly, often behind the scenes, keeping everything going and keeping the wheels turning as women have always done—keeping playgroups going, looking after elderly people, rushing to get the kids from school. It is really important that we make certain that those women also have the opportunity to come to the House, or to the Scottish Parliament, or to the National Assembly of Wales, and make their voices heard.

Many more women in Wales work than they did 20 years ago. Then, they made up a third of the work force; now, they make up nearly a half. The increase in women's employment has coincided with a decrease in male employment. That has resulted from savage changes in the patterns of male working in Wales because of the rundown of heavy industry.

Although more women are working in Wales, that increase has come largely from part-time jobs in the service sector. During the 1980s, the number of women in Wales employed full time fell, while part-time employment grew.

Chwarae Teg—which means "fair play" in English—is an organisation which promotes equal opportunities in the work force. Its surveys show that women are more likely to have short-term contracts or no contracts, to be employed part time or to work at home, whereas men are more likely to have full-time jobs with proper contracts, holidays, sick pay, occupational pensions and—importantly—more training opportunities.

Mrs. Gillan: I am pleased that the hon. Lady praises the work of Chwarae Teg, on which the fair play for women exercise was built by the previous Conservative Government. Does she share my hope that the Government will continue to support fair play for women in Wales and the rest of the country? We want a firm commitment from the Minister to back that.

Ms Morgan: The Government have already shown their commitment to Chwarae Teg and increased the range of its work enormously since coming to power last May.

Women in Wales earn three quarters of what men earn—even though men in Wales are among the lowest paid in Britain. Women in Wales are concentrated in certain sectors of employment, such as clerical,

[Ms Morgan]

secretarial, sales, personal and protective services. There is a lack of women in top jobs. Unlike the Conservatives, I think that that is a great shame. The situation is worse in Wales than in the rest of the United Kingdom. Local government reorganisation made matters worse. There are no women leaders, and fewer women in chief positions. Only 24 per cent. of those on public bodies in Wales are women, compared with 33 per cent. in Britain as a whole. There are very few role models for women and girls in such jobs in Wales.

There is a huge untapped potential of women's skills and abilities in Wales, which the Government will release. The two most important ways to help do so are education and training and child care. There are already more women than men involved in further education in Wales. The same is happening in higher education. Many of those going into higher and further education are mature women with children. At the moment, relatives and friends care and provide for many of those children, but more women would be able to follow courses if there were child care facilities. The national trend for girls to achieve better results than boys at GCSE and A-level also applies in Wales, but the picture is different at NVQ level 3, which 32 per cent. of women are achieving, compared with 43 per cent. of men.

There has been an increase in child care facilities through Government initiatives such as the training and enterprise councils' out-of-school initiative. Such opportunities must be affordable for women to be able to take proper advantage of them. All the research shows that the majority of women who use the facilities—which have increased recently—have qualifications. The opportunities have not reached lower-paid women or lone parents. The funding has been used to pump-prime initiatives, which has meant that they have often not been sustainable. In areas of low income, longer-term funding is essential, going beyond the initial pump priming. I hope that the Government's money for child care will keep some such initiatives going, rather than just concentrating on new places.

Provision of pre-school child care is also important. The lone parents initiative, for which Cardiff is a pilot area, has shown that one of the barriers for women trying to gain work is the lack of child care facilities for pre-school children.

I have to wind up now because there is not much time left. Now is the time to recognise that child care is an integral and essential part of economic activity. We have one of the worst child care records in Europe. It is significant that no country with low child care costs has a low level of lone parent employment. Lone parents want to take advantage of any opportunities that present themselves. I think that we shall tackle these issues in Wales and in Britain as a whole. This is an historic moment, as child care, the family and women form an essential part of the new Government's policies.

1.45 pm

Mr. Robert Syms (Poole): I agree with my hon. Friend the Member for Ashford (Mr. Green), who is no longer in the Chamber, that it is important to conduct this debate in broad terms and not turn women's issues into a cul de sac. We can exclude no topic—not defence, foreign affairs or anything else—from a discussion of women's issues. All issues affect women, and it is important that we tackle those issues across Government. The previous Government recognised that fact by ensuring that a range of Ministers understood the needs of women, and I believe that this Government are doing the same. I think that that is a positive step forward.

Women have come a long way this century. As I said in my intervention during the speech of the hon. Member for Reading, East (Jane Griffiths), the general material well-being of this nation—and of women within it—has improved considerably in the past 20 years. At the beginning of the century, we debated whether women should have the vote, which was, rightly, conceded. We are now considering what role women should play in terms of combat and the armed services. Mention was made of the fact that women are playing a successful role in the United States armed forces. They have moved up the ranks and enjoy a high level of importance and responsibility within American society. I look forward to seeing more women playing an active role in our armed services in future.

The Conservative party has a good reputation in terms of female representation in this place: the first female Member of Parliament was Lady Astor, and Margaret Thatcher did an excellent job while serving for 11 years as our first woman Prime Minister. When I take tours around this splendid building, I am disappointed that most of the statues are of men.

Mrs. Gorman: All of them.

Mr. Syms: My hon. Friend may be correct, although there are some portraits of royal women. I look forward to the day when there will be statues of women as well and when the plinth in the Members' Lobby has a statue of Margaret Thatcher so that we may polish her foot before entering the Chamber.

Mr. Fabricant: Kiss her foot.

Mr. Syms: That is a good point.

Mrs. Gorman: Does my hon. Friend agree that it is time that we erected some memorial in this place to the suffragette movement? It is a disgrace that the only statue honouring that movement is parked in the gardens next door.

Mr. Syms: My hon. Friend makes a good point: I know that she is a doughty fighter for the rights of women. Women have had the vote for many years and I believe that the suffragettes should be honoured with a statue in this building—perhaps it could be erected next to the statue of Baroness Thatcher.

As to economic opportunities, women comprise 30 per cent. of the work force, and 12.3 million women are in work. Those figures are likely to increase substantially in future. In the early years of the next century, it is estimated that more than 50 per cent. of the work force will be women. Some 40 per cent. of corporate managers are likely to be women, as women are moving up the structures of many organisations and bodies. I recently visited Barclays International in Poole, which is a major centre. Although only one of the six managers

there is a woman, most of those who will assume future top management posts within that organisation are women.

I believe that the previous Government's policies assisted the general position of women in this nation. However, I shall not provoke Labour Members by pursuing that point any further, as time is restricted.

I turn to several key subjects. My hon. Friend the Member for Broxbourne (Mrs. Roe) mentioned independent taxation for married women, which was introduced by the previous Government. I hope that the Budget and the benefits review will not alter that important provision. We shall look carefully at the benefits review on 26 March and at the Budget on 17 March to see what changes have been made. It is important that the Government do not interfere with independent taxation for married women.

The Conservative party and many of us as Members with postbags are concerned about child benefit. It should not be means-tested or taxed. I receive many letters from constituents who are worried about what the Government have in mind. I hope that their fears are largely unfounded. The Government would be ill advised to change policy on child benefit.

On pensions, it has always been my view, even when my own Government were in office, that the state's contribution to widows' pensions is paltry. I hope that, in the benefit review, the Government consider a better standard of living to women who are left, sometimes at an early age, to be supported by the state because of inadequate provision.

On the broader issue of pensions, the Government's policies in the last Budget have not been helpful. The change in advance corporation tax regulations that will take £5 billion a year out of pension funds will make a considerable difference.

A matter of great current debate for women is the splitting of pensions on divorce which, as we all know, is all too prevalent. It is inevitable that, if the pool of pensions is diminished by changes to ACT policy, the sum will be smaller, however it is split. The Government's policy will make a substantial difference to people if they are unfortunate enough to get divorced, and pensions can be disaggregated.

University fees are another important aspect which has been mentioned. Many women have found opportunities through education, which has enabled them to find jobs and get on, sometimes better than men. The Government's policy on student fees is ill advised and will reduce the future investment of human capital. In deference to other hon. Members who wish to speak, I shall conclude with that.

1.50 pm

Mrs. Eileen Gordon (Romford): I am pleased to speak in the debate and to be the first woman Member of Parliament for Romford.

I congratulate the Government on the initiatives that they have already taken to put women at the heart of the Government's agenda. I particularly welcome the child care initiatives.

I went back to part-time teaching when my children went to school, and it was difficult to find facilities for the gap between the time that they finished school and the time that I finished work and could get home. Luckily, I had a good neighbour who helped me out, but the national child care strategy with its £300 million out-of-school initiative should make it much easier to find support of an excellent standard.

One of my other interests is the health service. I welcome the £50 million increase in staff training budgets. Many of the shortages of staff in the health service could be addressed by higher-quality training for nurses, who are quite capable of taking on much more responsibility, but have suffered from the attitude of some doctors and consultants and the "them and us" syndrome: "We are the doctors; you are only the nurses."

I welcome the boost of £2.15 million to nurse and midwife recruitment, and the reform of breast and cervical cancer screening to build and restore confidence in those services.

We are doing so much, and we have achieved a great deal, but there is still a long way to go, not only for the Government, but for society. For example, the hon. Member for Ashford (Mr. Green) mentioned the fact that Marylebone cricket club still excludes women from membership. I have been in the Long Room at Lord's. Of course it was a concession and it was on a ladies' cricket day, but one day, women will be there as a right, not as a concession. As one MCC member—not the hon. Gentleman—put it:

> "I can't stand the thought of women putting up curtains in the pavilion and worrying about things like the wallpaper and colour schemes."

I am sure that, when women members get there, they will have much more important things on their mind, but I must say that it could do with a lick of paint.

This week, I spoke at a Rotary club meeting in Romford. I agreed to speak there only because the club has recently accepted its first woman member and has assured me that it is actively seeking more women members. Rotary has realised what the MCC has not—that, unless it adapts, it will die.

The constant drip over the centuries of being treated as second-class citizens has knocked women's confidence. In their minds, many women feel unequal and accept the limitations placed on them by men. Their work status has suffered because of the need to fit their activities around their children's lives. They have tended to take part-time, poorly paid, insecure work, and have been penalised for putting their children first. That must change, and it will change under this Government.

My sisters used to take the most awful jobs towards the end of the year because they wanted to buy their children something special for Christmas. One year—quite a while ago—they took a job in a bubble gum factory. The white coating on the bubble gum also coated them. The workers at the factory looked like demented snow women. They worked at a conveyor belt, which moved rather quickly. Their job—especially my sister Vera's—was to sellotape the tops of the boxes as they came down the conveyor belt.

As I have said, the conveyor belt moved rather quickly. One of the workers fainted. She was dragged outside on to the grass and left there. The boxes were falling all around her and, as an act of protest, she taped herself to her machine, yelling for freedom. She soon got it, by mutual consent, I believe. For too long, women have had to put up with such conditions. Many of them had no choice and no voice.

[Mrs. Eileen Gordon]

I believe that women took a giant step forward on 1 May 1997. That is because so many were elected to the House and because the vast majority were Labour. To me, a shared philosophy is even stronger than shared gender. I have not joined cross-party women's groups because, with due respect to women Conservative Members, I have never been interested in seeing more Tory or Liberal Democrat women elected to this place. That is something for their own parties to sort out.

We have our beliefs, and I believe that we can be good role models for women throughout the country. That is a great responsibility. Historically, women have had to fight to achieve equality. However, it is so annoying to most of us to have to make a point that is self-evident.

Mention has been made of the suffragette movement, and I hope that all women Members have made a pilgrimage to the store cupboard in the Chapel, where in 1911 Emily Davison hid away to try to get her name on the electoral register at this place. She later died under the hooves of the King's horse at the Derby, giving her life for her beliefs. We should remember those who went before us, who fought for rights that we now take for granted.

One of the biggest influences on my life was my father, who never patronised his three daughters. He always taught us to think that we were never better than anyone else, or worse. I have always tried to live by that and not make judgments about others because of gender, race or religion. I am saddened when people pass judgments about my views or appearance simply because I am a woman. Those who criticise or patronise because of gender should reflect on their own motivation and insecurity. If they would not make the same remarks about a man, their behaviour is unacceptable.

There is a great deal of hope in the young girls of today. My daughter and her female friends are confident, strong, and leading their own lives and making decisions for themselves. They are not dependent on men in their lives. Partnership, yes, but not patronage. Education, example and support are the ways forward.

The Government are determined to make women feel that they and their views are important. At the same time, the Government want to give women a support network that will enable them to make genuine choices about their lives. I am convinced that, as a result of the debate and the Government's future actions, women will feel that their interests are at the heart of the Government's concerns.

1.57 pm

Caroline Flint (Don Valley): In the three minutes allowed to me, I shall make a couple of brief points. Some of the male commentators are prone to make head counts of female Members, as did, sadly, the hon. Member for Epping Forest (Mrs. Laing). That being so, I declare a job share. My colleague, my hon. Friend the Member for Doncaster, Central (Ms Winterton), is addressing a conference that I was to address, organised by the Doncaster domestic violence working party. Our mutual priorities are the same; we have divided our presence so that we may share the two opportunities to talk about domestic violence.

The Doncaster domestic violence working party plays a vital and largely unseen role, as do many agencies at local level, in supporting and protecting women and children who experience domestic violence. No reasons can excuse the hidden brutality of domestic violence. We know that insecurity at work, debt at home, poverty, alcohol and drug abuse and family histories of abuse all contribute to the risk of abusive behaviour developing and ruining the lives of too many women and their children.

In the past two years, the number of calls to the Doncaster Women's Aid advice line has risen fourfold, to 598 calls last year. The number of women and children who went to the Doncaster refuge is small compared to the number of families who do not manage to reach out and seek help.

It is easy to forget that the impact of violence and abuse on the woman is not just physical and psychological, but damages the children, who may carry the pattern of that abuse into other relationships in adulthood.

I commend the Minister on her bravery in giving priority to this area and on recognising that a cross-departmental approach at national level reflects the multi-agency approach which is required on the ground.

The Family Law Act 1996, which enables the removal of perpetrators of violence in the home, will, I hope, be complemented by greater powers to ensure that the police and the criminal justice system show greater sensitivity in their treatment of victims and vulnerable witnesses. Likewise, opportunities must be seized to identify and provide support to families where parents are experiencing stress.

Domestic violence has not been ignored, but there is much to be done. Too many women suffer in silence. I think that in this respect this Government will achieve what other Governments have not.

2 pm

Mrs. Cheryl Gillan (Chesham and Amersham): I congratulate all the hon. Members who have spoken today. We have, I believe, managed to squeeze in 21 speeches from Back Benchers. The House will be interested to know that, by my reckoning, we have heard from a nurse, an educationist and lecturer, a radio station owner, two social workers, a lobbyist, two lawyers, a public relations consultant, two bankers, three teachers, a university lecturer and two journalists—

Mrs. Gorman: And an entrepreneur!

Mrs. Gillan: I am sorry; would my hon. Friend like to intervene?

We heard from a wide range of experience. I was surprised that, despite the wide-ranging debate, subjects that I thought would be raised were not. I was surprised not to hear comments from Labour Members about personal equity plans and tax-exempt special savings accounts. I am surprised that nobody mentioned the fact that, when the Mental Health (Amendment) Bill was brought before the House the other day—a Bill of particular interest to women—Government Whips had it talked out.

I am surprised that we did not talk about the plight of women in other countries, particularly "Platform for Action"; that there was little, if any, mention of pornography and, indeed, the high rate of teenage pregnancies. However, I am delighted that the Government found time for this debate, even though it

has been relegated to a Friday, when some Labour Members were not able to attend. I am truly sorry that we did not hear from them.

Today may be a parliamentary first. While this debate is taking place, Lord Archer of Weston-Super-Mare is promoting his Bill on succession to the Crown, which seeks to remove any distinction between the sexes in determining succession. This could be the first time that women have been the focus of simultaneous debates in both Houses. I hope that the Government will support my noble Friend's Bill.

I echo the remarks made by my right hon. Friend the Member for South–West Norfolk (Mrs. Shephard) when she welcomed hon. Ladies to the House. I, too, am pleased to see the greater participation of women from all walks of life, and all trades and professions, not least in the House. I hope that, despite the political divide that is obvious between the Front Benches, hon. Ladies on the Government Benches will take my welcome in the spirit in which it is meant.

There was a contrast between the Secretary of State's opening speech for the Government—which I thought was trivial, containing only one announcement of yet another talking shop—and the excellent speeches that we heard from the Back Benches.

The hon. Member for Rochdale (Lorna Fitzsimons) is a great campaigner in her own right, but she started badly by completely misunderstanding a point made by my right hon. Friend the Member for South–West Norfolk. I hope that she is now more enlightened about disaggregated statistics.

One of the hon. Lady's own points was totally wrong, too. I should have thought that she would at least acknowledge the fact that my right hon. Friend and I started mainstreaming and had it cleared at Cabinet level. Mainstreaming passed into every Government Department, so that every piece of legislation was scrutinised for gender impact. I am sorry that the hon. Lady did not acknowledge the work that was done, especially by my right hon. Friend.

My hon. Friend the Member for Broxbourne (Mrs. Roe) made a statesmanlike speech, skilfully outlining the variety of opportunities open to women today. She reminded us of the arrogance that working women sometimes have, and the way in which they sometimes look down on women who just stay at home. I believe, as she does, that women who stay at home provide a valuable service both to their children and families and to life in this country.

My hon. Friend echoed my view—a view held by many of my hon. Friends and also, I believe, by many Labour Members—that flexible working arrangements are essential if women are to get on. Term-time mums, home working, teleworking and part-time work were all part of the theme of her contribution.

The hon. Member for Stourbridge (Ms Shipley) sought to criticise the Conservative party for its record of female participation in Europe. As my hon. Friend the Member for Broxbourne rightly said in an intervention, she has played a role herself, on the Council of Europe—and the hon. Member for Stourbridge had better not repeat her accusation in the hearing of Dame Jill Knight or Dame Peggy Fenner, lately of this House, both of whom have provided the House and the country with great service.

The hon. Lady also spoke about the problems involved in rape cases, and I am sure that many of her words on that subject would be echoed by my hon. Friends.

The hon. Member for Taunton (Mrs. Ballard) spoke about mainstreaming. Sadly, I felt that she was another hon. Member who was not entirely familiar with the previous Government's provisions in that area. I hope that, after my speech, people will at least know that mainstreaming was indeed a main theme of the Conservative Government's policies towards women.

The hon. Lady struck a chord with me when she spoke of the plight of women who work from 7 in the morning to 11 at night. She reminded me that we should all take our hats off to those of the women who serve in this place who have young families. I do not have a family myself, but there is no doubt that those people make a valuable contribution, and have an awful lot of work on their hands.

The hon. Member for Crawley (Laura Moffatt) said that she was jet-lagged, so I am glad to see her still in her place, although we would have understood if she had gone home. She reminded us that being a night nurse, a mother and a councillor is a bit like feeling jet-lagged, and there was great sympathy with what she said.

My hon. Friend the Member for Lichfield (Mr. Fabricant), who was the first Conservative male to make a contribution, made a valiant attempt to strike the gender balance. He drew our attention to the worrying statistics on the performance of boys at school, especially in GCSE and A-level results. Those should concern the Government, as they concerned my right hon. Friend the Member for South–West Norfolk and me when we were both at the Department for Education and Employment.

My hon. Friend also spoke about teleworking, something on which I am keen, especially since a delegation came to see me. I believe that that form of working will grow dramatically and benefit men and women.

The hon. Member for Edinburgh, North and Leith (Mr. Chisholm) spoke about child care and lone parent benefits. He resigned from the Government over the issue of lone parent benefit, and I take my hat off to him for sticking to his principles. It is a pity that his colleagues do not follow his lead.

My hon. Friend the Member for Billericay (Mrs. Gorman) always talks a great deal of common sense. Not a sound was heard when she gave us her views on education and working women, and there was not a dry eye in the House when she reminded us of the plight of older women. I hope that she will not mind my saying that she is for ever young in this House. When my hon. Friend urged us to consider older women, she was derided by Labour Members. I hope that that was just fun and games, because older women deserve sincere consideration from both sides of the House.

The hon. Member for Keighley (Mrs. Cryer) made an excellent contribution on the problems of her Asian women constituents. My hon. Friend the Member for Beckenham (Mrs. Lait) spoke fluently about independent taxation. The doubts over Government policies that she raised should be carefully examined by the Ministers for women.

When the hon. Member for Stretford and Urmston (Ms Hughes) said that work was perhaps the only way in which a woman could prove herself, I began to listen to

[Mrs. Gillan]

her speech more carefully. I advise her to talk to Full Time Mothers, an organisation that believes that the Government are putting tremendous pressure on women to go out to work. It has made valid points that merit examination. However, I am grateful for her support on adoption measures, and I should be happy for them to be pursued.

My hon. Friend the Member for Ashford (Mr. Green) made an excellent speech that put the gender balance fairly and squarely back in the middle. He expressed great regret about the MCC decision not to admit women members, but the Royal Automobile Club, of which I am a family member, has just voted to allow women members.

My hon. Friends the Members for Epping Forest (Mrs. Laing), for Guildford (Mr. St. Aubyn) and for Poole (Mr. Syms) made sterling contributions. We also heard from the hon. Members for Romford (Mrs. Gordon), for Don Valley (Caroline Flint), for Cardiff, North (Ms Morgan), for Cumbernauld and Kilsyth (Mrs. McKenna) and for Reading, East (Jane Griffiths). I hope that they will forgive me for not commenting on their speeches in detail. I am sure that the Minister for women will refer to them.

I feel rather sorry for the Minister for women. Like many other hopefuls, on 2 May last year she would have been waiting for the famous call from Downing street asking her to be a junior Minister. But that call did not come until six weeks later, on 11 June, because women were certainly not the Government's priority. The call was an afterthought, made when the Prime Minister remembered, or was reminded, that the Labour party had made so many promises to women that it had better find someone to do the job.

The hon. Lady is doing a ministerial job without ministerial pay. What on earth does that say about the Government's priorities for women? It sends out the wrong signal: a woman can be appointed at a rate below that of her male colleagues. The Government appear willing to spend more on the Lord Chancellor's wallpaper than on a minister for women.

The hon. Lady has said that her pay is a technical matter. I invite her to take her case to the employment appeals tribunal. If her pay is a technical matter, what signal is going out to women who go to the tribunal over pay discrimination in the workplace? Will they be told that the Prime Minister thinks that pay is a technical matter and that even the Minister for women is paid less than male Ministers?

To say the least, the Government's arrangements for ministerial responsibility got off to a rocky start. For years, the Labour party told us that there would be not only a Minister for women in the Cabinet, but a Ministry for women. That proposal was watered down so much that today we have a Secretary of State with full responsibility and a Minister for women without pay.

The Secretary of State has made much of the fresh approach to women. That is totally inaccurate and I must put the record right. The right hon. Lady says that she has announced a new Cabinet Sub-Committee and a new women's unit and that she is producing a new child care strategy. There is nothing new about child care strategy. I have here the paper, "Work and Family: Ideas and Options for Child Care", which the Conservative Government issued nearly two years ago.

In her reply, will the Minister for women confirm that this Government's child care strategy paper has been delayed from October to November to February and, now, until after the Budget and that it is merely a consultation paper, which will look similar to that produced by the previous Government? Will she also confirm that tax breaks for employers will continue and will not be attacked by the Chancellor in the next Budget? Will she confirm that she has looked into the Kids Club Network and the Child Care Voucher Ltd.'s scheme—the out-of-school voucher? Will she confirm that the Inland Revenue will be taxing that under this Government?

This has been a good debate, but it raises serious doubts over the Government's priorities for women, which they so loudly espouse. Women are not pleased with this Government's performance. Like many hon. Members, in recent months I have been flooded with letters from women concerned about taxes on private pensions, personal equity plans and tax-exempt special savings accounts, mortgage rises, student fees and the rises in hospital waiting lists. Indeed, I have even received a letter from the Women's National Commission, which represents 50 non-governmental organisations. It is deeply disappointed in the Government's performance and says:

"We looked to this Government to deliver a great deal for women. Our expectations have not yet been fulfilled."

That is an indictment of this Government and I hope that, when the Minister stands at the Dispatch Box, she will feel ashamed that the Women's National Commission has already condemned the Government's performance.

2.16 pm

The Parliamentary Under-Secretary of State for Social Security (Ms Joan Ruddock): This has been an excellent debate—I am tempted to add, without the speech we have just heard, but there we are—which has clearly shown that the interests of women are being brought to the heart of Government. We have heard passionate arguments, not least from my hon. Friend the Member for Rochdale (Lorna Fitzsimons), who made a case for testing all policies against the gender impact and the centrality of women's contributions to our economy.

My hon. Friend the Member for Stourbridge (Ms Shipley) mentioned the treatment of rape victims. The House should be aware of the work being done in the Home Office on vulnerable and intimidated witnesses, and the concern about the falling conviction rate for those charged with rape.

My hon. Friend the Member for Keighley (Mrs. Cryer) mentioned the important question of the difficulties experienced by Asian women, and the need for special awareness. We acknowledge the double disadvantage that comes of both gender and race, and I meet many ethnic minority groups to hear their case.

We have heard strong arguments in support of women's advancement and opportunity. My hon. Friend the Member for Crawley (Laura Moffatt) mentioned women in the armed forces, particularly in the United States. My right hon. Friend the Secretary of State for Defence has already decided to widen the opportunities for women in our armed forces.

The hon. Member for Billericay (Mrs. Gorman), who is always great value in this House, talked of many things, including the serious matter of unwanted teenage pregnancies. My hon. Friend the Minister for Public Health has set up a task group and is studying that issue seriously, as it is of great concern to this Government, and we intend to tackle it.

From many women Members we heard the woman's perspective on key areas of Government policy, including a speech by my hon. Friend the Member for Stretford and Urmston (Ms Hughes) on the important contribution of family friendly employment strategies to the needs of women. My hon. Friend the Member for Don Valley (Caroline Flint) gave an example of good practice in her constituency. The Government are taking forward all those concerns about balancing work and parenting in our dialogue with women and, indeed, with employers.

Our male colleagues expressed their concern about continuing inequalities, although the hon. Member for Lichfield (Mr. Fabricant) seemed to have great difficulty understanding how inequality should be addressed. My hon. Friend the Member for Edinburgh, North and Leith (Mr. Chisholm) paid fulsome tribute to the work of the Ministers for women, clearly understanding the way in which we work across Government and, indeed, often behind the scenes. He spoke about violence against women, which we shall tackle in the national strategy that my right hon. Friend the Secretary of State announced. I can assure him that, in putting together that strategy, we shall consult organisations such as the Zero Tolerance Trust.

The fact has clearly come across that, although women and men may share the same values and objectives, women's lives have a different pattern from men's. That was graphically illustrated by my hon. Friend the Member for Cardiff, North (Ms Morgan), whom I join in seeking improvements for women in Wales.

In her opening remarks, my right hon. Friend the Secretary of State for Social Security and Minister for women demonstrated the breadth of Government policy where women's interests are clearly to the fore. From education to health, and from employment to child care, she outlined our strategy for fulfilling the promises that we made to the women of this country. Questions have been raised on a number of those issues, to which I shall respond in due course.

First, I shall give a brief account of how the priorities for women that we have established in our domestic agenda relate to our international obligations. Under Britain's presidency of the European Union, the Government have a unique opportunity to bring women's perspectives to the heart of Europe. Our various initiatives are designed not as one-off meetings, but as a means of driving forward the women's agenda throughout the European Union.

In Glasgow in April, our conference theme will be the organisation of work. Employers, trade unions and Governments will be able to share best practice and consider how they can facilitate and foster a better balance between work and family life. In Belfast in May, the theme will be employability and the importance of child care. Ministers for women across member states will be able to examine progress on this most fundamental issue for women.

Not only are we putting women's priorities on the European agenda, but, for the first time, we will be able to say with pride in Europe that we have a Green Paper on a national child care strategy.

Mrs. Gillan: Will the hon. Lady give way?

Ms Ruddock: No. The hon. Lady took some of my time—she cannot have more.

Although the United Kingdom has lagged behind in the child care league tables, the Government are taking the lead in developing the employment action plans that were discussed in the Luxembourg summit. Here, too, we are ensuring that equal opportunities feature strongly, and we are making up for lost time.

Mrs. Gillan: On a point of order, Mr. Deputy Speaker. I ask your advice. I believe that I heard the Minister say that, for the first time, there would be a Green Paper on child care. The previous Conservative Government produced a Green Paper—a consultation paper. Is it in order for the hon. Lady to mislead the House in this fashion?

Mr. Deputy Speaker: That is not a point of order for the Chair.

Ms Ruddock: It is clearly the first time for us. The Government have a Green Paper, and the difference between the Government and the previous Conservative Government is that we intend to have a national strategy.

By incorporating the social chapter, we are making up for lost time. As many hon. Members have noted, the long-hours culture is endemic in Britain: a quarter of all fathers work more than 50 hours a week. That is why the working time directive will be important to British families and why we are consulting on its implementation.

The part-time work and parental leave directive will also benefit women, by raising the standard of part-time work and encouraging the development of good part-time opportunities. The directive will also give women and their partners the right to three months' unpaid leave when their child is born or adopted. For the first time, women and men will be able to take time off for urgent family reasons without the threat of losing their jobs.

In these and other ways, the Government are ensuring that Europe delivers for the women of Britain. In seeking to improve our lives in this country and throughout the rest of Europe, we must not lose sight of the condition of the majority of the women in the world.

International Women's Day on 8 March has always been a time both to celebrate women's achievements and to mark women's oppression in those countries where women's human rights continue to be violated. This year, the European Parliament has called on the international community to make an appeal on behalf of the women of Afghanistan. I am pleased to be able to tell the House that my right hon. Friend the Secretary of State for International Development has signed that appeal on behalf of our Government.

Next week, I shall lead, with pride, the United Kingdom delegation to the annual meeting of the United Nations Commission on the Status of Women, and I will speak for the European Union. We will follow up the global platform for action to which the hon. Member

[Ms Ruddock]

for Chesham and Amersham (Mrs. Gillan) referred, and will try to give momentum to the painstaking process of advancing women's rights throughout the world.

One topic to be followed up is violence against women. I shall say that the European Union believes that violence against women is an obstacle to equality and development, and that it should be recognised for the crime it is. Today's debate makes it clear that, in taking that message to New York, I shall have the support of the House. I shall also be able to tell participants that we are using our presidency of the European Union to begin planning for a Europewide consciousness-raising programme on violence against women for the latter part of next year.

I turn now to some of the questions raised in the debate. The hon. Members for Taunton (Mrs. Ballard) and for Billericay, among others, asked about tax reliefs for child care. My right hon. Friend the Chancellor has already indicated the direction of his thinking, and, through the working family tax credit, he will provide help for all working families on low incomes. The hon. Member for Taunton also asked whether the working family tax credit would be payable to the person who pays for child care rather than the highest wage earner. When the working family tax credit is introduced, families will be able to elect to whom the credit is paid.

The hon. Member for Beckenham (Mrs. Lait), in a serious contribution, raised many taxation issues. I can tell her that there will be no return to the world in which women were treated as men's chattels in tax law. However, she will be aware that most of the other matters she raised are all speculation and she will not seriously expect me to respond to them today. The hon. Member for Epping Forest (Mrs. Laing) raised the question of payment for the contraceptive pill. No such proposal is currently under consideration.

The right hon. Member for South–West Norfolk (Mrs. Shephard) and the hon. Member for Guildford (Mr. St. Aubyn) raised questions about accountability and representation. I wish to make it clear that I have answered more questions on women's issues in the nine months that I have been Minister for women than she and her colleagues answered in the whole of the time that they were in government. I note also that the right hon. Member for South–West Norfolk, who made so much of the point, has never tabled a question on women to myself or to my right hon. Friend the Secretary of State for Social Security.

As for representation, although we acknowledge the previous Government's attempts to improve the representation of women, only one third of public appointments go to women. Therefore, we know that there is much to be done. We intend to do it, and our women's unit is working with the Office of the Commissioner for Public Appointments to devise a joint strategy. I endorse everything said by my hon. Friend the Member for Cumbernauld and Kilsyth (Mrs. McKenna) about the representation of women in the Scottish Parliament.

Many of my hon. Friends here today will be disappointed that they have been unable to contribute to the debate. It is a testament to the fact that we consider the issues of such great importance that so many of my hon. Friends have made the time to be here on a Friday and to seek to contribute.

Mrs. Gillan: The Minister has been passed a note to say that she is running out of time.

Ms Ruddock: It says, "Keep going," and I intend to do so.

The richness and variety of this debate are testimony of the importance that the Government and the House give to women.

In the past 10 months, we have come a long way in addressing our priorities. The Green Paper on child care, the national strategy on violence against women and the proposals for women's juries show how much can be done by taking a cross-Government approach to issues of concern to women in a new and innovative way. We plan to do much more, as we continue to tackle women's inequality and develop policies that will improve all our lives.

The shadow Leader of the House said that we should be judged by what we achieve, not what we intend. We are happy to be so judged. That is why we are reaching out to all policy makers through mainstreaming to ensure that they take account of the needs and views of women. Only in that way can we move away from the idea that women's concerns are secondary or separate, as some hon. Members have suggested. As the debate showed, women's concerns are wide-ranging and a part of the mainstream debate and of the policies of this Government. In celebrating international women's day—

It being half-past Two o'clock, the Motion for the Adjournment of the House lapsed, without Question put.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Thursday 5th March, notwithstanding Standing Order No. 16 (Proceedings under an Act or on European Community documents), the Speaker shall put the Question on the Motion in the name of Mr. Secretary Straw relating to the Prevention and Suppression of Terrorism not later than three hours after the start of proceedings thereon; and the said Motion may be proceeded with, though opposed, after Ten o'clock.—*[Mr. Kevin Hughes.]*

Housing Subsidy

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

2.30 pm

Mr. Austin Mitchell (Great Grimsby): This is an exciting moment for the really important debate. I am grateful that it has such a peak-time slot.

I begin with an apology. I do not regard myself as an expert on housing matters or council housing. I stand in awe of the Minister for London and Construction, who has made a formidable contribution on those matters, both in opposition and now in government. It is always better to begin by buttering up Ministers as a path to power: new Labour, new unctuousness.

I feel inadequate to deal with the issue but it is right to raise it, because I know a real injustice when I see one and this is one. The system was introduced by the Local Government and Housing Act 1989. Once a council housing account is in surplus—and more and more of them are as rents go up and the debt burden is paid off—housing benefit, or rent rebate as it is known to council tenants, is paid out of the housing revenue pool. That is monstrous,because it does not apply to private or housing association tenants. Their housing benefit, known to them as rent allowance, is paid by the Treasury.

How is it right to maintain a distinction between council tenants, who carry each other's burdens, and other tenants? It is an iniquitous principle because it means that council house tenants are taxed twice. They are taxed once for national revenue to make their contribution to the housing benefit of private tenants, and taxed again through the rates to contribute to the housing benefit of council house tenants under the same local authority. That is double taxation, and it is not a small amount.

The following calculations are from the Chartered Institute of Public Finance and Accountancy's housing revenue statistics for 1997. In North-East Lincolnshire, every tenant pays £2.91 a week on their rent to pay the housing benefit of other council tenants. That is the smallest contribution in Humberside. In North Lincolnshire, our neighbouring authority, the weekly amount paid for housing benefit for other tenants is £6.58. In the East Riding of Yorkshire, double taxation of council tenants is £13.89 a week.

We cannot fairly maintain such an iniquitous burden. It encourages hatred and antagonism between tenants; it is divisive. Why should tenants pay it? Whatever Conservatives have claimed in the past, when they portrayed council tenants as rolling in money, council tenants' wages are about half the average wage. They are the poor of this society, and the gap is widening. We are effectively asking the poor to subsidise the poorest—council tenants in receipt of housing benefit. How can the Minister justify that? How can I? How can the Labour party? The simple answer which I hope that my hon. Friend the Minister will give us today is that none of us can.

The measure was introduced in 1989 by that beneficent force for social advance and promotion of council housing and local government known as the Conservative Government. We opposed it then. My right hon. Friend the Member for Copeland (Dr. Cunningham), then the shadow spokesman for the environment, now the Minister of Agriculture, said when the Bill was introduced:

> "I have made the point once, but I make it again, that we fundamentally oppose the new housing finance proposals which will require council house tenants effectively to pay an additional tax to subsidise the poll tax and housing benefit. That is a major departure from the policy followed by all previous Governments."—[*Official Report,* 14 February 1989; Vol. 147, c. 186.]

An abuse then is an abuse now. I realise that we opposed many abuses in our time when the Conservative Government were in power, but they have to be put right. I accept that it is a staged process and one cannot do it all at once, but we have to commit ourselves to the principle of putting right those abuses. It is necessary, especially as the abuse has grown since 1990.

Since 1990, council tenants have been bilked of £6 billion to pay the housing benefit of other council tenants. This year, it amounts to £1,000 a year on the rent of each working council house tenant. It applies to more and more authorities. My hon. Friend the Minister gave me some statistics in a parliamentary answer. It now applies to 80 per cent. of authorities and is more and more a cross-subsidy. I calculate it at £1.3 billion. In an answer to me, my hon. Friend the Minister put it at £1.22 billion, but that is still a huge figure.

In North Lincolnshire, my local authority, the cross-subsidy is £1.5 million this year, and it estimates that it will be £2.4 million next year. Rents have been pushed up since the measure was introduced in 1990. The cross-subsidy is the major reason why council rents have been pushed up. They have gone up 50 per cent. in real terms in the past 10 years. In London they have gone up by 70 per cent. The main reason for that is the need to subsidise the housing benefit of the poorest tenants.

I should like my hon. Friend the Minister to comment on a problem area. Council housing is surely social housing allocated according to need, yet there seems to be constant pressure in the Department—it was certainly strong when the Conservatives were in power—to gear it to the market. There is an argument in the Department as to whether affordability is a relevant concept in setting rents in the social housing sector, or whether rent setting is about providing price signals to encourage the efficient allocation of resources.

I hope that the Minister will tell us about that argument in his Department, because I think that it is a real one. It looks as though senior people in the Department want to price council housing at economic rents so that market forces will operate, and so that old ladies who occupy too much space will be forced out into smaller accommodation.

Mrs. Jackie Ballard (Taunton): Does the hon. Gentleman agree that the policy was introduced by a Government who were antagonistic to local authority housing and that their intention was deliberately to push up rents to persuade council tenants that they would be better off agreeing to large-scale voluntary transfer of the housing stock or moving into housing association or other housing? One of the Conservative Government's weapons in their effort to destroy local authorities was getting rid of housing stock. That is what drove the policy. Does the

[Mrs. Jackie Ballard]

hon. Gentleman agree that the new Government have a different attitude to local authorities—I hope—and will take the first opportunity to reverse the policy?

Mr. Mitchell: The hon. Lady is absolutely right—I agree with her 100 per cent. That was done by a Government who wanted to make council housing odious and unpopular and to force people out.

That is not the attitude of the current Government, which is why we should try to reverse the policies resulting from that attitude. In particular, we should get rid of the notion that there should an economic pricing mechanism for council housing and that it is legitimate to keep pushing council rents to the market level. My hon. Friend the Minister hinted that he was thinking along those lines in his letter to me on 4 February and I hope that he will disavow any such intention today, because it is absolutely wrong. Council housing is about social need, and we cannot continue to push up rents.

Council housing is efficiently allocated in the light of the responsibility to meet needs, and it is efficiently used. The nature of the private housing market is boom or bust: there can be huge backlogs of empty properties and of people who want to move. Council housing allocation is extremely efficient by comparison. We cannot keep pushing council rents up to market levels, as the guidelines imposed by the Department have so consistently done. In my view, it costs to do so, because each time prices are raised, it costs more in subsidies and support.

If that burden of rent rebates to council house tenants were to be taken on by the Government and paid for out of public finance—as it should be—it would serve as a deterrent to the Department's activities in raising rents. That is another reason why we should do it. In answer to a written question asked by my hon. Friend the Member for Erith and Thamesmead (Mr. Austin), the Minister wrote that reducing the guideline rents by 10 per cent. would cost about £5.8 billion, but save £4.4 billion in rebates and £1.3 billion in retail prices index-related public expenditure. In other words, the net public expenditure cost of reducing council rents by 10 per cent. would be £100 million. If that is all it would cost, why on earth does the Minister not do it?

That would tie in beautifully with the Government's welfare-to-work proposals by removing a poverty trap at one fell swoop. It would encourage people to go out to work and make them less dependent on benefit. The briefing report by the London Housing Unit makes the point succinctly:

"A gearing effect means that a given level of rent reduction has a disproportionate impact on the amount of gross income needed for people to get out of benefit. For example, a tenant household paying a rent of £41 a week (the average rent for council tenants in England in 1997/8) would need to earn about £30 gross less per week in order to avoid the poverty trap if their rent was reduced by just £4 per week."

Those are compelling statistics. I hope that the Minister can confirm them and tell us why we do not go down that road and remove the disincentive to work. If the Minister listens to me as assiduously as he attends to his departmental work—he is a most assiduous and hard-working Minister—I could boost his career prospects at one fell swoop by this major contribution to the new deal and welfare to work.

What should we do about the system? We should scrap it and pay the £1.3 billion or the £1.22 billion from the Exchequer. At present, the Government are actually making a profit on council housing. As the stock deteriorates, the Government are milking the assets, but they are making a profit of about £700 million, and that is iniquitous.

Benefits would flow from scrapping the system, paying to reduce council house rents out of national revenues, and giving the councils extra money in their housing accounts to spend on reducing the huge—£19 billion—backlog of repairs. That figure comes from a housing conditions survey some years ago. Councils cannot do those repairs because they lack the money—and we are taking money to pay benefits.

We are creating council house ghettos. People from North East Lincolnshire write to me and say, "Our estate is a ghetto." That letter came from Yarborough. I have had similar accusations from The Grange—yet North East Lincolnshire is a very good authority. All over the country there are ghettos—which the social exclusion unit should pay prime attention to—which need the money that could be made available.

Enormous economic benefits would result from an expansion of house building and improvements to council house stock—things which must be done. Increased economic activity would result.

The Minister is a very sensible man—I am pursuing the Hartlepool path to progress—and I hope that he will take up my idea. Sadly, it is not in the nature of Adjournment debates that he will say, "My God—you are right. Why didn't I think of this? We shall do it as soon as I get back across the road to my Department." However, I hope that he will say that this is a temporary situation, which is imposed on us by the commitment to the Clarke spending totals for two years, but that, after that, something will be done about it.

The answers that the Minister gave me in the letter of 4 February were the kind of stock holding replies that are sent out by any Department on any question. If there was a proposal to raze all council housing to the ground, departmental officials could put up a good case for it. They might say that it would remove at a stroke all unfairness of allocation because there would be no council houses to allocate, and that there would be many other side benefits. The arguments in that letter were of that ilk. It was a "Yes, Minister" type of letter.

The Minister is an honest Minister, and I hope that he takes note of my arguments. I hope that he will answer a central question, which I want to ask him in conclusion—I apologise to him for having gone on slightly too long. My question is: is this fair?

2.46 pm

Mr. Kerry Pollard (St. Albans): I shall be very brief. My hon. Friend the Member for Great Grimsby (Mr. Mitchell) painted a national picture. I agree with everything that he said. I promise that I shall take only two minutes to draw attention to the fact that even in my constituency, St. Albans—a shire city, one of the wealthiest cities in the land—we have a housing benefit problem.

This morning, I received some figures from the housing office. I calculate that in St. Albans we have lost £40 million in rent subsidy since the present policy

started, in 1990-91. Even in wealthy St. Albans, where house building and land are expensive, we could have used that money to build 1,000 new homes, which would have reduced our waiting list by half.

We have 6,000 tenancies, and 3,571 of those tenants are currently on housing benefit, which means that 45 per cent. are subsidising 55 per cent. A smaller number is subsidising a larger number—this year, to the tune of more than £7 million.

Dignity is an important aspect of this. People should not have to go begging by application form. There is a need for dignity and fairness. The poorest should not be subsidising the very poor.

2.47 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): I start by congratulating my hon. Friend the Member for Great Grimsby (Mr. Mitchell) on securing the debate and using it to raise a matter of real importance, which I know is of concern to many hon. Members and to local authorities and tenants throughout the country. I know that my hon. Friend is concerned about this issue. He has been diligent in ensuring that it receives the attention that it deserves, and his early-day motion on the issue has attracted significant support. I thank him for his kind comments about me. I also noted the comments of my hon. Friend the Member for St. Albans (Mr. Pollard), who made an important and short contribution to the debate.

We have received a large volume of correspondence on this issue from hon. Members and individual council tenants. In replying to the debate, I want to shine some light on the Government's policy in this area. I intend to show that the Government's policy and our approach are entirely correct and proper. I hope that my hon. Friend the Member for Great Grimsby will accept that.

It may help if I explain briefly the system for subsidising council housing in England. The present system was established in 1990, by the previous Government. It pays subsidy to housing authorities to help them meet the costs of repairing and maintaining their housing stock, and it helps them meet the costs of their tenants' rebates. The calculation of that subsidy takes into account the costs of financing capital investment in the housing revenue account and notional rental income.

Under the present system, an authority's entitlement to subsidy is based on the housing element and the rebate element added together. Under the previous system, rent rebate subsidy was almost entirely funded by the Exchequer and was paid solely to meet the cost of housing benefit for council tenants. It may help if I briefly explain the system of housing subsidy before 1990, when the current system was introduced.

In the 1980s, the housing subsidy system involved assumptions about the level of rent income and the costs of managing, maintaining and servicing debt. The aim of the system was to estimate the subsidy that each council required if rent income fell short of reasonable costs. The system introduced the notional subsidy calculation for each authority. It used assumptions about rent levels and costs rather than using the real figures from the authorities' accounts.

It became apparent that many authorities no longer required the subsidy, because notional rents covered all the eligible costs. At the end of the 1980s, only around 100 councils were still in subsidy, with their housing costs, net of notional rent income, met by the Exchequer. The rest, who were in surplus, were able to keep their surpluses and could transfer them out of the housing revenue account to spend on other services, which was not fair to tenants.

It has always been difficult for the Government to control surpluses in housing subsidy and ensure that they are channelled to meet pressing housing needs. In pursuit of that aim—although they also had other motives—the previous Government introduced measures in the Local Government and Housing Act 1989 to bring rent rebates into the HRA and the subsidy calculation. Under the Act, any surplus from the basic notional calculation of rents, minus landlord costs, could be set against the Exchequer cost of rent rebates. The previous Government argued that the saving to the Exchequer could be diverted to other housing uses. However, that was not reflected in increased investment. In 1993-94, total public expenditure on housing in England was around £5 billion. In the current financial year, it is only £3.3 billion. The capital receipts initiative had started to redress that decline in planned spending.

The policy of netting off landlord surpluses against rent rebates has, not surprisingly, been unpopular with authorities, which regard it as depriving them of a valuable source of funds. The policy is often considered to result in those tenants not on rebates having to pay part of the rents of poorer tenants who are granted rebates.

As my hon. Friend the Member for Great Grimsby and the hon. Member for Taunton (Mrs. Ballard) said, it was unquestionably an objective of the previous Tory Government to force council rents up towards market levels. That policy was abandoned in 1995, because even the Conservatives recognised the consequences of the huge increase in the cost of housing benefit that flowed from it. My hon. Friend quoted the figures showing the small cost difference between what is produced by an increase or reduction in rent and the net effect to the Exchequer, because so much is offset by housing benefit. That clearly shows the mess that the previous Government got into with their policy of trying to force council tenants to pay market rents.

We have a different approach. We have no intention of forcing council rents up to market levels. That would be wrong and inconsistent with our policy of work incentives, because it would create problems of increased dependence on benefit and increased poverty traps. We are considering rent structures and the different subsidy systems that operate in different sectors.

We should not forget that average rents for local authority housing are £41 a week. That is lower than the figure for any other housing sector. While there is no similar subsidy arrangement for housing association or private tenants to that which takes back some of the cost of rent rebate subsidy for council tenants, the average rent levels paid by housing association and private tenants are significantly higher than those paid by council tenants.

Mr. Mitchell: This is the old silly argument. Council tenants are poorer: they receive half the average wage. There is more need, and the housing is allocated for social purposes.

Mr. Raynsford: At present, the average person who is allocated housing by a housing association or registered

[Mr. Raynsford]

social landlord has economic and social characteristics similar to those who are allocated council housing. That is not surprising, because the vast majority of nominations must come from the council waiting list, so we are talking about people in similar circumstances.

In my hon. Friend's local authority area of North East Lincolnshire, council tenants pay an average weekly rent of £33.73 this year. People with new housing association assured tenancies pay an average of £48.70 a week. So there is a considerable difference between housing association rents and council rents. Private tenants in my hon. Friend's area do even worse: they pay an average of £55.51 each week. The pattern of rents nationally is much the same.

The level of Government subsidy that council tenants benefit from is understated. Although rent income within an authority's housing revenue account is shown at current value, a large element of expenditure—including interest charges on housing debt—reflects only the historic value of the debt. The interest charges, and consequently tenants' rents, do not fully reflect the current replacement value of the housing stock, let alone a market level of return on capital. In this respect, council tenants have a significant advantage compared with housing association or private tenants whose rents must reflect the market levels.

It is very difficult to draw simple comparisons between the different subsidy regimes that apply to council tenants as against housing association and private tenants receiving rent allowances. The common factor between rent rebates and rent allowances is that both are designed to protect those least able to pay. The tenant's entitlement to benefit is the same whether that tenant lives in a council house or a housing association property. Therefore, council tenants do not get a raw deal compared with housing association tenants. They receive substantial help with their housing costs from central Government, totalling some £3.8 billion in 1997-98.

Another argument often advanced—my hon. Friend alluded to it—by local authorities that are unhappy about the present regime is that it limits their ability to invest some of the surpluses from housing on maintaining or improving their housing stock. We recognise that there has been under-investment in housing stock in the past. That is why one of the first moves the new Government made was to make available through the capital receipts initiative nearly £750 million pounds of additional resources for investment in housing and housing-related regeneration in England this year and next.

From this total, North East Lincolnshire—covering my hon. Friend's constituency—will receive £324,000 this year and just over £1 million next year. Those sums are in addition to other allocations in respect of the authority's housing investment programme. I am sure that my hon. Friend, like many other Members whose authorities benefit from the capital receipts initiative, welcomes this initiative, which will help us to fulfil our manifesto commitment to reverse the serious problem of under-investment.

The argument that a change to the current arrangements for housing revenue account subsidy will release additional funds for investment has one fundamental flaw: the cost. It would have a price tag of about £1.3 billion. The Government's ability to target resources for housing investment would be reduced because that £1.3 billion would have to be compensated by savings elsewhere, given our commitment—which my hon. Friend recognised—to living within the inherited financial framework. That is the position we have adopted, and that is why we cannot reverse this decision in the immediate future.

However, I put it to my hon. Friend that we are aware of the many anomalies that exist within the framework for housing subsidies and that affect rent levels, and, in the context of our comprehensive spending review, we are making a careful study of all the implications of those different subsidy arrangements. We hope to draw some conclusions by the summer, and we shall publish proposals at that stage. We shall aim to ensure that there is a more coherent pattern of rents for those renting from landlords in the public and social housing sectors, and that those rents relate to people's ability to pay.

The Government are very concerned to avoid the problems of poverty traps and work disincentives that impact adversely on many low-income householders who rent their homes from local authorities, housing associations and private landlords. It is important that we have a rent and subsidy system that addresses the problems of benefit dependency and disincentives to work, as well as creating a framework for genuine fairness between tenants.

I hope that my hon. Friend will recognise that these issues are not easily addressed. We shall consider them carefully before we reach firm conclusions about taking forward the arrangements. As I have said, we shall make our proposals clear in the context of conclusions from the comprehensive spending review later this year.

Question put and agreed to.

Adjourned accordingly at Three o'clock.

House of Commons

Monday 2 March 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Victim Support Week

1. **Mr. Miller:** What contribution his Department has made to Victim Support week. [30337]

The Minister of State, Home Office (Mr. Alun Michael): The main event of last week was the launch of the new national telephone helpline called Victim Supportline. It was made possible by the Government's decision to increase Victim Support's annual grant by £1 million a year. Extra money has also gone towards improving front-line services for victims and witnesses. Those were also promoted during Victim Support week.

Mr. Miller: I am sure that the House will congratulate those involved in Victim Support on their tremendous work. Will my hon. Friend take into account the views of victims and ensure that they are fully informed during the progress of cases? Will he also look at the needs of the families of victims of road deaths and examine what is happening in other countries, especially Switzerland, in relation to such families' needs?

Mr. Michael: I support my hon. Friend's comments about the volunteers who do such excellent work. We certainly want the system to keep people much better informed about the progress of cases that involve them and we want to keep victims better informed. My hon. Friend gave a specific example and I should be interested to look at the case that he cites. Perhaps he could supply me with information. With colleagues at the Department of the Environment, Transport and the Regions, we want to do all that we can to recognise the damage to the families of victims of road incidents.

Sir Sydney Chapman: In commending the work of the Victim Support scheme and paying tribute to those who operate my local scheme in Barnet, may I ask the Minister whether he agrees that the best commitment that the Government could show to this worthwhile charity would be to continue to increase its funding, which I think has gone up from a derisory £5,000 in 1979 to £11.5 million last year?

Mr. Michael: I am glad to have the hon. Gentleman's endorsement for the action of my right hon. Friends the Chancellor and the Prime Minister in increasing Victim Support's grant during the current financial year.

Crime

2. **Mr. Rammell:** If he will make a statement on the proposed statutory role for local councils in tackling crime. [30338]

Mr. Michael: The Crime and Disorder Bill will create radical change by requiring local authorities and the police jointly to conduct an audit of local crime and disorder, to draw up a local strategy and to agree targets for cutting crime. This process will involve local people and a wide range of other key partners. Other changes will help cut youth crime and strengthen the powers of the courts.

Mr. Rammell: In my constituency, much good community safety work has been undertaken by the local council and the police working in partnership on issues such as closed circuit television and on developing policies to deal with racial harassment and domestic violence. The most recent development is a one-stop drop-in centre to provide advice and information for young people. All that has been achieved by good will. Does the Minister agree, however, that much more could be achieved if the principle of joint working were underpinned by statutory force?

Mr. Michael: Yes, and that is what we shall provide in the Crime and Disorder Bill, which the House will shortly have the opportunity to debate. A partnership between the police and each local authority and local community has been welcomed by all parties.

Mr. Clappison: The Minister will recall that, when shadow Home Secretary, his right hon. Friend the Prime Minister promised to provide more places in local authority secure accommodation. How many new places have been provided? Have any been provided?

Mr. Michael: I think that the hon. Gentleman is getting confused. What happened was that in February 1991 the Conservative Government promised to provide 171 additional places. That was later revised to 170, but they failed to provide them, and the places have still not been provided. We will keep our promises.

Prison Population

3. **Mr. Gordon Prentice:** What steps he is taking to reduce the prison population. [30340]

The Secretary of State for the Home Department (Mr. Jack Straw): Within the sentencing framework set by Parliament, who is sent to prison and for how long is a matter for the courts. Prison is the only appropriate punishment for many offenders. The Government are also committed to providing more effective and tougher community punishments.

Mr. Prentice: I hear what the Home Secretary says, but is there not a danger of the prison population spiralling out of control? The official Home Office mid-range projections take the prison population from 65,000 this year to 83,000 in seven years' time—which is double the 1992 level—and the top-range projection is for 93,000 prisoners. Sending all those people to prison costs the rest of us an arm and a leg, as a

top-security prisoner costs us £35,000 a year, and a category B or category C local prisoner costs us £17,000 a year. May I urge my right hon. Friend to do all that he can to bring down the prison population, as quickly as humanly possible, and to levels that are commonplace in the rest of the European Union?

Mr. Straw: My hon. Friend must bear in mind the inheritance that we suffered from the Conservatives. [HON. MEMBERS: "Oh, no."] Our levels of burglary, vehicle crime, robbery and assault are the highest in western Europe—higher, even, than those in the United States. Against that background, it is hardly surprising that our prison population is rising. However, there is no danger of the prison population getting out of control—per head of population, it has only recently reached the level in Scotland.

Mr. Quentin Davies: If the Government seriously want to reduce the prison population, would it not be a good idea to stop introducing an endless raft of unnecessary, bossy, nannying and tyrannical rules and regulations—progressively criminalising perfectly honest and honourable activities, from pistol shooting competitions to eating beef on the bone? In the light of yesterday's countryside rally, does the Home Secretary realise that, if he—not to mention his dreadful Government—goes much further along that road, and reduces the drink-driving limit and bans fox hunting, he will progressively bring the law into disrepute? Is it not about time that the Government thought before they regulated?

Mr. Straw: As the hon. Gentleman knows, the fox hunting Bill—the Wild Mammals (Hunting with Dogs) Bill—is a private Member's measure. He knows also that there is overwhelming public support for the crime and disorder agenda that the Government are vigorously pursuing.

Mr. Grocott: Has my right hon. Friend noticed that, whenever he mentions the previous Government's legacy, he is met with jeers from the Conservative Benches? Does he recall, as I do, that for 11 years—from 1979, until she was thrown out in 1990—Mrs. Thatcher repeatedly blamed the previous Labour Government? Will he therefore continue blaming the previous Tory Government until at least 2008, when we can perhaps review the policy?

Mr. Straw: I concur with that. As I am a fair-minded Home Secretary—[HON. MEMBERS: "Hear, hear."] I am glad that that has approbation from both sides of the House. As I am a fair-minded Home Secretary, we shall continue blaming the previous Government as long as it is justified for us to do so. The facts are that crime doubled under the previous Government, whereas the number of people convicted of those crimes fell by one third.

Mr. Alan Clark: Is not the most effective way of reducing the prison population not to prosecute wrongdoing? Is the right hon. Gentleman satisfied with the application of discretionary powers by the Metropolitan police in that respect? What input does his Department have on that application?

Mr. Straw: The previous Government's policy was not to prosecute wrongdoing—as the right hon. Gentleman says—which is why crime rose. Far too many criminals felt that they could get away with committing crimes. I have no knowledge of what the right hon. Gentleman was referring to in particular, although I should be happy to receive a letter from him. He should nevertheless have caught up with the fact that decisions on prosecution are now made not by police but by the independent Crown Prosecution Service.

Voluntary Sector

4. **Mrs. Brinton:** What measures he will bring forward to improve the relationship between the Government and the voluntary sector. [30341]

Mr. Michael: The Government will strengthen partnership between government and the voluntary sector. We are working towards a compact that will set out the principles that should govern the relationship. I am delighted to have the support of Ministers across the Government for that initiative.

Mrs. Brinton: I thank my hon. Friend for his reply, which will certainly be welcomed not just in my constituency of Peterborough but in many constituencies where voluntary organisations are working very hard to combat social exclusion. Can he assure me that the compact will set out exactly what needs to be done in practical terms to make the partnership work and that it will be available to all organisations and not just those that shout the loudest?

Mr. Michael: The compact will establish the relationship and the consideration that the Government should give voluntary organisations—and vice versa—nationally and locally. My hon. Friend refers to social exclusion. The priority that the Government are giving the issue touches on the charitable object of many voluntary organisations and there has been a general welcome for the way in which the policy has developed.

Sir Brian Mawhinney: Does the Minister not understand that his expressions of support, and those of his right hon. Friend, for voluntary organisations and charities ring hollow? Does he not remember that, in last year's Budget, which was only a matter of months ago, the Government hit charities hard by undermining their pension funds so that volunteers' contributions had to be moved from the doing of good works to bolster pension schemes? If the Minister is serious about supporting voluntary organisations and charities, will he undertake to ensure that, in this year's Budget in a couple of weeks' time, they are reimbursed for that raid on their pension funds?

Mr. Michael: The right hon. Gentleman's intervention strikes me as a rather desperate attempt to drive a wedge between the Government and the voluntary sector. He will not succeed because many voluntary organisations find that, after years of trying to pursue their charitable objects under a Government who were not interested in most of their priorities, the present Government share their concern to improve society, so they are working in a totally different atmosphere.

Prison and Probation Services

5. **Mr. Cranston:** What plans he has to ensure integration between the prison and probation services. [30342]

12. **Siobhain McDonagh:** What plans he has to integrate the prison and probation services. [30350]

The Minister of State, Home Office (Ms Joyce Quin): As my right hon. Friend announced last July, I am leading a prisons and probation review into the efficiency and effectiveness of the ways in which the two services work together. We shall be examining options for improving their performance as a basis on which to consult widely about the future of both services.

Mr. Cranston: Does my hon. Friend not agree that one of the advantages of the two services working together relates to public perception, since community sentences under the supervision of the probation service are too often perceived as a soft option? Does she agree that, by working together, the two services can change that perception and make community sentences a tough option?

Ms Quin: My hon. Friend makes an important point. Both services are very much concerned with public protection and reducing offending. By working more closely together, they will be able to find out better what works and provide a better service to the public.

Siobhain McDonagh: Given the separateness of the prison and probation services, and the antipathy within those organisations to working together, how can we ensure that the public's desire to see them working together will be met?

Ms Quin: So far during the review, both services have shown a great willingness to work together and address some of their differences in approach. I should also like to pay tribute to the work that they do jointly in delivering courses in prisons, where prison officers and probation officers work together.

Mrs. Virginia Bottomley: Will the Minister commend activities in Surrey, where an extremely enlightened and hard-working probation service, working with the police, is making extremely good progress on punishment in the community? However, the vindictiveness of the financial settlement makes collaborative working in Surrey all the more difficult. Will the Minister look at the way in which the funding formulae hit Surrey, which is facing difficult decisions that had not been anticipated?

Ms Quin: I am happy to join the right hon. Lady in paying tribute to the Surrey probation service, which I visited recently to look at the Springboard project. However, I am astonished by her comments on funding. The settlement was drawn up by the Conservative Government of which she was a part. We are examining the future options in our comprehensive spending review.

Mr. Soley: Will my hon. Friend give a high priority to training in the prison and probation services? A higher priority for training is needed in the Prison Service. Probation officers must always be able to recognise signs of child abuse, mental breakdown and possible violence, particularly when they are visiting homes. If we lose that, people will be put at risk.

Ms Quin: My hon. Friend makes an important point. Prison officers want their jobs to be more varied and challenging. Training is an important part of that. We are also addressing the vacuum left by the previous Government in relation to probation training. We have said that there should continue to be a professional qualification, which can offer a great deal to the criminal justice system.

Disorder and Antisocial Behaviour

6. **Mr. Coaker:** What measures he is proposing to tackle disorder and antisocial behaviour. [30343]

Mr. Straw: There are tough new measures in the Crime and Disorder Bill to tackle such unacceptable conduct, which causes misery to so many communities. They include antisocial behaviour orders, child safety orders, local child curfews and statutory crime prevention partnerships between local authorities and the police.

Mr. Coaker: Will my right hon. Friend reassure constituents such as mine in Gedling that the measures in the Crime and Disorder Bill will become law as soon as possible? Antisocial behaviour and disorder on estates are making many people prisoners in their homes. Will my right hon. Friend reassure them that action will be taken to deal with the repeat offending that seems to be so common?

Mr. Straw: I give my hon. Friend that reassurance. Sadly, the previous Administration failed comprehensively to deal with such disorder. We pushed repeatedly for all-party agreement on such orders. I shall be interested to see whether, after 18 years of refusing to act, the Opposition back our proposals.

Miss Kirkbride: Does the Secretary of State have any advice for my constituent who is subject to visits to his farm by animal rights protesters because of his export of turkeys? Some of them are reasonable people who want to exercise their legitimate right to protest, but there are others who behave irresponsibly and abuse his grandchildren and his farm workers. He is at the mercy of such protesters, who come almost every week to abuse his staff. He has found that they cannot be dealt with under current law.

Mr. Straw: I have every sympathy with the hon. Lady's constituent. I should be happy to meet her to discuss the issue in further detail. I am aware of a similar situation just outside Witney. Some of the actions of the so-called animal rights protesters are outrageous. She will know that some of them have been convicted of offences that amount to terrorism. They call themselves animal rights terrorists and that is how they behave. The attitude of police forces varies. As the Thames Valley police has shown in response to the incidents near Witney, there is no reason why effective action cannot be taken to ensure that people can go about their lawful duties, as they have every right to.

Mr. Mullin: Is my right hon. Friend aware that a good deal of antisocial behaviour is caused by out-of-control youths with air weapons? Does he have any plans to review the ownership of air weapons?

Mr. Straw: My hon. Friend will recall that in our evidence to the Cullen inquiry, my right hon. Friend the Secretary of State for Defence and I talked not about the banning of air weapons, for which we have no proposals, but about the need for better control over their use. I hope that Conservative Members share that concern. Like my hon. Friend, I personally see no possible purpose in people who live in high-density urban areas shooting air weapons out of back-bedroom windows at human, rather than animal, targets. We shall certainly address that. But we need to take one step at a time; we must get the firearms legislation fully implemented first.

Mr. Greenway: Why should anyone take seriously the Government's claim to support rural communities when they have cut funding for closed circuit television cameras to a paltry £1 million this year, just when market towns and large villages believe that it is their turn to receive support to install cameras to fight disorder and vandalism in their areas?

Mr. Straw: There is the widest possible support for this new Government's crime and disorder agenda, which is one of the many reasons why we did so well in many rural areas. As for the hon. Gentleman's main point, I simply congratulate him on his chutzpah and cheek in daring to complain about the levels of cash allocated for closed circuit television for next year, since those are the exact allocations that were agreed by his Government.

Jacqui Smith: I commend to my right hon. Friend the actions of a group of parents in Redditch, who have voluntarily organised a curfew for their children following some disorder last summer. Will he tell my constituents how the Government's plans will support such responsible community action?

Mr. Straw: I know a little of my hon. Friend's constituency, and visited it last year. I very warmly congratulate those parents. It is clear that almost every parent is backing our proposals for child curfew and child protection orders, recognising that parents, first, have to accept responsibility for their children.

Private Prisons

7. **Mr. Bob Russell:** If he will make a statement on his plans for the future use of private prisons. [30345]

Ms Quin: On 19 June, my right hon. Friend the Home Secretary announced that the Prison Service was to examine whether prisons managed by the private sector could be returned to direct management on value-for-money grounds, as well as exploring methods of using private finance to achieve value for money, with the public sector providing custodial services.

Mr. Russell: Will the Minister advise the House on whether she anticipates that, at the end of the Parliament, more of the Prison Service will be privatised? Does she agree with me and with the Home Secretary's words that it is morally repugnant for people imprisoned by the state to be treated as little more than commodities for profit by private firms?

Ms Quin: Very similar questions were answered by my right hon. Friend the Home Secretary at our first Home Affairs Question Time. Obviously, I cannot anticipate the outcome of the investigation which I have just announced, although a great deal depends on the value-for-money aspect to which I referred.

Mr. Bercow: In view of Ministers' earlier dogmatic and ideological opposition to private prisons, will the Minister tell the House when she first made a speech, wrote an article or issued a press release suggesting that there could be some merit in private prisons? Is there such an occasion? Can she name it? When was it?

Ms Quin: The process that I have announced, whereby the Prison Service, prison unions and people who have an interest are examining the issues, is the valuable one. We shall draw conclusions from it when the study is complete.

Electoral Systems

8. **Mr. Walter:** How many different electoral systems will be in operation in the United Kingdom by May 2002. [30346]

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): Taking into account all existing proposals, five.

Mr. Walter: I have been involved in a number of discussions with constituents over recent weeks about proposals for the European Parliament elections. My constituents are mesmerised when I go on to tell them about all the other proposed electoral systems. Will the Minister reassure the House that, if the Government bring forward proposals for this House, the essential link between a Member and an individual constituency will be preserved? Perhaps he could do the decent thing and reassure my constituents that there will be no change in the electoral arrangements for the House.

Mr. Howarth: The hon. Gentleman must have missed the fact that Lord Jenkins's commission is currently looking at what might be an alternative system for electing the House of Commons. Once he has deliberated and come up with a proposal, we are committed to a referendum. The hon. Gentleman's constituents will then have the opportunity to look at what systems are on offer and, instead of listening to him, make up their own minds, which in my opinion would be wise.

Mr. Linton: Does my hon. Friend agree that it would be a disaster if the Government tried to impose the same voting system on every tier of government? The different systems have not been introduced for any reason of self-interest—quite the reverse. It is the Conservative party which might otherwise be seriously under-represented in the European Parliament and, indeed, not represented at all in the Scottish Parliament or the Welsh assembly.

Mr. Howarth: My hon. Friend is right. There are several proposals to change the constitution of this

country in line with public opinion and, in respect of electoral systems, we are committed to an appropriate electoral system for each layer of government. At the end of the day, people appreciate that that is the best way of achieving these things.

Mr. Beith: Will the Minister remind the hon. Member for North Dorset (Mr. Walter) that three of those five systems were introduced by the Conservatives, including both the single transferable vote and the regional list system in Northern Ireland? Will he recognise that, in the next few days, his right hon. Friend the Home Secretary has the opportunity to ensure that, in the European elections, there is a combination of fairness to voters in terms of the outcome of the election and the retention of a role for the voter in deciding which individual is elected by going for an open list system?

Mr. Howarth: The right hon. Gentleman is right to remind the House that the Conservative party introduced a number of different systems, most recently the d'Hondt system for the Northern Ireland peace forum. He will also remember that, until 1923, his own party was in favour of the first-past-the-post system. My right hon. Friend the Home Secretary has made it clear that we are still listening to the debate on to the most appropriate divisor for the European Parliamentary Elections Bill and, in due course, he will make an announcement.

Ms Abbott: Does the Minister accept that the closed list system of proportional representation proposed for the forthcoming European elections is possibly the worst conceivable system of PR, combining as it does breaking the link between Members and their constituencies and taking away powers from local parties? Will he give the House an assurance that this is the first and last time that system will be used in the United Kingdom?

Mr. Howarth: The hon. Lady has to understand—[HON. MEMBERS: "Hon. Friend."] My hon. Friend has to understand that parliamentary constituencies do not apply to the European Parliament in same way as, for example, she represents a parliamentary constituency. Increasingly, Europe is a Europe of the regions and the new proposed system will respond to that. As for the specific system, I have already pointed out that we are listening to representations—not least to those made in the House—and an announcement on the result of that will be made in due course.

Electronic Tagging

9. **Miss McIntosh:** What savings in the prisons budget he estimates will accrue from the extension of electronic tagging. [30347]

Ms Quin: It is estimated that home detention curfew may avoid the need for expenditure on about 3,000 new prison places, which would have cost £90 million per year. Other uses of electronic monitoring, if applied nationally, could also impact on demand for prison places.

Miss McIntosh: Although we welcome the zeal of converts to electronic tagging, do the Government appreciate that it is better for the courts to decide who should be electronically tagged and which prisoners are eligible for early release? Will the Minister agree to extend electronic tagging to child curfew orders, which the Home Secretary mentioned earlier, and to persistent sex offenders?

Ms Quin: Given that it is people who are coming to the end of their sentence who are eligible for home detention curfew, we believe that it is quite right for the decision to be taken by prison authorities, together with experts who can make the appropriate risk assessment.

Mr. Bermingham: I welcome tagging and anything else that reduces the number of people who are incarcerated in prison—sometimes for long periods, despite the fact that the punitive impact of a short sentence would be equally effective—but will my hon. Friend consider other methods, such as the reintroduction of suspended sentences, which were extremely effective in the past?

Ms Quin: We are considering such methods, but we believe that electronic monitoring can provide a structured transition from custody to release during which, we hope, it will help to stop people reoffending in future.

Sir Brian Mawhinney: Can the Minister assure the House that no prisoners serving sentences for rape, serious sexual offences or child abuse will be allowed out early under any tagging programme?

Ms Quin: As I have told the right hon. Gentleman before, the most important consideration is risk assessment. We are, in this instance, talking about people who are serving four years or fewer and who will be released anyway. We believe that we have a responsibility to make that release as structured as possible, but we shall be extremely careful about risk assessment in the cases that he mentions.

Criminal Justice System (Delays)

10. **Mr. Sheerman:** What measures he is taking to tackle delays in the criminal justice system. [30348]

Mr. Straw: The Government are acting to tackle delay throughout the criminal justice system. The Crime and Disorder Bill provides for statutory time limits that will be tougher for young offenders than for adults, and tougher still for persistent young offenders.

Mr. Sheerman: I congratulate my right hon. Friend on that. I am sure that my constituents and people who want a Government of law and order are very happy that we have moved so quickly to implement what we said in our election manifesto. He knows better than most of the number of vested interests in the legal system, so will he be vigilant and keep a monitoring brief on judges, barristers, solicitors and the Crown Prosecution Service, all of which seem to have a vested interest in delay and delay, as that means more money for them?

Mr. Straw: I accept what my hon. Friend says. Not only are we keeping an eye on the vested interests, but we shall be setting them clear targets. A number of magistrates courts have already proved that our policy can be implemented. Teesside magistrates court, for example,

has introduced a fast-track system for young offenders to reduce the time between charges being made and any trial to six weeks—or 42 days—which more than halves the time that it usually takes to deal with persistent offenders. I congratulate Teesside on that.

Mr. Soames: Does the right hon. Gentleman agree that justice delayed is justice denied, and that everything that he can do to speed up the dispensation of justice will be welcome? Will he and his right hon. and learned Friend the Attorney-General consider carefully whether the Crown Prosecution Service has adequate financial resources? I recently visited the CPS local office in Horsham, which is doing an extremely good job, but there is no doubt that it is short of barristers and short of money. I should be grateful if he could tell me what he can do about that.

Mr. Straw: I shall certainly write to the hon. Gentleman on the specific point that he raises. He may know that a major inquiry into the running of the CPS by the former High Court judge Sir Ian Glidewell has been under way since just after the election. It will report shortly and, I believe, lead to major improvements in the efficiency and effectiveness of the CPS.

Criminal Justice System

11. **Mr. Mackinlay:** What plans he has to review his Department's responsibilities in relation to the criminal justice system. [30349]

Mr. Straw: As part of the comprehensive spending review, I am chairing a cross-departmental review of the criminal justice system, to consider ways in which the delivery of the Government's objectives for the criminal justice system as a whole can be improved. There are no plans to make changes in departmental responsibilities.

Mr. Mackinlay: Will my right hon. Friend the Home Secretary reflect on the fact that, when the Government's credentials as a modern and constitutionally reforming Administration come to be tested, one consideration will be whether they have been able to restructure the criminal justice system so as to make it much more answerable to the House of Commons? In addition to its core duties in relation to criminal justice, his Department is cluttered by other duties. Moreover, his criminal justice duties are shared with the Lord Chancellor, who combines the post of Minister, judge, Speaker of the House of Lords and interior designer. Does my right hon. Friend agree that there is a real case for having a Minister of justice who is answerable to the democratically elected House of Commons?

Mr. Straw: As I said, we have no plans to make changes in departmental responsibilities. I believe that we shall be judged at the next general election by whether we have delivered at a local level on our crime and disorder pledges.

Sir Brian Mawhinney: We all hear what the Home Secretary says, but we all saw Government Front Benchers furiously trying not to laugh their legs off at the Lord Chancellor. This is none the less a serious matter. Given the number of staff that the Lord Chancellor is accumulating at vast public expense, when will the Government announce the setting up of a Department of justice at the expense of the Home Office?

Mr. Straw: I have always enjoyed the humour of my hon. Friend the Member for Thurrock (Mr. Mackinlay), and I have made it clear that there are no plans to make changes in departmental responsibilities. We believe that what matters is the ability of the three Departments involved in the criminal justice system—the Law Officers' Department, the Lord Chancellor's Department and the Home Office—to co-operate effectively, as we are doing, to deliver improved efficiency on the ground.

Prisons (Drug Testing)

13. **Mr. Timms:** When he last carried out a review of the mandatory spot tests for drugs in prisons. [30351]

Mr. George Howarth: Mandatory drug testing is being reviewed within the broader assessment of the Prison Service drug strategy that I have commissioned. All relevant issues are being explored.

Mr. Timms: My hon. Friend will be aware that some prisoners and former prisoners have alleged that the current mandatory drug testing regime provides an incentive for prisoners using cannabis to switch to heroin, to reduce the chance of being caught. Is that allegation being considered in the current review? Should we not as quickly as possible give prisoners access to voluntary testing and other help, including follow-up help outside prison once their sentences are completed, so that those who want to break free from drug misuse can do so?

Mr. Howarth: My hon. Friend will be pleased to know that the statistics suggesting that there could be a perverse incentive in the mandatory drug testing regime to move from cannabis to heroin are under examination. Sixty-three establishments are involved in various kinds of drug treatment and it is proposed that about £7.3 million be spent on the problem next year.

Mr. Green: Does the Minister acknowledge that there is a terrible air of complacency about his reply on this important subject? Will he at the very least assure the House that, when the inevitable review that he has set up finally reports, some action will emerge from it on the smuggling of drugs into prison, because we all know that that is how they get there? Without action on that front, any words from the Government will simply seem hypocritical.

Mr. Howarth: The mandatory drug testing system was introduced by the previous Government; there are difficulties with it, but we welcome it. When the review is completed, we will consider what is the most appropriate action. Let me make it absolutely clear, in case the hon. Gentleman needs any reassurance, that we do not think it acceptable that drugs are smuggled into prisons and taken by prisoners, so we will do what is necessary to stop it. In the meantime, we must have a clear picture of what exactly is going on, so that we can consider how to deal with it.

Budget Allocation

14. **Mr. Simon Hughes:** What proportion of his budget is allocated to *(a)* prevention of crime and *(b)* detection and punishment of crime; and what plans he has to change this allocation. [30352]

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): It is impossible to identify the overall level of funding for crime prevention. Although £19.3 million is specifically allocated, the police budget, which is more than £7.2 billion, and other resources also contribute to both crime prevention and detection.

Mr. Hughes: I am sure that the Minister will accept that the more we can prevent crime, the less we will have to spend on detection and prosecution. As part of the review that the Home Secretary has quite properly instigated, will two specific matters be considered?

First, if the figures are right, about a quarter of all prisoners have themselves been victims of abuse, so if we can prevent the physical and sexual abuse of youngsters we will be more likely to prevent their offending subsequently. Secondly, if we can find useful activities—not only work—for youngsters outside school, and outside school hours, we will prevent the huge amount of crime that is carried out between about 4 pm and 10 pm by 14 to 20-year-olds, who could be better employed doing other things.

Mr. O'Brien: All I can say is that I entirely agree with the hon. Gentleman.

Mr. Bill O'Brien: Will my hon. Friend take note of the situation faced by the police in West Yorkshire? When he considers the police budget, will he remember that the capping system has meant that the charge for band D properties in the area has been reduced by 57p per annum? That will have an effect on the monitoring and prevention of crime. Given the extra resources that have been allocated by the Home Office to crime prevention, the funding for West Yorkshire appears to be an anomaly. Will the Minister investigate that serious situation?

Mr. Mike O'Brien: I will investigate that important matter for my hon. Friend and write to him.

Mr. Ian Bruce: Has the Minister been able to ascertain what will be spent in real terms on new policing, or has there been a cut? Certainly, Dorset police believe that when they have paid for everything that goes up every year, such as pensions, they will have to make cuts. Local authorities are trying to help the police by, for example, putting in cameras, but they are now finding that they cannot even bid for town centre cameras, because there is no matching funding. Will the Minister consider that problem carefully?

Mr. O'Brien: Police expenditure has been targeted to rise by 3.7 per cent. and the figures are clear. On the subject of crime prevention, the Crime and Disorder Bill and the new crime reduction partnerships will ensure that the police are more closely involved with local councils in work on crime reduction. However, the hon. Gentleman must consider the whole budget. It would be wrong to consider only the money allocated to crime prevention under a single budget head. Crime prevention has a role across billions of pounds of budgets, and the Government are committed to making crime prevention a priority across our whole budget.

Crime Against Businesses

15. **Ms Blears:** What steps he is taking to combat crime against businesses, with particular reference to inner-city areas. [30353]

Mr. Michael: The Crime and Disorder Bill requires local authorities and the police together to conduct an audit of local crime and disorder and to develop a strategy to cut crime. They are required to involve the wider community, including the business community, in that process. We are also working with business to tackle specific problems, such as retail and car crime.

Ms Blears: I thank my hon. Friend for that reply. In cities such as Salford it is crucial that businesses, which are the key to economic regeneration, feel safe and protected. I know it is difficult, but has my hon. Friend considered involving businesses in some of the community punishments, such as the reparation order, that make the people who commit crimes face their effects on the prosperity of the whole community?

Mr. Michael: Yes. My hon. Friend is right. I visited Milton Keynes recently, as did my right hon. Friend the Home Secretary, and saw the way in which the business community is productively engaged with the people who are involved in the correction of offenders. We visit various cities—my right hon. Friend will visit Salford on 2 April—and such visits give us the opportunity to discuss the issue with business. I am pleased by the way in which business is engaging with our agenda to cut crime.

Mr. Hawkins: The Minister will be aware that a number of crimes against businesses have, sadly, spread from inner-city areas to other urban areas. Several businesses in my constituency have recently been targeted by ram raiders. Will the Minister confirm that he is urgently liaising with police forces to tackle that serious crime against businesses?

Mr. Michael: Yes. In recent weeks, I have had several discussions with police forces about smaller town and rural crime. Those problems will be addressed by our proposals, because we need a partnership between the police, local authorities and the communities in smaller urban and rural areas as well as in the cities.

Prison Medical Service

16. **Helen Jones:** What plans he has to improve the prison medical service. [30354]

Ms Quin: The Prison Service and the national health service have established a joint working group to advise Ministers on the options for improving prisoners' health care. The group will be looking in particular at whether

responsibility should be transferred to the NHS, as recommended by Her Majesty's chief inspector of prisons.

Helen Jones: I thank the Minister for that reply, but does she agree that one of the main obstacles to improving the service is the lack of suitably qualified staff? As the Home Office's own figures show that, in a service with a large number of mentally disordered offenders, only 21 of 197 doctors are members of the Royal College of Psychiatrists, and only 34 per cent. of health care managers are registered nurses, will she assure the House that the working party will consider, as a matter of urgency, the need to recruit more qualified staff into the prison medical service, and to provide an adequate career path to retain them in that service?

Ms Quin: My hon. Friend makes important points, and I pay tribute to her for the keen and detailed interest that she has taken in this matter. We are very keen to improve training in the prison health service, and the working group is considering that as one of its priorities. It is a very important issue to make progress on if we are really to respond to the recommendations that the chief inspector made in his report "Patient or Prisoner?".

Alcohol (Young People)

18. **Mr. Bradshaw:** What steps he is taking to reduce the number of young people who engage in under-age consumption of alcohol. [30356]

Mr. George Howarth: The Government are committed to tackling under-age drinking. Our statement of 17 July last year, a copy of which is in the Library, set out our views on the action needed by all concerned parties to tackle alcohol abuse by young people under the age of 18.

Mr. Bradshaw: Following the Minister's visit to Exeter last week, he will be aware of the great concern locally about the phenomenon known as the booze cruise, which exploits the current loophole in the law and allows alcohol to be sold to under-age children as long as they are on a moving boat. Does not that fly in the face of our desire to curb under-age drinking, and what is he going to do about it?

Mr. Howarth: As recently as last week, my hon. Friend and I visited his constituency to talk to people who had been involved in such cruises. I am looking very carefully at what all the people who were worried about that issue said, and considering what action will be appropriate. One aspect that we can look at immediately is whether the operator concerned is in breach of his sailing licence.

Mrs. Lait: Further to that, does the Minister share my concern that under-age drinkers have access to cheap alcohol because of the great prevalence of bootlegged and smuggled alcohol? Does he agree that the multi-disciplinary approach to stemming that tide of alcohol is the best one possible, and will he guarantee that police forces involved in trying to stem that tide will receive the resources that they need?

Mr. Howarth: The hon. Lady is clearly right. As any of us know from our own constituencies, there is a problem in that people go abroad, bring back various forms of alcohol and sell it to young people. I agree that a multi-disciplinary or multi-agency approach is a very good way of tackling that problem, and we are committed to such an approach. It shows the value of working in partnership to try to eradicate such problems.

Human Rights Bill

19. **Mrs. May:** If parish councils are among those organisations whose acts and omissions it is intended should be able to be challenged under the Human Rights Bill. [30357]

Mr. Mike O'Brien: Although it will be a matter for the courts, we think it likely that parish councils will be regarded as public authorities.

Mrs. May: I thank the Minister for that reply, although it gives some cause for concern in the following respect.

The Government have already had to undertake reviews of the application of the Human Rights Bill in two important areas—its implications for the press and for the Churches—and the Home Secretary has undertaken to consult in those two areas because the Government have discovered that the Bill's implications may not be what they originally thought that they would be. Therefore, will the Government now accept that, as I believe, there is a very real need to review the way in which the Human Rights Bill will affect other public authorities, such as parish councils, which form such an important part of our village community, and will the Minister undertake to consult and review the implications for those important parts of our village communities?

Mr. O'Brien: The Bill does not change the substance of convention rights; it only changes access to them in our courts. Broadly, we wish to ensure that all bodies for whose actions the United Kingdom Government are answerable are treated as public authorities under the Bill. The Government are committed to bringing people's rights home from Strasbourg, whereas most Tories appear to want to keep power under the European convention on human rights across the channel, in Strasbourg. The question needs to be asked: why do the Conservatives seek to deny people access to their rights, and why are they so determined to keep power in Strasbourg?

Fiona Mactaggart: Does my hon. Friend agree that giving everyone in the United Kingdom access to local jurisdiction over human rights helps to bring people together? Does he share my view that it is perturbing to hear people pressing for sectional interests to get a pass out of the Human Rights Bill—which of course they will not get, because we have an international treaty obligation in that regard? We should encourage people in the Churches, the media and local authorities of all kinds, including parish councils, to recognise that they have a responsibility to respect the human rights of others.

Mr. O'Brien: I agree with my hon. Friend. The Bill will ensure that there is greater respect for human rights in this country, and will raise Britain's status in the world as a country that respects human rights.

Mr. Gibb: Given the limited budgets of parish councils and the limited scope for parish councils to engage in

abusing human rights—certainly in my constituency—is there not a case for specifically excluding parish councils from that ludicrous legislation?

Mr. O'Brien: The hon. Gentleman does not seem to understand that the convention currently applies to public authorities anyway. We are not changing the substance of that. We are ensuring that people have greater access to their rights. For the life of me I do not understand why Opposition Members are so opposed to allowing British citizens access in their own courts to their own rights.

Internet (Racist and Anti-Semitic Material)

20. **Mr. Dismore:** If he will make a statement concerning the use of the internet to spread racist and anti-Semitic propaganda. [30358]

Mr. Mike O'Brien: The Government deplore the distribution of racist material via the internet. Provided that it falls within our jurisdiction, material passing over the internet is subject to the same laws as material distributed by other means.

Mr. Dismore: Is my hon. Friend aware that there are more than 600 anti-Semitic and racist sites on the internet, many of which promote holocaust denial? The internet is readily accessible to young people. Bearing in mind the transnational nature of the internet, will he take the opportunity of Britain's European Union presidency to raise the problem with our European partners and to work with them to find a way of tackling this growing menace?

Mr. O'Brien: Indeed, we are already doing that. We condemn such material on the internet. The National Criminal Intelligence Service has been in close liaison with other countries to combat internet abuse, and the G7 action plan on high-tech crime commits us to developing closer links to combat internet crime even more effectively.

Dr. Julian Lewis: Is the Minister aware of the related problem of defamation or libel on the internet? As he observed, the problem is one of jurisdiction. Does he realise that it is possible to defame people in the foulest terms and for them to have no remedy, if the internet service provider is situated abroad? When he undertakes discussions with his European colleagues on racism and anti-Semitism, will he also discuss the problem of defamation or libel?

Mr. O'Brien: The hon. Gentleman is right. It is increasingly being recognised what an impact the internet can have on the lives of all of us, and on crime and civil torts such as defamation. My right hon. Friend the Home Secretary discussed these matters in December with G8 colleagues. As the discussions move forward, the international community will increasingly realise that the only way to tackle these issues is through international co-operation.

Young Offender Teams

22. **Mr. Linton:** What powers he intends to give to the proposed young offender teams; and if he will make a statement. [30360]

Mr. Michael: The Crime and Disorder Bill places duties rather than powers on youth offending teams. The teams will co-ordinate youth justice services in their area. They will play a key role in working with young offenders in the community from the point of arrest to completion of sentence.

Mr. Linton: Does my hon. Friend agree that youth offending teams will have to work hard to re-establish the credibility of cautions, given that many young offenders receive up to six or seven cautions? Does he support the work of the Thames Valley police, who have turned the caution from a five-minute formality into something more like an hour-long ordeal in what they call restorative justice?

Mr. Michael: I certainly commend the actions of the Thames Valley police in encouraging young people who are being cautioned to understand the damage that they have done to others. The credibility of the caution system has been completely undermined in recent years. That is why we are replacing it with a final warning system. Not only will young people be told that their offending must stop but there will be intervention, action and community involvement for them and their families in order to stop their pattern of offending.

Antisocial Behaviour

23. **Mr. Amess:** What assessment he has made of the effectiveness of ways of dealing with antisocial behaviour. [30361]

Mr. Michael: Antisocial behaviour can grow out of control unless it is nipped in the bud—particularly with young offenders. Those problems have grown out of control in recent years. This Government have acted swiftly to reform the youth justice system to make young people face up to the consequences of their own behaviour and to make them realise that the most effective way to deal with antisocial behaviour is to be firm, fair and swift.

Mr. Amess: Has the hon. Gentleman noticed that at times the whole country seems to be covered in graffiti—whether they are on road signs, on the tube or on walls? There is a particular problem in Chalkwell ward in my constituency of Southend, West—a ward that the Conservatives won from the Liberal Democrats last week. Will the Minister tell the House what effective measures are in place to apprehend those vandals who continually indulge in antisocial behaviour through acts of graffiti?

Mr. Michael: I am not sure which of those two parties the hon. Gentleman blames for the graffiti problem. We intend to nip things in the bud by encouraging partnership between police and local authorities in order to recognise problems as they begin to grow. We will not allow problems to develop—as has happened in recent years—to the point where it is impossible to put the genie back in the bottle. We intend to tackle those problems.

Points of Order

3.31 pm

Mr. Michael Ancram (Devizes): On a point of order, Madam Speaker. As the guardian of the interests of Back Benchers, you will be aware that it is traditional to have a St. David's day debate around 1 March, when Welsh Members of Parliament may raise any issues relating to Wales. I am sure that it will not have escaped your notice that this year there is no arrangement or provision for such a debate. Today we shall consider the remaining stages of the Government of Wales Bill in Committee, which is hardly the same thing.

My point of order concerns whether you have received any explanation of why there is no such debate. If not, is the absence of a St. David's day debate not a massive and calculated insult to Wales? Does it not signal the beginning of the cynical and deliberate marginalisation of Welsh Members in the House that we predicted would follow devolution? Madam Speaker, as you are the defender of Back-Bench interests—not least those of Welsh Members—is that not something that you deplore?

Madam Speaker: The business of the House is not a matter for me: the conduct of business of the House is my responsibility. This matter should have been referred to the usual channels some weeks ago. Indeed, it should have been pressed on the Leader of the House last Thursday during business questions. However, I notice that the right hon. Member for Devizes (Mr. Ancram), who leads for the Opposition in considering the Government of Wales Bill, is proudly wearing his daffodil. I must be even-handed and note that the Secretary of State for Wales is doing likewise.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Whenever an international court rules against a country, it is surely a matter of some urgency and concern. Have you received any request from the Crown Office in Edinburgh or from the Foreign and Commonwealth Office seeking to make a statement of explanation about the ruling against our country, by 13 votes to two, brought down by the international judges in relation to Lockerbie? Has any such request been made?

Madam Speaker: I must inform the hon. Gentleman that no request of that nature has been put to me. To the best of my knowledge, no Minister is seeking to make a statement on that matter today.

DELEGATED LEGISLATION

Madam Speaker: With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Public Processions (Northern Ireland) Act 1998 (Code of Conduct) Order 1998, which was laid before this House on 23rd February, be approved.

That the draft Public Processions (Northern Ireland) Act 1998 (Procedural Rules) Order 1998, which was laid before this House on 23rd February, be approved.

That the draft Public Processions (Northern Ireland) Act 1998 (Guidelines) Order 1998, which was laid before this House on 23rd February, be approved.—*[Ms Bridget Prentice.]*

Question agreed to.

Orders of the Day

Government of Wales Bill

[7TH ALLOTTED DAY]

Considered in Committee [Progress, 25 February].

[MR. MICHAEL J. MARTIN *in the Chair*]

New clause 40

FORESTRY COMMISSIONERS' FINANCES

'.—(1) The provision of funding for the exercise by the Forestry Commissioners of their functions in relation to Wales shall be the responsibility of the Assembly.

(2) What subsection (1) requires of the Assembly is that it shall provide such funding as the Assembly considers appropriate for the exercise by the Forestry Commissioners of their functions in relation to Wales.

(3) In deciding what funding it considers appropriate to provide for the exercise by the Forestry Commissioners of their functions in relation to Wales, the Assembly shall have regard in particular to what it considers those Commissioners need to spend in order effectively to discharge their functions in relation to Wales.

(4) The Assembly shall before the beginning of each financial year of the Assembly consult the Forestry Commissioners about the funding it is to provide for them in that financial year; and in determining the amount of that funding the Assembly shall take account of the Forestry Commissioners' estimates of—

(a) what they will need to spend in that financial year in order effectively to discharge their functions in relation to Wales, and

(b) the income which they will receive in that financial year and be entitled to apply towards meeting their expenditure on the exercise of their functions in relation to Wales.

(5) Schedule (*Forestry Commissioners*) (which makes provision consequential on this section) has effect.'.—*[Mr. Ron Davies.]*

Brought up, and read the First time.

3.34 pm

The Secretary of State for Wales (Mr. Ron Davies): I beg to move, That the clause be read a Second time.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss the following: Government new schedule 1—*Forestry Commisioners.*

Government amendments Nos. 542 to 544.

Mr. Davies: I made it clear on Second Reading that I would table amendments about forestry in Wales, to combine the advantages that come from the Forestry Commission retaining an overall strategic role for forestry in Great Britain, with our aim that the Forestry Commission should be answerable for its operations in Wales to the National Assembly for Wales.

Forestry is important to the economy and environment of Wales. At 31 March 1997, the forest area stood at 247,000 hectares, or 12 per cent. of the total area of Wales, of which the Forestry Commission owned 120,000 hectares. Current production levels represent 15 per cent. of the British total. The latest figures suggest that 4,750 people employed in Wales are dependent on forestry, including 1,270 employed by the Forestry Commission, and more than 1,700 employed in wood processing industries, in which Wales has benefited from substantial investment.

Forestry can also provide farmers with an opportunity to diversify farm business through woodland planting as an alternative to agricultural production. Well-designed forests can provide high-grade landscape and wildlife habitats, and can be used to advantage in the reclamation of derelict sites, and provide excellent recreational opportunities.

The Government are not proposing the establishment of a separate Forestry Commission for Wales.

The Government amendments will ensure that, in future, the assembly will have responsibility both for setting policy in respect of forestry in Wales and for funding the activities of the Forestry Commission in relation to Wales.

Mr. Rhodri Morgan (Cardiff, West): Is my understanding correct that responsibility for the Forestry Commission—a UK-wide body—in relation to Wales will transfer from the Secretary of State for Scotland to the Welsh assembly? For the past 10 or 20 years, the Forestry Commission has been anomalous, in that it is the only body with a remit outside Scotland for which the Secretary of State for Scotland has ultimate departmental responsibility. Will my right hon. Friend go into detail about the relationship between the Scottish Parliament and the Welsh assembly in respect of forestry?

Mr. Davies: As my hon. Friend will know, with my right hon. Friends the Secretary of State for Scotland and the Minister of Agriculture, Fisheries and Food, I currently have responsibility for all forestry matters. My hon. Friend is correct in his understanding that, post-devolution, the responsibility that I currently exercise will devolve to the Welsh assembly, and the responsibility currently exercised by my right hon. Friend the Secretary of State for Scotland will devolve to the Scottish Parliament.

On matters that operate GB-wide, it will be necessary for the Ministry of Agriculture, Fisheries and Food, the representative of the Welsh assembly, and the appropriate Minister in the Scottish Parliament to agree. It will be open to the Scottish Parliament, because it will have jurisdiction in this matter, to legislate by means of primary legislation. It will be open to the Scottish Parliament to decide to introduce further changes. My hon. Friend is correct in his understanding. If he will bear with me, I shall deal with this point in a moment.

Mr. Tam Dalyell (Linlithgow): A number of my constituents work at the Forestry Commission's headquarters in Edinburgh, and there is real concern and a lack of clear understanding about their future. I am trying to be constructive about this, but can some document be placed in the Library fairly soon, outlining in detail precisely what the thinking is, because there are quite a number of worried people? They are worried about whether they will have to move their homes yet again, having recently moved north to Edinburgh. They are asking, "Do we have to move south, or somewhere else?" Families' futures are very much at stake here.

Mr. Davies: My hon. Friend raised that matter on Second Reading, when he asked me particular questions

[Mr. Davies]

about the likely employment consequences for people in his constituency. Later in my remarks, I want to answer fairly specifically some of the questions that my hon. Friend asked. However, I take this early opportunity to assure him that there is nothing in the Bill that will in any way prejudice the livelihood, or the opportunity for continued employment within the present work force, of my hon. Friend's constituents. As I said in reply to the intervention of my hon. Friend the Member for Cardiff, West (Mr. Morgan), the Scottish Parliament will have jurisdiction in this matter. No one can foretell what it might want to do in future.

New clause 40 deals with the devolution of responsibility for funding. The Forestry Commission's funding is currently provided from a single vote approved by the House of Commons. Discussions are in progress on the appropriate transfer of resources into the Welsh block as a result of a significant shift of responsibility. At present, the commissioners' functions relate to Great Britain as a whole.

Paragraph 1 of the new schedule accordingly contains an order-making power for me to provide for the separate exercise, in relation to Wales, of the commissioners' functions, and for their functions to be exercised differently in respect of Wales. If an order under paragraph 1 amends Acts of Parliament, it will be subject to the affirmative resolution procedure. That is the purpose of amendments Nos. 542 to 544, to clause 144.

I currently have wide-ranging powers in respect of the commissioners enabling me to direct the exercise of their functions in relation to Wales. As I explained to my hon. Friend the Member for Cardiff, West, I exercise these powers jointly with my right hon. Friends the Secretary of State for Scotland and the Minister of Agriculture. These powers will be transferred to the assembly and made separately exercisable with respect to Wales in the transfer order under clause 22.

The forestry commissioners have powers to regulate activities in their forests. They may also make regulations to prevent the introduction into Great Britain of, for example, forestry pests and diseases.

Paragraph 2 of the new schedule provides for such subordinate legislation, where it contains only provisions relating to Wales, to be subject to procedures in the assembly instead of in Parliament. The overall effect is that the assembly will approve the commissioners' subordinate legislation.

Paragraph 3 of the new schedule provides that the status of the commissioners as a Government Department and the status of their staff—the point raised by my hon. Friend the Member for Linlithgow (Mr. Dalyell)—are not affected by these changes. I take this opportunity to tell the Committee that, in my view, these amendments in themselves are most unlikely to reduce the number of staff employed by the Forestry Commission. It will remain a Great Britain body, and any changes to this arrangement would require primary legislation.

My hon. Friend the Member for Linlithgow raised that point on Second Reading. Obviously, as I have said, we cannot predict how the assembly will choose to exercise its functions, including that of funding the commissioners, but the drafting of new clause 40 ensures that, if the assembly wishes to exercise its functions in a certain way, it must have a proper dialogue with the commissioners.

The arrangements for Scotland are broadly similar, although the details will be a matter for my right hon. Friend the Secretary of State for Scotland. They will differ from those for Wales, because of the different structure of the Scotland Bill, and in particular because it is proposed that the Scottish Parliament should have legislative competence over forestry.

If the Scottish Parliament were to legislate to create a separate forestry commission for Scotland, the Government would need to reconsider the issue, and in particular to decide whether to retain the commission on a Wales and England basis or whether to create separate bodies. As I have said, such changes would require primary legislation.

Sir Sydney Chapman (Chipping Barnet): I wish this matter to be clarified: if and when the Bill is enacted, and any Member of this place wishes to ask a question or seek information about the Forestry Commission working in Wales, for example, would he or she table a question to the right hon. Gentleman, to the Secretary of State for Scotland or to the Minister of Agriculture, or would he or she not be able to table a question?

Mr. Davies: I say to the hon. Gentleman, in the gentlest possible way, that it is a question not of whether the Bill goes through, but of when. Last weekend, the leader of the Conservative party made the position absolutely clear. My understanding is that his party is now in favour of devolution. I assume that the right hon. Member for Devizes (Mr. Ancram) will lead his troops into the Lobby in support of Government policy.

It would be inappropriate for me to comment on which questions Madam Speaker would deem to be in or out of order, because I would be trespassing on matters for which I am not responsible. My current responsibilities will transfer to the assembly, and where those powers need to be exercised jointly, they will be so exercised by my right hon. Friend the Minister of Agriculture, the Scottish Parliament and the Welsh assembly.

The Table Office or Madam Speaker could advise the hon. Gentleman on tabling a parliamentary question to a Minister in this House who would answer on those broad policy matters. To influence the implementation of detailed policy in Wales, the hon. Gentleman would have to join the happy and growing band of Welsh Conservatives who will seek election to the assembly. Now that he has expressed an interest, he must look for what passes as a safe seat in Wales, although finding one may be difficult.

Mr. Michael Ancram (Devizes): I am interested to hear the Secretary of State singing the praises of the Welsh assembly and inviting my colleagues to stand for election. Will he stand for election to the Welsh assembly?

Mr. Davies: In fact, I suggested to the hon. Member for Chipping Barnet (Sir S. Chapman)—

Mr. Nigel Evans (Ribble Valley): Answer the question.

Mr. Davies: I shall certainly answer now. I said that the hon. Gentleman should try to find a safe seat; if I were to stand for the Welsh assembly, I would not have as much difficulty finding one as he would.

Paragraph 4 of new schedule 1 deals with the forestry commissioners' receipts. *[Interruption.]* The right hon. Member for Devizes has spent the past month or so berating me for arrogance; now he chunters from a sedentary position and accuses me of being coy. The transition from brutishness—I am supposed to have cast aside public and political opinion in Wales—to coyness is remarkable.

Mr. Cynog Dafis (Ceredigion): Will the Secretary of State give way?

Mr. Davies: Of course. I am sure that the hon. Gentleman's question will bring me back to the matter of the Forestry Commission.

Mr. Dafis: We are speculating about Conservative intentions, and the Secretary of State will be as intrigued as I am by the proposal of the leader of the Conservative party for a more equal pattern of devolution within the United Kingdom. Does that not imply that there should be a Parliament in Wales with powers equal to those of the Scottish Parliament, and, further, that such a Parliament should have the power to establish a forestry commission for Wales? Would that not be an excellent idea, because forestry is an important industry in Wales and has many distinctive qualities that should be addressed at an all-Wales strategic level?

3.45 pm

Mr. Davies: The idea might be excellent, but it is outwith Government policy, which, as the hon. Gentleman knows, is to transfer to the assembly the powers that I currently exercise. He will not be surprised if I describe devolution as a process. It is for those who come after, in the assembly and in the House of Commons, to decide whether to modify the powers of the Welsh assembly. I am not proposing that; I am proposing sensible and practical arrangements for the transfer to the assembly of my current forestry responsibilities.

I was referring to paragraph 4 of new schedule 1, which deals with the Forestry Commission's receipts. The measure has been drafted to allow the assembly to choose whether to fund the commission's activities in Wales on a net or gross basis—that is, to decide whether the commission should retain its operating income to help it to meet its own expenditure.

We must also recognise that the commission's forestry assets in Wales have been built up using United Kingdom taxpayers' money.

Mr. Dafydd Wigley (Caernarfon): We have paid for them.

Mr. Davies: Paragraph 4 provides an overriding power for the Treasury to direct that certain receipts, such as those arising from major asset sales, should be returned to the Consolidated Fund.

The right hon. Member for Caernarfon (Mr. Wigley) was right to say that we had paid for the assets. That is why I say that a balance must be struck. I assume that, if the Forestry Commission disposed of certain assets to assist its annual operations, the asset sales would be retained by the commission. In the event of a major act of privatisation, however, the Treasury would understandably want to retain the right to ensure that the contribution of United Kingdom taxpayers as a whole was properly safeguarded.

Paragraphs 5 to 9 deal with the accounts and audit arrangements. The Forestry Commission will produce separate accounts for Wales, which will be audited by the Auditor General for Wales. He or she will also be able to carry out value-for-money studies, and the Comptroller and Auditor General will retain access rights. Paragraph 10 provides for the forestry commissioners to produce an annual report about their activities in Wales, and for it to be laid before and published by the assembly.

The Government amendments devolve to the assembly responsibility for funding the forestry commissioners' activities in Wales, and make the commissioners properly accountable to the assembly.

Mr. Evans: The new clause, new schedule and amendments deal with an aspect of rural Wales that needs to be protected. They deal with our natural environment—trees, plants and wildlife, conservation and preservation, jobs and tourism, recreation and nature, and our ancient woodlands and forests.

The rural community feels threatened. Yesterday, 284,000 people marched here in London, crying out in frustration and fear that their voice was not being heard. Many demonstrators travelled from Wales to be here, and I hope that the Secretary of State—who was not on the march—was at least able to hear what they said. They were good-natured, but they were extremely frustrated. Large numbers turned out from all parts of Wales to join yesterday's demonstration, because they care for the countryside. I assume that that is what new clause 40 purports to do as well, and I shall ask a number of questions about it towards the end of my speech.

The Forestry Commission has a profound effect on our land. It was established in 1919 as an answer to first world war deforestation. In fact, deforestation had been going on for some time. At the turn of the century, only 5 per cent. of our land was forested; today, thanks to the commission's work, that percentage has more than doubled.

Forests are vital, not only for their value as timber but for their natural beauty and their part in conservation and recreation. The nation's forests need protection from, for instance, disease. The commission's research division is very important in that regard, and I shall want to know how it will be ensured that that research function will be properly protected in Wales under the new arrangements.

We need to prevent the reduction of crops by pests. We also need research into ways of increasing the productivity of forests, and the establishment of forests on difficult sites, if areas throughout Wales are to benefit. The conservation of rare and endangered species is important, as is the protection of our ancient and semi-natural woodlands.

The Forestry Commission's research is mainly done in house, but it also commissions outside work. We shall need to know how that will be done under the new arrangements, and what impact the assembly will have in directing key commissioning in certain areas. As the Secretary of State said, the commission has a large staff, and we shall need to know more about how staff will function after the changes. The commission also has an

[Mr. Evans]

international impact. Will the assembly have a say in some of the international commitments in which we are involved on behalf of the commission?

Forests and woodlands support much of the rural economy, and they are environmentally and socially important. The White Paper entitled "A Working Countryside for Wales" spoke of the economic role of forestry and of the Government's aim to increase Welsh woodland by about 50 per cent. by 2050. Are the commitment and the target still operative, and how will they be affected by the proposed changes?

In January 1996, the Government's panel on sustainable development, which was chaired by Sir Crispin Tickell, spoke of the need to draw up a national forestry strategy that was supported by regional strategies containing targets that were related to the main economic, environmental and social benefits that forestry could provide. The incentives needed to meet those targets were identified. Will the relationship with regional strategies remain the same? What will be the impact on the Forestry Commission's national picture?

Mr. Ron Davies: I am grateful to the hon. Gentleman for the way in which he raises these matters. I do not want to be too brutal with him, but I have to say that many of the issues he raises are policy matters, on which the assembly and the Scottish Parliament will decide. We are debating structures—the way in which my current powers will pass to the assembly. It is not for me to decide how the assembly will formulate and implement its policies—unless I seek election to it. Those are matters for the assembly.

Mr. Evans: We can tell that the Secretary of State is seriously considering whether to move from this place to the assembly in 1999. I do not want to be brutal with him, but I hope that he decides to go to the assembly, because not many Labour Members have shown themselves keen to move there from Westminster. Perhaps he can lead the rush of his Back Benchers. *[Interruption.]* I shall not seek election to the assembly. I suspect that the people of Ribble Valley would not wish to have representation there.

Mr. Davies: How on earth can the hon. Gentleman square that stupefying statement with the comment over the weekend by his party leader that the Conservative party wants to make the assembly work? How on earth will it work without the hon. Gentleman?

Mr. Evans: I, too, find that a difficult question.

The First Deputy Chairman: Order. Perhaps we could get back to new clause 40.

Mr. Evans: We shall have to leave the question unanswered, and return to the debate on the new clause.

I hear what the Secretary of State says. It is important to look not only at the policy functions that are to be devolved to the assembly but at the national strategy, and how it will weigh with what the assembly wishes to do. I shall shortly come to the funding arrangements. I assume that the Forestry Commission will wish to continue its important consultations with local communities on such matters as planting and felling. It is important for it to carry on with its policy of ensuring that, where necessary, there are prosecutions for illegal felling, and warnings in less serious cases. It should enforce the restocking of illegally felled areas.

I have spoken about only some of the Forestry Commission's work, because it has an important and diverse role. The commission and the timber trade could do much for Wales. We import £7.5 billion-worth of wood materials and manufactures, and export £2.3 billion-worth. That leaves a gap of more than £5 billion. That shows the potential, and if Wales can exploit that, it will be an important boost to the Welsh economy.

My fears about changes to the Forestry Commission centre on the factionalism that may break out if the Welsh assembly pursues one route when a national strategy dictates that the Forestry Commission will pursue another route. We must ensure that both bodies work together absolutely, with one policy and with the same priorities.

The Forestry Commission's funding arrangements will be vital. The Secretary of State for Wales said that Ministers are currently talking about how much money will be provided in the block grant, part of which the assembly will provide to the Forestry Commission. However, we have been given no assurances on how much money will be earmarked for the Forestry Commission. Moreover, the money that is provided to the assembly for the commission will be only notional, and it will not be ring-fenced. The Welsh assembly will decide what priority to place on the Forestry Commission's work.

4 pm

The Welsh assembly may not necessarily say, "The Forestry Commission is an easy target; we'll cut its money." The assembly—perhaps because of the Committee's debate on sustainable development, on 25 February—may take the opposite view, and decide that the Forestry Commission's work is vital. It may therefore decide to spend more money on the commission than the Treasury had originally notionally allocated.

We must get the Forestry Commission's funding right, especially as so many competing demands will be placed on the assembly. As hon. Members have said during the Bill's passage, the assembly will have to determine how to order its priorities. Last Wednesday, for example, in the Committee debate on the assembly's role in promoting business in Wales, "business" was interpreted very widely. The right hon. Member for Llanelli (Mr. Davies) also mentioned the tin can that will be rattling outside the Welsh assembly, and the inevitable calls that the assembly will face for all sorts of money for all sorts of worthy projects. The Forestry Commission will be only one of those worthy projects.

There is enormous ignorance of the Forestry Commission's good work, of the depth of its remit and of the vital nature of its role. In future debates on whether money should go to education, to social services or to the Forestry Commission, my fear is that the commission will be an easy target for Members of the Assembly, and that it will suffer cuts. Such cuts

cannot be made currently, because the national budget allocates the commission's funds. After devolution, because of competing interests, the assembly could decide to downgrade the Forestry Commission's role.

I assume that the Secretary of State is involved in negotiations on the funding arrangements. We know that there will be—although the Bill does not mention it—a type of Barnett formula in Wales, which the Secretary of State has assured us will apply after devolution. Will such a Barnett-type formula be devised to fund the work in Wales of the Forestry Commission, so that the definite needs of Wales are emphasised, and the funds allocated to the Forestry Commission are not simply divided into three?

Mr. Ron Davies: The hon. Gentleman's earlier interpretation is broadly correct: the assembly will have responsibility for deciding whether to increase or decrease the resources going to forestry. There is nothing exceptional in that responsibility, as that is the importance of devolution. Furthermore, the assembly will occasionally want to reassess its priorities in, for example, education, the environment and the health service. Any Secretary of State currently has that discretion, and it is one that the assembly will enjoy. He was therefore correct in that assertion.

On the hon. Gentleman's latter, specific question, I am currently in the process of discussions with my colleagues in the Government to determine how the Forestry Commission's budget can be disaggregated. I will want to ensure that the Welsh assembly gets its fair share of the disaggregated Forestry Commission budget once the new financial arrangements apply. It will then be a matter for the Forestry Commission to decide whether, by using additional money from the block grant, to supplement the resources that will provided to it by disaggregation of the existing Forestry Commission budget.

Mr. Evans: I am grateful to the Secretary of State. He will appreciate that we in Wales are interested in ensuring that we get our fair share. I was wondering whether special needs, tasks or projects within Wales would be able to get more. Will there be some form of Barnett formula after devolution?

Mr. Davies: I am sorry to interrupt the hon. Gentleman yet again, but his two points are inconsistent. He cannot suggest that there should be a Barnett formula and then ask for special consideration. The two positions are mutually exclusive. However, I can assure him that, during the discussions about the disaggregation of the budget, I shall press as hard as I can to ensure that the particular interests of Wales are reflected in the financial settlement.

I share the hon. Gentleman's great admiration and respect for the Forestry Commission, and attach the same importance as he does to its work. It has done a superb job over the years. I am glad that it is now following better policies than it did several decades ago, although not necessarily in the past decade.

Mr. Evans: Under several Governments, I presume. It is important that the Forestry Commission gets it right, but it needs resources.

The hon. Member for Linlithgow (Mr. Dalyell) mentioned his concern about his constituents who are employed by the Forestry Commission. The Secretary of State said that there would not necessarily be any reduction in staff because of the changes. I wonder whether additional staff will be required, because of the way the budgets will be allocated and because there will be more of a regional bent to the way in which the Forestry Commission will work in future. If extra staff are required and the resources are not increased, its task will not be as well fulfilled. I would be interested to know whether, as a result of the changes, the Forestry Commission is likely to need extra staff.

I spoke earlier about the goal of 50 per cent. more woodland by the year 2050. Is it the Secretary of State's understanding that the same targets will exist? Will the Welsh assembly be able to alter that target to a greater or lesser extent?

Mr. Davies *indicated assent.*

Mr. Evans: We are dealing with a vital chunk of devolution, and a major change. We want to ensure, therefore, that the assembly is given not only the resources, but the knowledge of how important it is that the money is not channelled off to meet other priorities. The assembly must understand the importance of using the money it will receive for the particular task at hand.

The Secretary of State also mentioned sales—whether some of the proceeds could be given back to the Forestry Commission to use in pursuit of its targets within Wales, whether the assembly could take any of that money, and how much could be retained by the Treasury. Will he clarify exactly how the system will work? It all sounds very vague, and as if the Treasury will be able to step in.

We know that the demands on the Treasury are constantly rigorous, and that it is always keen to ensure that it gets its fair share of the money. How will it be worked out? Will it be through a concordat or a general understanding, or will there be a more specific definition of what is a major sale and what is a minor one? Obviously, the Forestry Commission is constantly buying and selling, so we are talking about rather large sums of money. Of course, privatisation would involve an enormous sum of money.

Will the Secretary of State say a bit more about the various roles and where the money will end up? Could the proceeds of sales be siphoned off from the Forestry Commission to the assembly? If so, given the priorities that the assembly will set itself, it may wish to use some of the money for other projects, so it would not be reinvested into the Forestry Commission's tasks and targets.

Mr. Davies: It is probably best to deal with these issues as we go along, rather than trying to deal with them all at the end—if that is all right with you, Mr. Martin.

The hon. Gentleman seems to be arguing that we should ring-fence the Forestry Commission budget. It would then be both a ceiling and a floor. That would merely fix in time the spending pattern for the Forestry Commission, making it difficult for the assembly to embark on new policies or change its priorities. If the forestry budget should be ring-fenced, why not those for health, the Welsh Development Agency or education?

[Mr. Davies]

The purpose of devolution is to allow the assembly to change its priorities from time to time, reflecting local circumstances and its political will.

I had an exchange about funding earlier with several hon. Members. If the Forestry Commission wanted to dispose of assets and recycle the money as part of its annual operations, it would be able to do so as at present. If, on the other hand, there was a major privatisation, it would be open to the Treasury to recover part of the money because it reflected previous Great Britain investment. I cannot give the hon. Gentleman a precise definition of what would be a major privatisation and what would be considered annual operations. We shall have to make such judgments as we go along.

Mr. Evans: I am grateful for that response. The Secretary of State will understand why we are asking such questions. As my hon. Friend the Member for Chipping Barnet (Sir S. Chapman) said earlier—the response to his point reinforced it—after devolution we shall have limited powers to question the Secretary of State for Wales on matters relating to the Forestry Commission in Wales. I suspect that we shall usually be ruled out of order because our questions will be considered not the responsibility of the Secretary of State. It is right that we should ask questions now, because the opportunity to do so will be curtailed.

There is a fear that, after devolution, if the assembly gets part of any money raised from sales, it may spend it elsewhere, particularly when budgets are tight. The assembly will not have direct tax-raising powers, but here we have the possibility of an indirect tax. The assembly may be keen to award itself other indirect tax-raising powers.

Mr. Ron Davies: The hon. Gentleman is misconstruing what I said. I made it clear that, if the forestry estate was rationalised or certain sales were made to fund other forestry projects in Wales, the matter would remain within the assembly's discretion. The hon. Gentleman is suggesting that there will be privatisation, with the proceeds used to fund other services. I do not expect that. The hon. Gentleman should not raise the spectre of the Welsh assembly selling off the forestry estate in Wales wholesale to fund its other priorities. That is not what I said.

Mr. Evans: The Secretary of State likes to look at the devolution proposals through his rose-tinted spectacles, believing that everything will be fine and there will be sunshine. Expectations about what the assembly will do must already be high in Wales. It is right to consider worst case scenarios in Committee, to ensure that devices are in place to prevent them from coming about. That is all we are asking of the Secretary of State. We want him to clarify his interpretation of the Bill to ensure that it is carried out when devolution takes place.

The Forestry Commission is doing a good job. I have no problems with the way in which it is performing its functions in Wales, Scotland and England. It is fulfilling its targets with its limited budgets. The Secretary of State's passion for devolution is evident, although he is being rather coy—as my right hon. Friend the Member for Devizes (Mr. Ancram) said—about whether he will run for the assembly. Such a description does not normally sit easily with him. We need to be certain why, if the Forestry Commission is not broken, we trying to repair it.

4.15 pm

Mr. Denzil Davies (Llanelli): I did not intend to speak, but I was intrigued by my right hon. Friend the Secretary of State's mention of disaggregating the Forestry Commission's budget. I think that that is what he said; he certainly used the word "disaggregating".

I am totally ignorant about the Forestry Commission's finances, but I was surprised that it is necessary to disaggregate its budget. I should have thought that the Welsh Office would already know how much the Forestry Commission spends in respect of Wales—perhaps I am wrong. If the Welsh Office does not know, the Secretary of State will have to conduct the disaggregation exercise every year in order to arrive at a hypothetical disaggregated figure, which will be added to the rest of the block grant and handed to the assembly. If I am right—I could be completely wrong—the assembly would not, in this rather convoluted procedure, hand back the hypothetical disaggregated sum to the Forestry Commission. I do not know. The assembly might or might not hand back the equivalent of the disaggregated hypothetical sum. Is that the position?

Mr. Ron Davies *indicated assent.*

Mr. Denzil Davies: My right hon. Friend is indicating that I may quite correctly have reached such a convoluted end. I find it strange that, at the moment, the Welsh Office does not know how much the Forestry Commission spends or what its budget is for Wales. Who—I ask, perhaps rhetorically—decides the Forestry Commission's budget? Presumably, it is decided by the Treasury at the moment. Is it decided in negotiation between the Treasury and the Ministry of Agriculture, Fisheries and Food? My right hon. Friend said that he was responsible for the Forestry Commission in Wales.

Mr. Ron Davies: The essence of my right hon. Friend's case is absolutely correct. Forestry Commission operations in Wales are not funded at the moment out of the block grant. They are subject to a separate vote, which is negotiated with the Treasury by the respective forestry Ministers. His argument is correct that, post devolution, the forestry budget will be disaggregated. The block will increase, and that will form the basis of any future decisions that the assembly might want to take in funding forestry.

Mr. Denzil Davies: Perhaps one is playing with words. The budget must already be disaggregated if the Secretary of State for Wales is one of the three Ministers who negotiate with the Treasury on the total Forestry Commission budget. The Welsh Office must know what part of that relates to Wales, otherwise there would be nothing to negotiate. There is no need to disaggregate the budget because it is already disaggregated.

Mr. Ron Davies: Certain elements of the Forestry Commission's operation may or may not relate directly to Wales. That matter will have to be discussed. Indeed, it is the basis of current discussions. I cannot give my right

hon. Friend a precise figure, because we have not yet arrived at the appropriate adjustments that need to be made.

I shall try to help the Committee by making it clear that, during the current financial year, the Forestry Commission expects to spend £27 million in Wales and generate income of £29 million. In addition, there is the appropriate Welsh share of Great Britain expenditure and income, which has to be calculated. The Welsh share of net GB expenditure is nearly £30 million.

Mr. Denzil Davies: In effect, the budget is £27 million-plus. That is the figure about which—possibly—there is some doubt, although the Welsh figure is fairly clear. Will the "plus" figure also go to the Welsh assembly, which will decide whether to hand it back to the Forestry Commission? In effect, the Welsh assembly could pocket the GB figure. Is that what my right hon. Friend is saying?

Mr. Ron Davies: That is the effect of it, yes. My right hon. Friend says that the Welsh assembly could pocket the money, but it could not do so and simply walk away. As he knows, the money will be in addition to the block, and the assembly will then have to decide its spending priorities. It will be for the assembly to decide whether forestry is a higher or lower priority and whether the programmes will vary from year to year.

Mr. Denzil Davies: I do not want to pursue the point, but I find it rather bizarre that the £3 million, being a "GB" or British figure, will be handed over to the Welsh assembly. No doubt the assembly will do its job properly and not abuse its position, but this point highlights some of the difficulties in dealing with a Great Britain body that is based in Scotland and which will be answerable, in part to the Scottish Parliament, in part to a Minister in England and in part to the assembly in Wales. One can only hope that matters will work out all right.

Mr. Oliver Letwin (West Dorset): After that fascinating exchange about the financial side, I wish to raise what I suspect the Secretary of State will describe as a legalistic point, but one that is of considerable interest to Opposition Members, as it is part of a general pattern. Incidentally, I am still waiting for the Secretary of State to write to me about the errors that he made during our previous Committee sitting.

Will the Secretary of State, either now or when he winds up the debate, tell us whether the order-making power given in paragraph 1(1) of the new schedule is one that could, at least in theory, be transferred to the Welsh assembly through a transfer of functions order or a subsequent version thereof? If so, is it true that if that were to happen—even if it is not the current Government's policy—the Welsh assembly would itself have the ability to make orders in respect of the Forestry Commission? If so, how would that relate to the powers of the Scottish Parliament in respect of the Forestry Commission and to the activities of the UK Parliament?

Mr. Rhodri Morgan: I welcome the new clause, the new schedule and the Government amendments, because it seems to me that one could not fail to devolve forestry to the Welsh assembly. It would have been a great mistake had forestry and the funding responsibility for it not been devolved.

Mr. Evans *indicated dissent.*

Mr. Morgan: I see the hon. Gentleman shaking his head—I take it that he does not believe that forestry should be devolved in the way proposed in the new clause. Because of forestry's intimate relationship with agriculture and rural life generally and because of its impact on the sustainability of rural life, responsibility for dealing with agriculture, forestry, tourism and other aspects of rural life should be devolved to the assembly, so that those matters can be dealt with according to the way in which the assembly sets democratic priorities.

My first point relates to the one raised by my right hon. Friend the Member for Llanelli (Mr. Davies). It would be useful to know when the disaggregation exercise will be completed. I do not know whether it will be done before the Bill goes to another place, or whether it will be carried out in connection with proceedings in another place, but, like my right hon. Friend, I should like to see the figures. The Committee should know what the present funding position is in respect of the Forestry Commission's various responsibilities, both those that are clearly a Wales responsibility and those that are the Wales share of the wider United Kingdom or Great Britain responsibility.

That is because of the switch taking place in the Forestry Commission's work and within forestry generally—from the giant monocultural plantations that formed the basis of the commission's work for 60 or 70 years, to the microforestry work that it increasingly emphasises nowadays. That change of emphasis is designed to achieve greater sustainability and to assist farmers to diversify from, for example, sheep farming in the uplands to being able to harvest a proportion of each year's growth in hardwood forests.

The switch from big monocultural plantations to the harvesting of natural growth in small coppices—a switch, therefore, from softwoods to hardwoods—is important, and requires a totally different approach not only to funding, but from Forestry Commission officers, in terms of the intimacy and local control that they need in working with farmers, landowners, local conservation groups and community forestry groups, for example.

We should also consider the job consequences of that switch and the number of jobs that can be created by harvesting only the natural growth of local hardwoods. If those woods are fed—through local sawmills or even, as I have seen in hardwood forests in south Wales, mobile sawmills—into furniture and similar industries, a massive number of jobs could be created in rural areas, to replace some of the jobs that are threatened in upland farming and other rural occupations.

Will my right hon. Friend the Secretary of State say what the implications of the switch from soft to hardwoods—and from the big to the small scale—will be for the funding questions to which he referred and the disaggregation exercise? We all hope that that exercise will be finalised as soon as possible, so that, as has been said so many times in this interesting micro-debate, we have the information that we need.

Mr. Ron Davies: I am grateful for the comments of my hon. Friend the Member for Cardiff, West (Mr. Morgan)

[Mr. Ron Davies]

because, as the hon. Member for Ribble Valley (Mr. Evans) said, what happens to forestry is an important part of devolution. My right hon. Friend the Member for Llanelli (Mr. Davies) properly drew to the Committee's attention the difficulties that could arise. The Forestry Commission is a unique body that is, by and large, answerable for policy to the House of Commons through the Secretary of State for Scotland, as it is based in Scotland. By establishing a Scottish Parliament and a Welsh assembly, we shall create an asymmetrical structure, so we need to ensure that there are appropriate arrangements in Wales, just as our colleagues in Scotland will have to make appropriate arrangements there.

I believe that the new clause, the new schedule and the amendments will enable us to have the best of all worlds. We shall retain the overall advantage of the Forestry Commission's status as a Great Britain body, but there will be an opportunity for greater flexibility to reflect the priorities in Scotland and Wales.

In response to the question asked by my hon. Friend the Member for Cardiff, West, it is likely that the new financial arrangements will apply from 1 April 2000, so we have some way to go before they are finalised.

Mr. Dalyell: I think that there is a real difficulty. Some of us have had discussions of a fairly confidential nature—no one wants to be embarrassed, and I am honestly not out to make trouble—and we know that there are real difficulties from the Edinburgh perspective about how the arrangements will work. Will the Forestry Commission put a candid paper into the Library to make public, before Report, its view on these difficult technical questions about investment and other aspects of its work?

Mr. Davies: My hon. Friend will have to take up that question, if he feels it appropriate, with my right hon. Friend the Secretary of State for Scotland, who is the lead Minister on these matters. We need not make too much of this, as the functions of the Forestry Commission will not change, and the powers that I currently have to influence those functions will be transferred to the assembly. After devolution, the Scottish Parliament may want to exercise its powers of primary legislation to bring about more fundamental changes, but we cannot properly address that in our consideration of the Wales Bill. My hon. Friend should pursue his concerns elsewhere, not in this forum—although he should not for a moment take that to mean that I am encouraging him to pursue my right hon. Friend the Secretary of State for Scotland on the matter.

My hon. Friend the Member for Cardiff, West rightly referred to the changing emphasis of the Forestry Commission, with its shift from a monoculture of softwoods to more varied hardwood production and the introduction of more small-scale enterprises. I strongly endorse those policies. It would be for the assembly to discuss with the commission the policies that should be pursued. The assembly could influence those policies by direct discussion with the commission and, in extremis, by exercising jointly the powers of direction that I currently hold. By its ability to fund the commission, it could ensure that its priorities were properly adopted.

4.30 pm

Mr. Richard Shepherd (Aldridge-Brownhills): Will the Secretary of State give way?

Mr. Davies: I shall happily give way to the hon. Gentleman, if he will first let me deal with the points that have already been made. I was trying to wind up the debate, not the hon. Gentleman.

Mr. Shepherd: The Secretary of State is not winding me up.

Mr. Davies: I am glad to hear that.

The hon. Member for Ribble Valley spoke about the functions of the Forestry Commission. The new clause and our other changes will not affect those functions. As I have explained, an order under schedule 1(1) will provide for the commission's functions to be exercised separately, and differently, in Wales, but the functions themselves will remain. The policies that the commission follows in Wales will have to be discussed with the assembly. The funding that the assembly provides will reflect its priorities.

Mr. Shepherd: Am I correct in understanding that the assembly can, if it deems it appropriate, reduce the block grant from £27 million or £30 million to £20 million, for instance, so that the Forestry Commission's objectives, which were the basis of the original grant, could be frustrated by a cut decided on by the assembly?

Mr. Davies: I would have given the hon. Gentleman a far more robust response if he had asked whether the assembly could choose to reorder its priorities and increase the amount available to the Forestry Commission. He would have been entirely correct in that suggestion. That is the essence of devolution. In pursuance of policies to support and rebuild the countryside—we are dealing as best we can with a terrible crisis created by the legacy of 18 years of neglect—it may well be that the assembly will want to devote more money to forestry. If that is what the hon. Gentleman is asking, the answer is yes. The assembly will be able to vary the amount going to forestry.

Mr. Evans: The Secretary of State said that the Government wanted to do as much for the countryside as they possibly could. Was he on the march yesterday?

Mr. Davies: My Sunday arrangements are a matter for me. I do not propose to tell the Committee, because it may be that I was doing far more interesting things than coming to London to demonstrate on behalf of the countryside. The hon. Gentleman will know that I am a country man: I was born and have lived all my life in the countryside. I venture to suggest that, if the Government of the day had listened to the warnings that I and others gave them as far back as 1989 about bovine spongiform encephalopathy, for example, they would not have got into such a dreadful mess and wasted £3.5 billion of public money.

I have a good understanding of the countryside dimension. I believe that it is important that we follow a holistic approach, and I have no doubt whatever that the

Welsh assembly will pull together the strands that are necessary to ensure that we have a vigorous policy to address the problems of the countryside.

The hon. Member for West Dorset (Mr. Letwin) raised a specific point. I was unaware of the fact that he had raised matters earlier to which I have not yet responded, but I assure him that I shall make inquiries and, if my officials have been negligent, I shall certainly not be negligent myself. The hon. Gentleman will understand that. If my officials have been negligent in giving him a precise answer, I shall remonstrate with them whole-heartedly. I have no doubt that as I speak scribes are looking back at each and every intervention by the hon. Gentleman in the debate and ensuring that he receives a reply. Of course, he is correct that if I fail to provide him with satisfaction, that is my responsibility, not my civil servants'. However, they will know what fate will befall them if they put me in that unfortunate predicament.

The order-making power in new schedule 1 could not be transferred to the assembly because, under clause 23(3), only functions in part VI of the Bill can be transferred. As the power would, in all likelihood, be used only once to set up the arrangements that I have described for forestry in Wales, there would be no need for such a transfer.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 38

SUSTAINABLE DEVELOPMENT

'.—(1) The Assembly shall make a scheme setting out its proposals for securing that its functions are exercised with due regard to the principle that sustainable development should be promoted.

(2) The Assembly shall keep the scheme under review and in the year following each ordinary election shall consider whether it should be remade or revised.

(3) The Assembly may not delegate the function of making, or remaking or revising, the scheme to—

(a) a committee of the Assembly, or

(b) a member of the Assembly's staff.

(4) The Assembly shall publish the scheme when first made and whenever subsequently remade and, if the scheme is revised without being remade, shall publish either the revisions or the scheme as revised (as it considers appropriate).

(5) The Assembly shall consult such persons or bodies as it considers appropriate before making, remaking or revising the scheme.

(6) After each financial year of the Assembly, the Assembly shall publish a report of how its proposals as set out in the scheme were implemented in that financial year.'.—*[Mr. Ron Davies.]*

Brought up, read the First and Second time, and added to the Bill.

New clause 29

ABOLITION OF RESIDUARY BODY FOR WALES

'.—(1) Paragraph 18 of Schedule 13 to the Local Government (Wales) Act 1994 (provisions for winding up of Residuary Body for Wales) is amended as follows.

(2) In sub-paragraph (2) (meaning of "the transitional period" within which the Residuary Body must try to complete its work and at the end of which it is to be wound up, for "period of five years beginning with the establishment of the Residuary Body" substitute "period beginning with the establishment of the Residuary Body and ending with 31st March 1999".

(3) Omit—

(a) in sub-paragraph (3), "Subject to sub-paragraph (4),", and

(b) sub-paragraph (4),

(under which the Secretary of State may specify a period longer than the transitional period as the period at the end of which the Residuary Body is to be wound up).

(4) For sub-paragraphs (5) to (7) (duty of Residuary Body to submit scheme for its winding up and to make arrangements for transfers etc. and power of Secretary of State to make orders) substitute—

"(5) The Residuary Body shall, before the end of the period of three months beginning with the day on which the Government of Wales Act 1998 is passed, submit to the Secretary of State a scheme for the winding up of the Residuary Body.

(6) The scheme shall include in relation to the Residuary Body's remaining functions, property, rights and liabilities—

(a) a statement of arrangements made by the Residuary Body for their transfer by the Residuary Body to another body or bodies,

(b) proposals for their transfer by the Secretary of State to another body or bodies, or

(c) such a statement in relation to some of them and such proposals in relation to the rest.

(7) The Secretary of State may by order make provision for giving effect to the scheme (with or without modifications) and for the transfer of functions, property, rights and liabilities of the Residuary Body to another body or bodies (whether or not as proposed in the scheme).".'.—*[Mr. Ron Davies.]*

Brought up, and read the First time.

Mr. Ron Davies: I beg to move, That the clause be read a Second time.

The First Deputy Chairman: With this, it will be convenient to take Government amendment No. 515.

Mr. Davies: The White Paper made clear the intention to wind up the Residuary Body for Wales before 2000. The view was taken that the Local Government (Wales) Act 1994 provided the necessary legal framework to effect the wind-up before the assembly was established. However, further consideration has concluded that the powers in the 1994 Act do not allow the certainty that will be necessary to wind up the residuary body in the time scale necessary. The issue is not a point of controversy between the Government and the Opposition, and new clause 29 and Government amendment No. 515 are intended to provide the necessary certainty.

From the outset, I wish to make it clear that the residuary body and the local authorities in Wales agree that an early wind-up is desirable. Following the local government reorganisation of 1996, the residuary body inherited 21 properties, of which only six remain to be disposed of. The residuary body hopes to sell them in the coming months, although there is no guarantee that that will happen. None the less, new clause 29 and Government amendment No. 515 are designed to ensure that the residuary body can be wound up by 1 April 1999, irrespective of whether it still has any unresolved property disposals.

[Mr. Davies]

Furthermore, the residuary body will be required to submit a wind-up scheme that includes proposals for the subsequent transfer of property within three months of the Bill being enacted. Local authorities will be consulted on the residuary body's draft scheme before any wind-up order is made. The new clause does not stipulate how, at the wind-up, property vested in the residuary body should be disposed of, and we await its proposals in the wind-up plan on whether the properties, if unsold, should be transferred to an appropriate local authority by agreement or, in the absence of such agreement, by order.

Mr. Evans: As the Secretary of State says, the new clause is not controversial. He referred to the six properties that will remain in the hands of the residuary body. Is there any controversy about any of those six properties? Does he expect any problems with their sale or transfer to local authorities?

The Secretary of State said that he had talked with the local authorities and found that they were keen for the residuary body to be wound up early. In his discussions, did he encounter any reservations about the possibility of the residuary body being wound up? Has he had talks about the residuary body—gosh, that is difficult to say; the sooner it is wound up, the better—and, if so, what representations have been made to him about the early winding up?

Mr. Davies: I have had no talks with the residuary body, but my officials have and, to answer the hon. Gentleman's question directly, I am given to understand that both local government and the residuary body are anxious for the residuary body to be wound up.

The hon. Gentleman asked whether any problem attached to the remaining properties. I hesitate, when talking about property in Wales, to give him a categorical statement that there is no unresolved problem, but he asked specifically about the six properties that remain. They are the staff club at Westgate street in Cardiff; Greyfriars house and offices, Cardiff—which I understand are the subject of some offers at the moment; Nos. 3 to 5 Goring road, Llanelli; unit 7, Castle park, Flint; phase IV of county hall, Mold; and No. 3 High street, Caernarfon.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 28

DOCUMENTARY EVIDENCE

'. A document purporting to be—

(a) duly executed under the seal of the Assembly, or

(b) signed on behalf of the Assembly,

shall be received in evidence and shall, unless the contrary is proved, be taken to be so executed or signed.'—*[Mr. Ron Davies.]*

Brought up, and read the First time.

Mr. Ron Davies: I beg to move, That the clause be read a Second time.

As a body corporate, under common law the assembly will automatically be entitled to a seal. The new clause relates to the significance that courts attach to documents submitted in evidence and bearing the assembly's seal. Such documents are to be regarded as properly made unless the contrary is proved. There have been many similar clauses in recent legislation, including equivalent clauses in the Welsh Language Act 1993 and the Local Government (Wales) Act 1994.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 7

PRIVATE AND LOCAL LEGISLATION

'( ) The Assembly may promote or oppose private or local legislation relating to Wales.'.—*[Mr. Wigley.]*

Brought up, and read the First time.

Mr. Wigley: I beg to move, That the clause be read a Second time.

The new clause relates to the issue of private legislation and is, to some extent, a probing new clause, if that term may be used. Clarification is needed on several questions regarding private Bills—I emphasise that we are talking about private Bills, not private Members' Bills.

I imagine that the answer to the first question will be yes. Does the assembly, as a geographically defined body within the United Kingdom, have the right to promote private Bills, as would a local authority or any other body, and the right to oppose private Bills?

The second question is: can Wales, as a unit, be considered as an area for which it is appropriate to initiate private Bills—can the assembly initiate private Bills that apply to the whole of Wales but which would need to pass through the private Bill mechanisms in the House?

The third aspect of the new clause concerns the extent to which the assembly may deal with private Bills. In the fairly recent past, fairly controversial private Bills from Wales have taken hours and hours on the Floor of the House. The Cardiff Bay Barrage Act 1993 is a perfect example of legislation that should be dealt with in the assembly instead of swallowing time on the Floor of the House of Commons.

There are less controversial examples—such as the Porthmadog harbour revision order that affects part of my constituency. From time to time, all hon. Members become involved with such legislation. The hon. Member for Conwy (Mrs. Williams) is in the Chamber. A few years ago, a Bangor Market Bill passed through the House by way of the private Bill procedure—and no doubt another resembling it will do so again in future.

4.45 pm

Such matters need not be dealt with in the House of Commons; it should be possible to deal with them in the assembly. However, the Houses of Parliament have a very tight procedure for dealing with private Bills and I am not convinced that the Government intend to make it easier for all that procedure to take place in the assembly.

There is some parallel with the order-making facility that is within the assembly's purview. The fact that the assembly may pass secondary legislation gives it a fair amount of power. If the Government are worried about the amount of power that may be transferred and about the need for checks and balances on the use of that

power, I argue that it is no more radical to transfer to the assembly the power to deal with private Bills than to give it order-making powers because, as we heard earlier in the Committee, the power to pass secondary legislation is substantial.

Those are the three aspects of the new clause. We do not intend its wording to be wide enough to cover all three adequately. Our intention is to discover what will be the role of the assembly when dealing with private legislation and to express the hope that it will be possible to develop the assembly into—if it is not so from the start—a body that can deal entirely with these matters. The time of the House of Commons should not be used on matters that are essentially local and should be dealt with by people from Wales, in Wales.

Mr. Letwin: I shall briefly ask the Secretary of State a question that is in line with the probing new clause. In the context of the developing argument about the legal status of the National Assembly for Wales, it would be interesting to know whether the Secretary of State believes that, in the absence of such a new clause—although the right hon. Member for Caernarfon (Mr. Wigley) may disagree with me, I think it likely that the Government will not accept it—the vires exist for the assembly to promote private legislation.

When I inquired, the Clerk in the Private Bill Office told me that any individual in the United Kingdom can promote a private Bill without having any special rights, duties or powers. Is the National Assembly for Wales, in that sense, a legal person? Does it have, therefore, the right to promote a private Bill and, if so, what would be the scope of that right and which moneys would it deploy in its promotion?

Would the assembly have the right, in promoting such a Bill, to use moneys that the Secretary of State had allocated to it for its general purposes? If so, would there be any constraint on that, or might the assembly spend 100 per cent. of its budget on the promotion of one private Bill?

Finally, to illustrate why I ask the extreme and apparently ludicrous question about the 100 per cent., if the nature of the private Bill in question were very special—if it were one which the right hon. Member for Caernarfon and his colleagues might want to be promoted, relating to the governance of Wales—would it be debarred by some means, or would it have to be debarred only by the ordinary processes of the House in considering private Bills?

Mr. Ron Davies: I thank the right hon. Member for Caernarfon (Mr. Wigley) for opening the debate and I am pleased to tell him that the Government accept the broad principle of new clause 7. I hope that we will return at a later stage with an appropriate new clause because, as he suggested, the wording of his new clause is somewhat defective.

The Welsh Office has previously promoted at Westminster legislation that would have been local legislation if it had not been promoted by the Government; examples are the Conwy Tunnel (Supplementary Powers) Act 1983, the Cardiff Bay Barrage Act 1993 and possibly the Caldey Island Act 1990.

We do not want there to be any doubt about the power of the assembly to promote or oppose essentially local legislation, as the Secretary of State for Wales has done in the past. I cannot give the hon. Member for West Dorset (Mr. Letwin) a direct answer to his question at this moment, but it is because we want to avoid doubt that the Government are minded to accept the thrust of the new clause 7.

The right hon. Member for Caernarfon asked whether Wales would be regarded as an acceptable geographical entity for the purposes of promoting private legislation. The answer is yes, I understand that that would be accepted.

Acceptance of the thrust of the right hon. Gentleman's case would not confer on the assembly the power to make primary legislation. The assembly could promote only a private Bill in Parliament.

The Government are considering further the precise terms of their new clause. For instance, it may be desirable to require a decision to promote or oppose local legislation to be supported by more than a simple majority of the assembly. We are looking into such matters and if the right hon. Gentleman wishes to make representations during this brief debate or subsequently, I shall listen carefully to them.

We must also consider the interaction with the Transport and Works Act 1992. The right hon. Gentleman referred to the many hours of happy debate that the House had on the Cardiff Bay Barrage Bill. Those proceedings have largely been overtaken by the Transport and Works Act 1992. We must ensure that the assembly could not promote an order for development under that Act and approve it itself. We will ensure that the new clause is technically correct in that respect.

In view of the undertakings that I have given, I hope that at the appropriate time the right hon. Gentleman will withdraw the motion.

Mr. Wigley: I am grateful to the Secretary of State and I am glad to have had positive responses from him on two of the matters that I raised. At the end of his remarks, he touched upon, but did not clarify, the third.

The right hon. Gentleman acknowledged that the assembly is a developing body. To what extent is it possible—and to what extent is the possibility constrained—for the assembly to develop into a body that not only promotes Bills, but can dispose of them? For example, local authorities in Wales could propose their private Bills to the assembly if the Government deemed that to be appropriate. The order-making facility in the Bill—in clauses 22 and 141, I think—may indeed allow that to happen.

I realise that there must be checks and balances in the process of private legislation, that there may be private interests that need to be balanced and that there is a role for the House of Lords as well as the House of Commons. None the less, it may well be that the assembly could handle some aspects of private legislation from within Wales—that from local authorities, for example—without their needing to come through to Westminster. What is the Government's thinking on that?

Mr. Davies: We shall have to consider the matter carefully before we table the new clause that the right

[Mr. Davies]

hon. Gentleman seeks. The problem is that private legislation is effectively primary legislation. I made it clear that we cannot through this mechanism confer on the assembly the power to make primary legislation. I said earlier that such a provision would have to be made by the promotion of a private Bill in this Parliament.

I understand that it would be largely a matter for the House authorities to decide whether a private Bill was an appropriate private Bill or whether it exceeded the provisions of this place for the handling of private legislation. I regret that I cannot give the right hon. Gentleman a precise answer on that point.

We must examine closely the operation of the Transport and Works Act 1992. The assembly cannot use order-making powers under that Act to create de facto primary legislation. That is not the purpose of the Act and we will have to ensure that our new clause takes that into account.

The hon. Member for West Dorset asked a fair question and I tried earlier to answer it. He asked whether the absence of new clause 7 would mean that the assembly would not have the power to promote private legislation. The assembly is a creature of statute and is given certain powers. That particular power is not conferred by the Bill, although there may be arguments about whether, de facto, the assembly could decide to do that. The Government have accepted the argument advanced by the right hon. Member for Caernarfon to avoid doubt.

Once we have tabled our own new clause, there will be no doubt and the assembly will have the power to promote primary legislation. The answer to the hon. Gentleman's question about whether that would be in order in the present circumstances is that there is an element of doubt. Instead of prolonged debates about whether that can or cannot happen, the Government have decided to clarify the position by tabling their own new clause.

Mr. Letwin: I am grateful to the Secretary of State. His surprising response to the right hon. Member for Caernarfon (Mr. Wigley) invalidates part of my question, as the problem will not arise.

I repeat the second part of my question. Under the Government's version of the right hon. Gentleman's new clause, will there be any limits on the expenditure that the assembly will be able to incur in promoting private legislation?

Mr. Davies: I am trying to be helpful to the hon. Gentleman, but we do not have the new clause written yet, so I cannot tell him whether there will be such limits. Perhaps I can give him a steer. I do not think that it would be appropriate for us to lay down financial limits that should apply to the assembly in the exercise of its powers. The purpose of the Bill is to create the assembly and give it substantial powers to decide its own priorities. A pretty good case would have to be put to me for circumscribing the powers with a financial limit.

Mr. Wigley: I am grateful to the Secretary of State for his positive response to at least part of the thrust of my new clause. I hope that the Government's new clause will be ready for our consideration, otherwise we shall have to look to the House of Lords to deal with it and we shall have a further opportunity to consider the matter when the Bill returns to this House.

I put it to the Secretary of State that given that there is a facility in the Bill to amend primary legislation by order in certain restricted areas—the Henry VIII powers, as they are fondly known, and we are all growing more knowledgeable about what Henry VIII could and could not do—

Mr. Ancram: On legislation.

Mr. Wigley: Of course. I would not for a moment suggest that heads should be rolling around the Chamber. Given that those powers exist, if that principle is applied to private Bills, as it may be applied to certain limited areas of public Bills, it might be a way of ensuring that the assembly can deal with certain matters without having to take up the time of Parliament on them. A range of issues arise and it is ridiculous that they become centralised to Westminster and take up the time of the House of Commons.

In drawing up the new clause, the Government may bear that in mind and give the assembly the flexibility to get on with scrutinising and deciding on some local matters, without every single one having to come through Westminster. That would accord with the general tenor of the Secretary of State's approach to other aspects of the Bill. I hope that the Government will move in that direction at the appropriate time.

Mr. Ron Davies: I shall reflect on the points that the right hon. Gentleman has made. The Henry VIII powers to which he refers apply only to specified legislation that is stipulated in the Bill. I have listened carefully to the right hon. Gentleman's comments and, on the basis of our dialogue, I hope that he will withdraw his new clause and give the Government the opportunity to reflect on his case.

Mr. Wigley: I intend to do precisely that. We look forward to seeing the wording of the amendment or new clause that the Government will propose at the appropriate time. No doubt we shall return to our discussion of the detailed questions then.

Although the Henry VIII powers apply to specific legislation, the powers of clause 141 are fairly broad with regard to existing legislation to the extent that they impact on certain matters dealt with in the Bill. Flexibility along those lines would be helpful not only to the assembly but to successive Governments in this place. The ultimate control of granting an order to facilitate matters may rest with Governments in Westminster. There is no question of the assembly's marching away with those powers, but it should have the flexibility to ensure that matters are dealt with reasonably in Wales rather than centralised in Westminster. On that basis, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

The First Deputy Chairman: We now come to new clause 11. Who will move it?

New clause 11

POWER TO CONDUCT REFERENDA

'.—The Assembly may conduct a referendum in Wales on any matter affecting Wales.'.—*[Mr. Dafis.]*

Brought up, and read the First time.

5 pm

Mr. Dafis: I beg to move, That the clause be read a Second time.

Thank you for your patience, Mr. Martin. This new clause concerns the power of the assembly to hold referendums. I want to probe whether the assembly will have that power—I certainly believe that it should and I believe that the absence of primary legislative powers strengthens our case.

The power exists already at varying levels of government. Parliament has the power to hold a referendum after it has passed an Act specifically for that purpose. The Scottish Parliament will also be able to do that as it will have primary legislative powers. At the bottom level of government, schedule 12, part IV of the Local Government Act 1972 confers the power to hold community polls on any question to be decided at a community meeting if the chair of the meeting consents and if the poll is demanded by at least 10 local government electors present at the meeting, or by at least a third of local government electors present at the meeting. That power exists at the basis of government at the community level.

The power of unitary or county councils to hold referendums is more ambiguous. However, section 141 of the 1972 Act allows those bodies to conduct an investigation and collect information concerning the county or any part of it. I am told that that could involve holding a countywide poll in certain circumstances. A parallel power in Scotland enabled Strathclyde regional council to conduct a referendum in March 1994 on the Government's proposals for the water industry in Scotland. That referendum was influential in the debate about whether the Scottish water industry should be privatised.

I believe that the national assembly should be given this power unambiguously—although it might not use it and, if it did, it would be used sparingly. It could be particularly useful in the kind of circumstances that arose in Scotland—if a future Government tried to impose upon Wales a set of policies that were unacceptable to Wales, which is not unheard of in Welsh history. For example, a future Government might wish to impose selection in the school system. We are currently debating education legislation that does that to a limited degree: it allows schools to apply to select pupils for certain subjects on the basis of aptitude. A future Government might introduce far more sweeping selection proposals.

If the national assembly could not prevent the introduction of such policies through secondary legislation—it might not be able to do that because of the way in which the legislation is designed—it might express its objections. Although the Government should take the assembly's views into account, they might decide to override them. The Secretary of State of the day could claim to have public opinion on his or her side—it would not be the first time that politicians have claimed to speak for the people; they have an unpleasant tendency to do that. Even my colleagues are sometimes guilty of claiming to speak for the community at large.

If a Secretary of State did that, a referendum would settle the argument by revealing the people's views. It would be a powerful tool for the assembly in establishing that it had a democratic mandate beyond that which it was given initially through the electoral process. I believe that the assembly should have that kind of power.

Mr. Evans: I can understand why the hon. Member for Ceredigion (Mr. Dafis) was rather reluctant to move new clause 11—particularly in light of what happened the last time there was a referendum in Wales. I am surprised and shocked that the hon. Gentleman is even considering using the referendum process as a device for testing public opinion. The last experience was not a tremendous or a ringing success, with only 50.1 per cent. of electors voting in that referendum.

The hon. Gentleman has said that new clause 11 is probing and is designed to determine whether the assembly will be able to instruct that a referendum be held in Wales. In light of all the evidence that the hon. Gentleman produced in the local sphere, I suspect that the assembly will have that power. It will be interesting to see whether the Welsh assembly will be able to instruct that a referendum be held in Wales on a constitutional question. Will the Secretary of State respond to that issue? Does he believe that the assembly will have the power to hold a referendum in any event?

The hon. Gentleman said that he thought that the power would be used sparingly—I suspect that that is because referendums are very expensive. We must also consider voter fatigue and the fact that electors do not like being asked to vote constantly. Under devolution, we are establishing an assembly with 60 politicians who will represent Welsh constituencies and regions. They will consider carefully events in Wales and will speak on behalf of Wales in that body. A referendum would devolve power away from the assembly to individuals. I suspect that the proposal is a product of new Plaid Cymru or Plaid Cymru Newydd—I know that the hon. Gentleman and his colleagues are having problems deciding what to call their party.

If the assembly has the power to instruct that referendums be held, could Parliament instruct that those referendums be conducted following certain guidelines? For instance, Newport council has been criticised for spending £8,000 of taxpayers' money during the Welsh devolution referendum campaign on a leaflet publicising the yes vote. The Government have claimed that no taxpayers' money will be used to promote a particular side in a referendum campaign. However, I have reservations about copies of the White Paper that were sent to every letterbox in Wales, and I suspect that taxpayers' money was used to promote that case. Local authorities should not have the power to issue propaganda that is paid for with taxpayers' money from a very limited budget and delivered to every house in the area. It should be established at the outset that that should not occur.

Perhaps referendums will be used to sort out problems between the Secretary of State for Wales and the First Secretary of the assembly, both of whom might say that they speak on behalf of Wales. If they are not one and the

[Mr. Evans]

same person—they might be because of Cabinet responsibility—a referendum might be used as a device, whereby the First Secretary will say, "I am speaking for Wales, and I shall hold a referendum to prove that that is the case," against the policy of the Government of the day.

Referendums might also be used to trample the wishes of minorities. We saw a fine example yesterday with the march through London, in which the Secretary of State for Wales did not take part; he said that he had better things to do on a Sunday than to march with rural people. Will minorities be protected to ensure that they are not trampled as a result of the wishes of the majority on country pursuits, including angling? Backed by a referendum, the majority might say that it should not take place in Wales.

Referendums on Sunday closing used to be held regularly in parts of Wales. I think that only one part of Wales is dry on a Sunday, but I might be wrong. One area held out rigidly. Perhaps referendums will be held in parts of Wales. If the previous referendum in Wales proved anything, it was that 11 areas of Wales were in favour of devolution and 11 areas were against.

The other important aspect is whether the assembly will have direct tax-raising powers. We know from earlier debates in Committee that the Liberal Democrats are not in favour of such a referendum. In fact, they tabled an amendment and said that they were not interested in another referendum in Wales. They thought that the assembly would be sensible enough to know when it was appropriate to use its tax-raising powers, without consulting the Welsh people. That is completely wrong.

Scotland held a referendum on a Parliament and on whether it should have tax-varying powers. The electorate chose to have a Parliament and, to a lesser extent, but with a majority, for it to have such powers. In Wales, the referendum was on the establishment of an assembly without any tax-raising powers whatever. It would be completely wrong not to have a referendum to establish whether it should. I give a commitment to the Secretary of State and to the people of Wales that under no circumstances would tax-raising powers ever be introduced for an assembly in Wales by a future Conservative Government without the Welsh people stating that that is exactly what they wish.

Mr. Richard Livsey (Brecon and Radnorshire): I apologise for my absence at the start of the debate. My train should have arrived at 2.20 pm, but because of the railways policy of the previous Government—now the official Opposition—it arrived at 4.45 pm, so I deserve an official apology from them. This is an extraordinary state of affairs.

The hon. Member for Ribble Valley (Mr. Evans) did not make in his recycled speech what I would describe as substantial points.

Mr. Dominic Grieve (Beaconsfield): I have to interrupt the hon. Gentleman. I seem to remember—he belongs to the same profession as me—being reminded during the early days of my career, "You shall take the train you need before the train you need to get to the court on time."

Mr. Livsey: I shall not be diverted. The fact that the train was one and a half hours late speaks for itself.

The new clause is an important aspect of the possibility of giving the assembly powers that could be useful. The hon. Member for Ribble Valley referred to the Sunday closing referendums that we used to have in Wales. We recognise that the clause on referendums applies only to secondary legislation; the assembly does not have the ability to make primary legislation. The assembly might seek a view on primary legislation to represent to Parliament. Parliament might wish to grant tax-varying powers to the assembly if that were the wish of the people of Wales. Westminster might enact primary legislation for that to occur. Is such a referendum possible?

What provision is there to implement legislation that follows a referendum? If the Welsh voted overwhelmingly in favour of tax-varying powers, would Westminster have any power to implement such legislation?

5.15 pm

There are other areas where referendums would be of great use in Wales. Perhaps county councils—particularly in the present climate with regard to the countryside—could be enabled to expand their smallholding schemes. It might involve enabling county councils to get hold of more capital to carry out such a policy. Would such a referendum be possible within a county in Wales, supported by the assembly? There are many issues where referendums could be useful. I, too, was on the countryside march yesterday, and proud of it.

Mr. Letwin: I shall, if I may, intrude a little further on the Secretary of State's good will and press slightly further the point raised by the hon. Member for Ceredigion (Mr. Dafis), who asked whether the Welsh assembly would have the power to conduct referendums in the absence of the new clause.

I draw the Secretary of State's attention to clause 39, in which we are told that the assembly may do anything that is calculated to facilitate or is

"conducive or incidental to the exercise of any of its functions."

Does clause 39 give the assembly the power to hold referendums? If it does not, it would be extremely interesting to know whether that is because of the disconnection between a referendum and the functions of the assembly, or whether it is because the holding of a referendum could not be regarded as calculated to facilitate such functions. In other words, is the problem that a referendum might not be connected with the functions allocated in the Bill? Or could a referendum be construed as not facilitating those functions? If the answer is the second rather than the first, there could be forms of referendum that would be legitimate under the Bill as drafted, whereas other forms might not be. It would help the Committee to know, as we have not enlarged sufficiently in Committee on the general scope of the powers in clause 39.

Mr. Gareth Thomas (Clwyd, West): I speak in opposition to the new clause. It is extraordinarily vague and has the potential for great confusion, disruption and mischief-making. It is not circumscribed in any way. *[Interruption.]*

Mr. Ron Davies: I am grateful for the robust defence of the Government's position, but I should tell

my hon. Friend that our position is flexible on this matter. He should not dig a deep hole for me, which I might find it difficult to get out of.

Mr. Thomas: If my right hon. Friend had contained himself, I would have gone on to enlighten him, by explaining why I regard the new clause, as drafted, to be extraordinarily vague. It refers simply to an ability for the assembly to

"conduct a referendum . . . on any matter affecting Wales."

That ability is not circumscribed and is not confined to secondary legislation within the areas of government devolved to the assembly. This is an extraordinary omission.

As the new clause stands, it raises several crucial questions. The clause makes no reference to what rules should apply in relation to how the referendums should be conducted or to who will pay for them. It fails to take account of the important issue that the raison d'être for an assembly is to give Wales an elected voice through that assembly and through its elected representatives. Any attempt to use such a device as is proposed too speedily would, in my view, undermine the principle behind the assembly. That is why I object to the new clause.

Mr. Grieve: Will the hon. Gentleman give way?

Mr. Thomas: I have finished speaking.

Mr. Ron Davies: I am grateful to my hon. Friend the Member for Clwyd, West (Mr. Thomas) for making, as he normally does, a forthright and vigorous defence of the Government's position. It was a particularly well-considered speech.

I wish to express my disappointment. I had hoped that the hon. Member for Ribble Valley (Mr. Evans) had learned something over the past couple of weeks. For the first one and a half hours of the debate the hon. Gentleman was the model of circumspection—he was considered and well researched and it was a pleasure to listen to him—but then he degenerated into his old diatribe, which we have heard time after time. At the end of it, I was not sure whether he was speaking in favour of the new clause or against it.

It is worth reminding the Committee that new clause 11 is very brief. It reads:

"The Assembly may conduct a referendum in Wales on any matter affecting Wales."

The contribution of the hon. Member for Ribble Valley was astonishing. He talked about fox hunting, local councils, Parliament instructing the assembly and taxing powers. I am rather surprised that he did not suggest that we should have a referendum on the right to roam. If anyone wants the right to roam enshrined in legislation, it would seem to be the hon. Gentleman, having roamed all over the place. He made no reference to the new clause.

I wish to put one point to the hon. Gentleman forcefully. He reverted to type and talked about the referendum of 18 September, which the people of Wales won and which embarked us on this course of legislation. It was, of course, a consultative referendum. If the hon. Gentleman wishes to pursue the matter, let me remind him that the House of Commons voted by a majority of 231 on Second Reading to endorse the proposed legislation. That is what has given the present process of legislation real authority. We had an advisory referendum and the Bill has the vigorous, whole-hearted and full endorsement of the House of Commons.

I hope that the hon. Gentleman will put aside, as he managed to do for the first one and a half hours this evening, all his worst prejudices against the people of Wales. I hope that he will accept—I know that the right hon. Member for Devizes (Mr. Ancram) would be the first to do so—and acknowledge how reasonable the Government are on these matters, and how flexible and emollient we are when the Opposition make any reasonable suggestion, whether it comes from the Liberal Democrats, Plaid Cymru or even the Conservatives. If there is a shred of substance or rationality in proposed amendments, I am prepared to consider them.

I hope that the right hon. Member for Devizes will persuade his hon. Friend to acknowledge that the Government are exercising discretion and operating in the most delicate way possible in embarking on this process of legislation.

Mr. Evans: That is, of course, entirely in character with the way in which the Secretary of State conducts himself in the House of Commons. I was trying to be as reasonable as I possibly could in speaking to the new clause. However, I believe that the assembly would have the power itself to conduct a referendum. That is why I asked several questions, especially on constitutional matters. I am merely stating—it is a clear fact, irrespective of how we wish to rewrite history—that the most recent referendum held in Wales was not a great success, with only 50 per cent. of the people turning out.

Mr. Davies: The hon. Gentleman may believe that the Bill empowers the assembly. He will forgive me if I choose to rely on advice other than that which comes from the Opposition Dispatch Box, from the hon. Gentleman.

The hon. Gentleman's point was taken up by the hon. Member for West Dorset (Mr. Letwin), whose contribution I shall refer to before I take up the remarks of the hon. Member for Ceredigion (Mr. Dafis), who introduced the new clause. I refer the hon. Member for West Dorset to my reply to a previous debate, during which a similar question was asked. The assembly is a creature of statute. Unless power is spelt out in the founding, primary legislation, there must be a question whether that power can be properly exercised. That is my answer to the hon. Gentleman.

The hon. Member for West Dorset asked about the general power that exists in clause 39. It may well be that that clause could be used if the referendum being proposed was in pursuance of other powers that the assembly was exercising. There is some doubt whether clause 39 would provide the authority for a referendum to be held, if it were being held on a matter not in pursuance of other powers that the assembly was implementing. I hope that the hon. Gentleman will accept that there is doubt whether at present the assembly has such power.

I return to the hon. Member for Ceredigion. I do not want to give a commitment at this stage to return with a Government amendment relating to the new clause. However, the hon. Gentleman has raised a serious issue and I would like to examine further the points raised by the new clause.

[Mr. Davies]

I have a number of concerns about the proposal that is at present before the Committee in the form of the clause. First, the clause does not make clear what electoral rules would apply for any referendum. The Government are determined to ensure that whenever a referendum is held, the rules are laid down clearly by the House of Commons and that they are followed scrupulously by the various electoral officers who are appointed to undertake the task. I want to ensure that any amendment that the Government were minded to bring forward would make clear what electoral rules would apply for any such referendums.

The referendums that have been held in the United Kingdom on several occasions over the past 25 years have been authorised by an Act of Parliament, as was the case last year, which led to the Referendums (Scotland and Wales) Act 1997. If the assembly were to have a power to conduct referendums in Wales, it would need to be constructed in such a way that it did not involve a power to make primary legislation. Paragraph 34 of schedule 12 to the Local Government Act 1972—the point raised by the hon. Member for Ceredigion about community polls in Wales—may be a precedent. That is one of the matters to which I want to give further consideration.

Finally, any explicit power for the assembly to conduct referendums would have to be limited in some way to its range of responsibilities and make it clear that the assembly would meet the cost of holding them.

I repeat that I cannot give a commitment—

Mr. Evans: The Secretary of State has just made the important point that the assembly would not be able to instruct that a referendum be held on an issue involving primary legislation. What would be the position if it were to have an advisory referendum as opposed to one involving primary legislation directly—that is, if it did not have that power anyway—and decided that it wished to have one on the independence of Wales, for instance? Would it be able to do that?

Mr. Davies: With respect, the hon. Gentleman has missed my point. I was saying that referendums that have been held previously have been the result of primary legislation that has passed through this Parliament. If the assembly were to have a power to conduct a referendum, it would need to be constructed in such a way that it was not seen to be itself exercising a power which was similar to primary legislation. It is the process by which the referendum is authorised that is of concern, and not so much the question that would form the matter for public debate. I hope that that deals with the hon. Gentleman's point.

Mr. Ancram: Under the Bill as it stands, or under any amendment that the Secretary of State might table, would the Welsh assembly be able to instruct that a referendum be held on whether Wales should become independent or remain within the United Kingdom? Because of the reserved nature of constitutional matters in Scotland, there is genuine doubt about whether the Scottish Parliament would have such a power.

Mr. Davies: There is no doubt in my mind that the Bill as drafted does not give the assembly authority to hold referendums, which is why I shall consider the point raised by the hon. Member for Ceredigion. I cannot give the right hon. Gentleman a precise answer, because this is not a Government amendment and I am not proposing such a power.

5.30 pm

Mr. Ancram: Will the Secretary of State write to me on the matter?

Mr. Davies: If I do not table an amendment, I shall certainly write to the right hon. Gentleman. However, if we decided not to table an amendment, it would not be necessary to clarify the position because there would be no opportunity to hold referendums.

The principle must be that any referendum would have to be properly authorised and on a matter for which the assembly was responsible. If we were to go down that path and the Government were to propose such a power, there should be a debate about the matters on which the assembly should have the authority to hold referendums.

Mr. Letwin: Earlier, the Secretary of State mentioned the promotion of private Bills. Would any amendment that he tabled give the assembly the right to hold a referendum on its proposed promotion of such a Bill?

Mr. Davies: I gave way to the hon. Gentleman to enable me to reply to a point that he made in that previous debate. I wrote to him on 26 January and 19 February, giving detailed answers to questions that he had asked. I hope that he will put the record straight and acknowledge that my civil servants and I have been diligent and forthright in answering the questions that he has quite properly asked.

Mr. Letwin: I referred not to those illuminating letters, for which I am duly grateful and to which we might return on Report, but to Wednesday's debates on the Welsh Development Agency. The Secretary of State said that if he was mistaken in what he was telling me, he would write to me. Subsequent researches have shown that he was mistaken, and I hope that he will write to me.

Mr. Davies: If I undertook to write to the hon. Gentleman if I was mistaken, I shall do so, but I find such circumstances difficult to conceive. Nevertheless, I shall allow for the possibility and assure the hon. Gentleman that if I have made a promise, I shall keep it.

The hon. Gentleman should not interpret my remarks as a commitment to table an amendment allowing for referendums to be held. I shall consider such a provision, but I specifically said that I am not giving any commitment. However, he made a fair point: if the assembly were to promote a private Bill, I should have thought that it would want to ensure that there was wide support for the measure. The assembly might decide that there should be a referendum on a private Bill, but that is a matter for the assembly. It is not for me to speculate on how the assembly would use its powers to hold a referendum or to promote private legislation, should it be given them. Such matters will have to be considered some way down the road.

I repeat that I am not giving a commitment to table a Government amendment. However, I want further to consider those serious questions, and hope that the motion will be withdrawn.

Mr. Dafis: The debate has been useful and I am grateful to the Secretary of State for his responses.

I must place on record my undying and profound admiration for the hon. Member for Ribble Valley (Mr. Evans), who is exceptionally skilled in flogging a dead horse. I am not sure whether his skills are becoming more or less admirable, but he seems to have an unending capacity in this regard. He also has a remarkable ability for losing track of the substance discussion. My special skill is mixing metaphors, but we shall leave that matter to one side.

The hon. Member for Clwyd, West (Mr. Thomas) questioned the appropriateness of referendums for making decisions. That is not what the debate is about: the question is whether the National Assembly for Wales should have such powers. Local bodies and bodies with responsibility for national legislation have such powers, so it would be wrong for the assembly to be unable to resort to referendums, should it wish to do so.

I am glad that the Secretary of State will consider these matters further, and I urge him to do so. I had not envisaged the assembly holding referendums on major constitutional issues. The power should be used sparingly and only when necessary, to ensure that policies that it had advocated were acceptable in Wales and were strengthened by a democratic mandate.

We have some confidence that the Secretary of State will bring forward a proposal. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 12

ADVICE FROM UNITED KINGDOM GOVERNMENT STAFF

'.—(1) A member of the executive committee may request advice from staff of United Kingdom government departments and other public bodies in cases where the member considers that this would assist him in the carrying out of his duties under this Act.

(2) The Assembly and the Cabinet Office shall draw up a concordat governing arrangements for staff of United Kingdom government departments and other public bodies to respond to requests made under subsection (1).'.—*[Mr. Wigley.]*

Brought up, and read the First time.

Mr. Wigley: I beg to move, That the clause be read a Second time.

The new clause deals with the important matter of the right of members of the Executive Committee of the assembly to obtain advice from staff of United Kingdom Government Departments, or other public bodies, on matters that are relevant to their functions. Existing, and particularly proposed, legislation on subjects whose executive and administrative dimensions have been devolved will have implications for Wales. A member of the Executive Committee who is in charge of, for example, education or health in Wales might need advice from UK governmental staff in London who are drawing up legislation that affects Wales.

Mr. Denzil Davies: I am interested in the right hon. Gentleman's reference to UK Government Departments. He also mentioned education and health. As I understand it, no UK Government Departments will cover education and health in Wales.

Mr. Wigley: The right hon. Gentleman may want to move an amendment on Report to deal with that matter if the new clause is agreed to. As he well knows, legislation dealing with education in Wales will be passed at Westminster, not in our National Assembly for Wales. However, a member of the Executive Committee of the assembly will be responsible for the implementation of such legislation in Wales. Particular circumstances in Wales may bear on the framing, content and implementation of such legislation.

I accept that the new clause may be defective because it refers to Government Departments, but it is a probing amendment. We are trying to establish whether the right to advice exists. I hope that the Secretary of State will be able to confirm that such a right exists, or that, if it does not, a provision along the lines of my new clause is needed. If it would better meet the requirements of the right hon. Member for Llanelli (Mr. Davies), a new clause could be tabled, worded differently from mine but at least going in the same direction.

The Bill needs to be clear. Those charged with making decisions in the Cardiff Executive need to know where they stand. The door needs to be open. Subsection (2) of the new clause provides for the drawing up of "a concordat governing arrangements" for that approach to be possible. The concordat is necessary, for the simple reason that there may be an Executive in Cardiff of one political persuasion, and a Government in London of another political persuasion.

Mr. Denzil Davies: That is devolution. The right hon. Gentleman wants devolution and a unitary state at the same time.

Mr. Wigley: This particular Member of Parliament would be very happy for all the law-making powers to be in our own national assembly in Cardiff, where the problem would not arise. The problem arises because of the split function, and the need to ensure that those in charge of framing legislation have some interface with those who must act on the implications of the legislation. My party would be very happy for the assembly to have the full powers available to the Scottish Parliament to make its own laws on, for instance, education, without having to come to Westminster; but that is not what we are discussing. The new clause tries to deal with the difficulty that may arise because of the split function.

We need a concordat of some kind, although whether it is enshrined in legislation may be another issue. We need ground rules to ensure that those who, from May 1999 onwards, will be carrying out their new responsibilities in the assembly know exactly what they can and cannot do. We do not want their route to be blocked by certain political considerations at Westminster. We want certain rights to be embedded in primary legislation—rights on which they can fall back when necessary.

Mr. Denzil Davies: I will speak briefly. The right hon. Member for Caernarfon (Mr. Wigley) became more and more confused as his speech went on—

Mr. Wigley: Rubbish.

Mr. Davies: That is the kind of reaction that we receive from members of Plaid Cymru—is it still Plaid Cymru?—when we criticise them.

[Mr. Davies]

The right hon. Gentleman mentioned a split function. There is no split function; there are two separate functions. The right hon. Gentleman is talking about the function of the assembly, and the function of United Kingdom Departments. The Treasury, the Foreign Office, the Home Office, the Department of Social Security, the Department for Education and Employment and the Ministry of Defence will be involved, but I can think of no other functions that will be carried out on a United Kingdom basis.

That goes to the heart of the problem. The right hon. Gentleman says that it is just a matter of drafting, but drafting often shows up defective thinking, and in this instance there has certainly been defective thinking. There is no reason why the assembly should go to United Kingdom Departments for advice. It can go to the Secretary of State for Wales, who presumably is considered to come within the ambit of the phrase "United Kingdom government departments". After all, he will have nothing much else to do.

Mr. Wigley: I should have thought that it was fairly clear that the Welsh Office is a UK Department for this purpose. The new clause covers the Secretary of State for Wales, but it also covers other Departments. It includes the Treasury—with which a link may well be needed—as well as Departments such as the Department for Culture, Media and Sport. When it comes to national heritage, the relationship between UK and Welsh responsibilities is very unclear.

Mr. Davies: Why on earth should a member of the Welsh assembly be able to demand advice from Her Majesty's Treasury about UK matters? I understand the point about the Secretary of State for Wales. I would not object if the new clause said that a member of the Executive Committee could request advice from staff of the Secretary of State for Wales—although he may not have staff—because, as a member of the Cabinet, he can presumably ask other Departments what effect this or that legislation will have on Wales.

It is being suggested, however, that a member of the assembly should be able to roam around under powers not available to Members of Parliament. I am not in favour of the Official Secrets Act, but it exists. Will members of the assembly sign it when they ask for information? Not only is the new clause misconceived: it shows how much confusion there is.

Subsection (2) asks for a concordat. Apparently, there are to be concordats in any event, because there is a real problem. Perhaps, when he responds to—and, I hope, rejects—this rather silly new clause, my right hon. Friend the Secretary of State will tell us when we shall see those concordats. Will they appear before Third Reading? My right hon. Friend indicates that that is possible. How will we be able to debate them, and with whom will they be drawn up? I cannot imagine that the assembly and the Cabinet Office will have their own little concordat. I do not see where the Cabinet Office comes into it.

5.45 pm

Mr. Wigley: May I press the right hon. Gentleman, to ensure that I fully understand his objection? Does he object to the fact that we refer to a member of the Executive Committee? Does he assume that there would be some links on a civil service level between those serving the Executive in Cardiff and civil servants here, given that we have a unified civil service?

Mr. Davies: That is not what the new clause says.

Mr. Wigley: I asked the right hon. Gentleman a question.

Mr. Davies: There is not much point in the right hon. Gentleman asking me. We are debating his new clause, and his new clause says that a Member of the Assembly—an elected Member, albeit a member of the Executive—can roam around Departments and ask civil servants for advice. It goes on to ask for a concordat to ensure that that happens. It makes no sense.

I do not want to go on about the drafting, but subsection (2) also refers to public bodies. Who are those public bodies? Again, Members of the Assembly can roam around and ask them questions. Does that apply to all public bodies? The new clause is wholly misconceived, but that is not the point; the point is that there is complete confusion in the right hon. Gentleman's mind—and, indeed, in his party.

Mr. Livsey: We support the new clause. The right hon. Member for Llanelli (Mr. Davies) seems almost to be asking whether there is a right to roam among civil servants, but I do not think that that is the context in which the new clause was tabled. I believe that it would give access to UK civil service expertise in regard to, for instance, important Ministry of Defence issues. There is a danger that a camp may be closed in my constituency, which would have a considerable impact on employment in the area. I am curtailing my speech, but I think that Members of the Assembly should have access to expertise on such matters.

Mr. Evans: I, too will speak briefly.

The right hon. Member for Caernarfon (Mr. Wigley) referred to the Executive sitting in Cardiff. I am not sure whether such a decision has been made. Presumably that was a Freudian slip, unless there is something going on which we have not yet been told.

Will the Secretary of State clarify the relationship that will exist between his Department, with its own civil service, and the assembly? Obviously, members of the assembly's Executive will make policy at a secondary level, but I suspect that they will want to have constant discussions with the Secretary of State. During our debates, we have been led to believe that there is a great hope that the assembly and the Secretary of State—irrespective of the political colours under which they happen to be flying—will work together in the best interests of the people of Wales. Perhaps he will put some flesh on the bones of the matter to show exactly what the Secretary of State will do after devolution. I suspect that much of his work will be negotiation and consultation with the assembly. Plaid Cymru is trying to have its cake and eat it. It wants the best of both worlds.

Mr. Ron Davies: My right hon. Friend the Member for Llanelli (Mr. Davies) was absolutely right in his critique of the new clause. The right hon. Member for Caernarfon

(Mr. Wigley) said that there should be consultation between the assembly and Whitehall Departments, but his new clause refers to a

"member of the executive committee",

and that is its weakness.

The hon. Member for Ribble Valley (Mr. Evans) spoke about relationships. Obviously, there will have to be a close working relationship between the Secretary of State and his Department and the assembly. The better, closer and more clearly defined that relationship is, the better will be the government of Wales. I cannot pretend that in my inside pocket I have a list of do's and don'ts or prescriptions or rules that will apply to ensure that relationship. However, the holder of my office when the assembly is in being will realise that there is a heavy responsibility to ensure that the relationship operates as effectively as possible. I shall write to the hon. Member for Ribble Valley if he requires further information.

I understand why the right hon. Member for Caernarfon moved the new clause, but, as I have said, it is defective and does not seem to achieve what he wants. However, it is right to explore the nature of the relationship between the assembly and Whitehall Departments. It is important to remember that the Welsh Office does not operate in isolation from the rest of Government. There was discussion about the continuing role of the Department for Education and Employment and the Health Department. The assembly will derive its changing powers to operate under secondary legislation from the nature of primary legislation that has been passed by Parliament.

It is important that the desires of the assembly should be transmitted to people in Departments that are responsible for drafting legislation to facilitate the assembly's work. There will certainly be a need for a continuing relationship not only on the non-devolved matters that my right hon. Friend the Member for Llanelli spoke about—he mentioned the Home Office, the Treasury and the Ministry of Defence—but on devolved matters. At the moment, departmental work proceeds smoothly because information and professional advice are shared, and policies and secondary legislation are developed in consultation within Government. It is a two-way process.

The assembly will want a framework of liaison arrangements with relevant Departments, and they will be based on the existing positive relationships between civil servants in the Welsh Office and their counterparts in other Departments. Of course, those are relationships between civil servants and not between Executive Committee members or assembly Secretaries. The Government concluded that that relationship is best provided by a series of non-statutory concordats, whose nature has already been debated. My right hon. Friend the Member for Llanelli spoke about those.

It is most unlikely that the concordats will be available before Third Reading, but my right hon. Friend will know, and other hon. Members may be interested to know, that I published on Friday a statement of the principles for drawing up concordats. Copies have been placed in the Library. Hon. Members who wish to get a feel of the Government's thinking on the matter should study that document, which consists of two and a half pages. It could not be classified as a ripping good yarn, but it is worth reading.

It will be for the assembly to agree the concordats. In the meantime, we shall work up drafts based on the principle of providing the assembly and Whitehall Departments with the confidence that working relationships will be conducted properly and in accordance with agreed processes such as adequate consultation, and will avoid constraining either the assembly or Whitehall Departments in their fields of competence.

Mr. Wigley: Perhaps I could be clear. Is the Minister saying that the non-statutory concordats that may be developed will enshrine a right to ask for advice at civil servant level from Departments other than the Welsh Office if those Departments are in charge of drawing up legislation that may affect Wales? May I take it that that right would not be unreasonably refused?

Mr. Davies: As I have said, it will be for the assembly to agree the concordats, so I cannot give the right hon. Gentleman a categorical assurance about a right. I cannot bind the Government or the assembly on that, but I can make it clear that we shall certainly work up the drafts of the principles.

There must obviously be proper working relationships, and they require an exchange of ideas and information. While I cannot say to the right hon. Gentleman that rights will be enshrined in the concordats, which will be non-statutory, I can assure him that the Government wish to make sure that the concordats provide the necessary framework for consultation between the Government and the assembly.

Mr. Ancram: Last week, the Secretary of State answered a question on concordats and set out the basis on which they would operate. Am I right in thinking that they will not come before Parliament or, indeed, the assembly for debate?

Mr. Davies: We discussed those matters in some detail in earlier proceedings. The concordats will be non-statutory, and they will not be finalised until the assembly is established. As I have said, it will be a matter for the assembly and the Government of the day to decide how those matters are to be presented to Parliament. That is not to say that they will be presented to the House. The concordats will be agreements between the Government and the assembly and will not have any legislative force as a result of measures that have been passed by Parliament. I should be happy to discuss the matter.

Mr. Denzil Davies: Will the Minister give way?

Mr. Ron Davies: As my right hon. Friend knows, the knife is about to fall, but I shall give way briefly.

Mr. Denzil Davies: Will there be separate concordats for each Department or will there be one giant concordat?

Mr. Ron Davies: Just as there will be not one giant dome but a dome with a baby, so there will not be one giant concordat. I am not promising baby concordats, but there will be a concordat for each Department. We have already explored the matter. The working relationship between the assembly and the Ministry of Agriculture, Fisheries and Food will be close, and, because of the

[Mr. Ron Davies]

European dimension, it will be important. The concordat for that Ministry will be different from those for other Departments in which the assembly's involvement will be less. There will be a series of concordats.

I take direct advice on only a few matters from officials in other Departments. We debated forestry policy earlier, and that is a good example, because on that I am advised directly by officials from the Forestry Commission, which is a public body. Of course, I also receive advice from my own officials.

The new clause provides for almost unfettered rights for assembly Secretaries to request advice from officials in any Government Department or public body. That goes far beyond current practice, and risks placing unreasonable work loads on officials in those Departments without any constraints on cost, time or good working practice. On that basis, we cannot accept the new clause as drafted. However, where appropriate, the relevant concordat will provide for assembly Secretaries to have access to advice on the basis on which I have access now, but it will be via civil servants of the assembly. It will be for them to have relationships via the concordats with Whitehall Departments before feeding the information to the assembly Secretaries.

I hope that the right hon. Member for Caernarfon—having initiated the probing debate that he wanted—has been satisfied by that response. I invite him to withdraw new clause 12.

Mr. Wigley: I am grateful to the Secretary of State for that response. Obviously, we will have to wait to see the detail of those concordats before we can reach any firm conclusion on them. However, I am glad that this short debate has facilitated an opportunity for the Committee to give some attention to the matter, and for the right hon. Member for Llanelli (Mr. Davies) to ask questions which were clearly worrying him on a matter that would not have been dealt with otherwise in our debates.

On that basis, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 14

CONSULTATION WITH BUSINESSES

'.—(1) The Assembly shall make a scheme (referred to in the Act as the business scheme) setting out how the Assembly proposes, in the exercise of its functions, to sustain and promote business in Wales.

(2) The Assembly shall consult with such businesses and business organisations in Wales as it considers appropriate before making, remaking or revising the scheme and in making, remaking or revising the scheme the Assembly shall have regard to any advice which has been given and to any representations which have been made to the Assembly by businesses and business organisations in Wales.

(3) In determining at any time the provisions to be included in the scheme the Assembly shall consider how it intends to exercise such of its functions as relate to matters affecting, or of concern to, business in Wales.

(4) The scheme shall specify—

(a) how the Assembly proposes to consult business and business organizations in Wales about the exercise of such of its functions as relate to matters affecting or of concern to such businesses and organizations, and

(b) how the Assembly proposes to monitor the extent to which any proposed subordinate legislation is consistent with sustaining or promoting business in Wales and the extent to which it imposes obligations or costs on businesses in Wales.

(5) The Assembly shall keep the scheme under review and in the year following each ordinary election shall consider whether it should be remade or revised.

(6) The Assembly shall publish the scheme when first made and whenever subsequently remade and, if the scheme is revised without being remade shall publish either the revisions or the scheme as revised (as it considers appropriate).

(7) After each financial year of the Assembly, the Assembly shall publish a report of how its proposals as specified in the scheme are implemented in that financial year.'.—*[Ms Lawrence.]*

Brought up, and read the First time.

6 pm

Ms Jackie Lawrence (Preseli Pembrokeshire): I beg to move, That the clause be read a Second time.

New clause 14 would require the assembly to establish a scheme stating its proposals on sustaining and promoting business in Wales. From the commencement of our debates on the Bill, and following publication of the White Paper, the Secretary of State has maintained that the legislation is built around partnership and inclusivity. In clause 64, the Bill is already innovative in stating a commitment to consult business in Wales, which has not previously been consulted. The new clause attempts to recognise that innovation, but goes a little further and gives business interests parity with the interests of both local government and the voluntary sector, which are already more comprehensively provided for in clauses 110 and 111.

The proposals in the new clause attempt to establish a proactive approach in the relationship between the assembly and the business sector, rather than a merely reactive approach by the assembly, which might have a knock-on effect on the Welsh business sector.

I have determined from my discussions with businesses in my constituency that there is widespread support for the Bill's proposals requiring the assembly to assess the cost implications for business of any proposed regulations and to consider businesses' views. There is widespread support also for a strategic approach to economic development in Wales—via the new Welsh Development Agency—by establishing links with the four economic forums, by placing renewed emphasis on indigenous businesses and, therefore, by implication, by placing emphasis on sustainable development.

The Federation of Small Businesses has stated that there are 3.45 million small and medium-sized enterprises across the United Kingdom, and that if the economic climate enabled each of them to take on one more employee, there would be no unemployment in the UK. UK-wide, 80 per cent. of jobs are provided by companies employing fewer than 20 people. In my constituency, that percentage is even higher.

In the spirit of the partnership and inclusivity promised by the Secretary of State, the views of SMEs must be heard and listened to if we are to make real progress in the battle to improve gross domestic product in Wales. Within the framework of the national assembly, there must be a recognition of the role of business in that process. Every effort must be made to improve Wales's ability to produce competitive goods and services.

The assembly's economic structures and policies must promote Welsh business as the basis of improving the standard of living of everyone—not only selected parts of Wales.

Establishing in the Bill a scheme specifying plans to promote and maintain Welsh business will give Welsh business parity with local government and the voluntary sector. Clauses 110, 111 and 33, for example, provide for the assembly—quite rightly—to create a scheme to sustain and promote local government in Wales, to promote the interests of the voluntary sector and to support cultural aspects of Welsh life. However, it is equally right that similar arrangements should be made to promote the interests of businesses in Wales, on which the vitality of the Welsh economy ultimately depends. New clause 14 would meet that need, and ensure that the assembly listened to business and worked in partnership with it. New clause 14 would also have the benefit of ensuring that outside expertise from the business community was available, ensuring that the assembly's Committees were well informed in their decision making.

As a member of the Select Committee on Welsh Affairs, I have been involved in recent investigations into the effects that the national assembly will have on economic development in Wales. Evidence given to that Committee, which was published last week, shows that business believes that the assembly holds tremendous potential, but also that it is essential that extra burdens are not placed on Welsh business in comparison with business in England. Businesses' concerns related to both the implementation of secondary legislation and to such pragmatic matters as the assembly's handling of issues such as planning appeals and call-ins.

The Confederation of British Industry, for example, feared that proposals to handle in Committee the Secretary of State's current role in determining appeals and call-ins might cause delays that would disadvantage Welsh business. That concern provides a simple example of the need for the assembly to think not only proactively but strategically in maintaining its links with business, and to think through the impact of all its actions on Wales's businesses. A scheme such as that outlined in new clause 14 would create the framework for such an interchange.

Clause 41(2) provides for the assembly to make subordinate legislation provision for Wales that is different from that for England, recognising Wales's and England's different needs. However, it is vital to ensure that businesses in Wales are not disadvantaged in economic development, by having to bear greater compliance burdens than businesses in England.

A local cheese maker in my constituency informed me that the business's compliance burden increased tenfold during the time when the previous Government were in office. The assembly will have the responsibility not only to ensure that that burden is not increased but, I hope, to reduce it. Similarly, the new clause will ensure that a mechanism is established to avoid such increases in compliance burdens.

The opportunities offered to Wales by the establishment of the national assembly, as stated in the Bill, are exciting and innovative. However, the additional benefits gained by implementing a scheme such as that outlined in the new clause would be even more significant.

Mr. Evans: At this juncture, I should declare my interest in having a small business in Swansea, which I still own, and in having—as have several generations of my family—many years of business experience in the retail trade.

Mr. Ron Davies: Was it handed down?

Mr. Evans: Yes, of course; like new Labour, we believe in the hereditary principle. *[Interruption.]*

I am generally in favour of new clause 14. I hope that the proposed scheme will make transparent the assembly's plans for supporting businesses.

The super-quango consisting of the Welsh Development Agency, the Development Board for Rural Wales and the Land Authority for Wales will also have policies to promote businesses in Wales. In Wednesday's debate, we discussed the CBI's concern about whether the assembly would meddle too much in the new super-quango's daily functions. The question arises as to whether new clause 14 enables the new WDA to formulate strategic policy and to eliminate confusion. If the new clause does that, it is a good idea.

The new clause's proposals to consider businesses' interests on the same level as those of the voluntary sector and of local government are also absolutely right, so that there is no confusion in the super-quango's demarcation of its various roles.

We shall have to do a bit more than merely pay lip service to our desire to promote business in Wales. I am sure that all political parties in Wales want Welsh businesses to do well, whether they are established by inward investment or are new indigenous Welsh businesses. We want all businesses in Wales to prosper.

We know that businesses in Wales already must confront problems such as the 48-hour working week, a minimum wage and works councils. Moreover, with the introduction of regional development agencies in England, we shall want to ensure that businesses in Wales are able to compete on an equal footing with businesses in the rest of the United Kingdom.

I support the ethos of the new clause. I hope that whatever scheme is set up—irrespective of whether it is under the new clause—consultation will go further than the CBI and the Institute of Directors, as many other all-Wales bodies are equally relevant.

The hon. Member for Preseli Pembrokeshire (Ms Lawrence) was absolutely right to mention small businesses, as they represent the vast majority of businesses in Wales. We have to look to that sector to increase employment. We can no longer rely on the large industries that employ 15,000 to 20,000 people to generate extra jobs. Small and medium-sized enterprises are spread around Wales, and they should be given every encouragement, as that will benefit the whole of Wales. We should consult the Federation of Small Businesses and local chambers of commerce throughout Wales and listen carefully to their views on promoting business.

The hon. Lady mentioned that the gross domestic product in Wales is very low, especially in certain areas. That was demonstrated by the reply to my recent question to the Secretary of State for Wales. There is clearly inequality in that respect. Therefore, we need to ensure that areas that are doing badly will be boosted by any new scheme.

[Mr. Evans]

On Wednesday, we agreed that "business" should have a wide meaning, and that certainly applies to the new clause. Given yesterday's events, we should remember that many farms in Wales are desperate for support. I hope that any new scheme will also consider how the assembly can establish policies genuinely to assist small businesses in the rural community, and particularly farmers. We must also consider the ripple effect. Businesses that supply farms with tractors and capital goods, and which repair barns and erect fences and walls, are also affected by the current crisis.

The next debate will be about the regional aspect. Any new scheme must reach all parts of Wales.

Mr. Livsey: I congratulate the hon. Member for Preseli Pembrokeshire (Ms Lawrence) on introducing the new clause. It is absolutely essential that the assembly should consult business. The proposed scheme would provide business advice to the assembly and would undoubtedly benefit the Welsh economy and investment prospects for Wales.

The hon. Member for Ribble Valley (Mr. Evans) referred to small businesses, which are particularly important as they are more likely to provide indigenous growth, which is vital to increasing employment and wealth creation throughout Wales. In many of our constituencies, particularly rural ones, up to one third of the population is self-employed. Many self-employed people run small businesses and are often burdened with a great deal of bureaucracy. There will be a need for businesses—particularly small businesses—to liaise with the assembly in respect of how they can best be assisted. There is evidence of a lack of a level playing field for small native businesses as compared with inward investment schemes from other parts of the world. Certainly in mid-Wales, businesses from other parts of the United Kingdom appear to have greater advantages than indigenous enterprises.

Reference has been made to the agriculture industry. About 56,000 people are involved in farming in Wales—I was one of them for a considerable time, although I was never a newsagent. I hope that the new clause will enable a policy to emerge, to assist those small businesses to develop for the benefit of everyone in Wales.

6.15 pm

Mr. John Smith (Vale of Glamorgan): I also congratulate my hon. Friend the Member for Preseli Pembrokeshire (Ms Lawrence) on introducing the new clause, which the Government should consider carefully. It is vital that the new assembly consults business, but there is already a requirement in the Bill for it to do just that. It is a welcome innovation.

We should be careful, however. It is my view that the assembly's relationship with business is crucial to the success of the assembly and to economic development in Wales in the coming years. We have to get that relationship absolutely right. There are dangers in thinking that we can legislate on a relationship between Government and business in Wales and thereby solve most of our problems. It is not quite that simple. We have to establish a relationship that allows business and Government to do what they do best without interference. We should not ask business to behave as a philanthropic or democratic organisation or expect Government to behave as a business. Traditionally, the record on that is not terribly good.

Wales has been particularly good at establishing just such relationships. Our economic success in respect of inward investment has been due almost exclusively to the "team Wales" approach and has set the standard for the rest of the United Kingdom. It is one reason why other regions look to us with envy—and so they should—in respect of attracting direct foreign investment. However, trying to attract the English investment to which the hon. Member for Brecon and Radnorshire (Mr. Livsey) referred presents a more difficult problem. We have to be clear about making sure that we get our fair share.

We should remember that London and the immediate surrounding area accounts for 40 per cent. of our GDP per capita. Wales has the lowest percentage in the United Kingdom and the gap is widening, so we have to take a balanced approach to developing indigenous small and medium-sized companies. Of course we have to do that, especially in areas that depend on small businesses, but we must also recognise that we must continue the battle to attract our fair share of United Kingdom investment and build clusters of small Welsh companies to service incoming companies. That means that we have to get the formula right, so I ask the Government to consider the new clause carefully.

Mr. Wigley: I welcome the opportunity that the new clause provides to examine the opportunities for business. The National Assembly for Wales should provide a stimulus for the business sector and encourage people to take the initiative, take risks and set up enterprises because of the atmosphere of confidence that we hope will be engendered. It should not tie businesses in knots and prevent them from undertaking ventures.

In examining the phrasing of the new clause, I fear that businesses might expect to play a greater role in determining policy than might be possible in practice. The hon. Member for Preseli Pembrokeshire (Ms Lawrence) gave the example of the town and country planning function. Businesses are understandably worried that the processes may be slowed down. They may hope that subsection (4) would provide them with a means of influencing planning decisions as

"matters affecting or of concern to"

them. That might give them inappropriate leverage in the planning function. If the provisions are to mean anything, businesses will want such influence, but it may not be possible to provide it in the mechanism for even-handed planning at assembly level.

The assembly must feel itself to be a partner with business and industry in Wales, working hand in hand with them to create the conditions for a thriving economy. The hon. Lady obviously has the creation of such a partnership in mind. The thrust of the new clause must be of relevance to the Government and the assembly.

Mr. Dalyell: I should like to raise a practical problem. Last year, I had the good fortune of opening a branch unit of Personnel Hygiene Services in the small village of Blackridge in West Lothian. The Secretary of State will know that the headquarters of Personnel Hygiene Services are in his constituency, in the Western industrial estate in

Caerphilly—the postcode is CF83 1XH. I expect that he knows it well. They are good people. The Welsh leaders were most welcome among us.

However, the company has a problem. On 19 February, Mr. Louis Howe wrote to me on behalf of the company about the Special Waste Regulations 1996. He said:

"Of particular interest is point two, which brought to the attention of the Environment Agency the fact that the Scottish Environmental Protection Agency are interpreting the Regulations differently to the Environment Agency.

We find this particularly annoying as we believed the establishment of the Agencies would lead to common national standards enabling us to standardise our practices and procedures nationally. Unfortunately, we must now regard England/Wales and Scotland as two separate entities and we wonder what disparities will occur in the future to further complicate our businesses."

The House of Commons should be careful about complicating people's businesses. I shall ask the relevant Ministers for the full answers to the details in the letter. Such problems are bound to arise when, to use the phrase of my right hon. Friend the Member for Llanelli (Mr. Davies), we start unbundling the United Kingdom.

Mr. Gareth Thomas: I accept the sentiments behind the new clause. The premise is that because small and medium-sized enterprises are so important for the Welsh economy, it is essential that the legislation facilitates a partnership between them and the assembly, as my hon. Friend the Member for Vale of Glamorgan (Mr. Smith) said.

No doubt my hon. Friend the Under-Secretary of State will refer to clause 64, which provides for a regulatory appraisal before general subordinate legislation is approved by the assembly. The effect of legislation on small business will be taken into account in the appraisal. However, that clause does not go far enough. The Government should take on board the points made so well by my hon. Friend the Member for Preseli Pembrokeshire (Ms Lawrence). Small businesses are vital. Clause 64 refers to a regulatory appraisal simply in the context of subordinate legislation. That is narrow in scope, contrasting with the general reference in the new clause to the functions of the assembly. Clause 64(2) says that an appraisal will not be necessary if it is

"inappropriate or not reasonably practicable".

The Parliamentary Under-Secretary of State for Wales (Mr. Win Griffiths): I congratulate my hon. Friend the Member for Preseli Pembrokeshire (Ms Lawrence) on presenting the new clause in a positive spirit, with the strong support of all sectors of business in Wales. She has clearly had considerable consultation with the larger business sector and small businesses. I am also pleased that the Opposition are taking a new constructive view, with the hon. Member for Ribble Valley (Mr. Evans) supporting the important issues raised in the new clause. My hon. Friends the Members for Vale of Glamorgan (Mr. Smith) and for Clwyd, West (Mr. Thomas) raised some relevant points, which I shall try to deal with later. Coming in from the flank, the right hon. Member for Caernarfon (Mr. Wigley) and the hon. Member for Brecon and Radnorshire (Mr. Livsey) also supported the principles of the new clause.

We have always believed that the assembly should provide an environment in which business can flourish. In our White Paper, "A Voice for Wales", we laid great stress on the importance of the assembly's role in creating a growing and sustainable economy. That will largely be a matter for the policies of the assembly, which we should not attempt to predetermine in the Bill. As a democratic body, the assembly must develop its own policies and account to its electorate for their effects. We can create an effective institutional framework for it.

We have created a mechanism to ensure that the assembly's legislative procedures take proper account of their effect on business. My hon. Friend the Member for Clwyd, West mentioned clause 64, which provides for statutory regulatory appraisal. That is a significant and radical legislative innovation in Britain, which the CBI has recognised and welcomed.

The new clause is a different matter, going beyond that. In providing for the assembly's relations with local government, the voluntary sector and business, we are not trying to create a blockbuster clause to deal with all the issues, such as sustainable development. We have tried to tackle the issues in a way that will be suitable for each sector. For local government, we have a duty to promote, a scheme and the partnership council—that builds on the existing concordat with local government and the established negotiating machinery. For the voluntary sector, we have consultation arrangements and a duty to promote, building on and strengthening the existing consultation arrangements and the concordat that we are finalising. For business, we have the statutory recognition of a process of regulatory appraisal.

The new clause would knit all those factors together and add them on top of statutory regulatory appraisal. That would create a risk of greater complexity and a slowing down of decision making, referred to by the hon. Member for Ribble Valley. The assembly could become too bureaucratic, which is what business fears most.

We shall resist the detail of the new clause, but I am pleased to tell my hon. Friend the Member for Preseli Pembrokeshire that we accept the spirit of it: there should be regular, open and constructive dialogue between business and the assembly—not just with big business but with small business, as the hon. Member for Ribble Valley said, and not just with traditional industries but with business in rural areas. My hon. Friends the Members for Vale of Glamorgan, for Clwyd, West and for Preseli Pembrokeshire all laid stress on encompassing all business in order to get the framework right.

We propose to return to the matter with a Government amendment. In the light of that, I invite my hon. Friend the Member for Preseli Pembrokeshire to withdraw the motion.

Ms Lawrence: I thank the Minister very much for accepting the new clause's principles. Bearing in mind his commitment to take them on board, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 21

DECISIONS AFFECTING VITAL INTERESTS OF A REGION

'.—(1) No legislative, administrative or other decision shall be made by the Assembly which the presiding officer determines might reasonably affect the vital interests of any region, unless the same shall have been approved by a resolution of the Assembly which was itself supported by at least one third of the Assembly members in that region.

(2) In making such determination, the presiding officer—

(a) may not be overruled by any resolution of the Assembly, and

(b) shall have regard for the views of the region possibly affected through its regional committee and the individual members thereof, which views shall be binding upon the presiding officer unless he certifies that he is satisfied that the same are without any reasonable weight.'.—*[Mr. Ancram.]*

Brought up, and read the First time.

6.30 pm

Mr. Ancram: I beg to move, That the clause be read a Second time.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): With this, it will be convenient to discuss new clause 24—*Decentralisation within Wales*—

'.—The Assembly shall give active consideration to the decentralisation of appropriate functions from Cardiff to other parts of Wales, and shall actively seek to encourage other public sector bodies over which it has control, or which are answerable to it, to do likewise.'.

Mr. Ancram: It is appropriate that we are debating this important new clause on 2 March, the day after St. David's day. I genuinely regret the absence of a St. David's day debate. I was looking forward to participating in my first such debate, as I was told that they were occasions on which matters relating to all interests and parts of Wales could be properly aired. I only hope that the absence of such a debate this year is not a forerunner for future decisions and the beginning of the marginalisation of Welsh Members of Parliament following devolution.

Mr. Gareth Thomas: Does the right hon. Gentleman accept that there could hardly be a more appropriate subject for a debate the day after St. David's day than the constitutional future of Wales?

Mr. Ancram: The hon. Gentleman cannot have been listening. I said that it was most appropriate that we were debating the new clause on this date. I was merely making the point that I hope that we are not having a St. David's day debate just because we are having this debate. For the sake of hon. Members who represent Welsh constituencies, who will continue to do so after devolution, I hope that we are not seeing an end to the traditional St. David's day debate, which was certainly welcomed by Welsh hon. Members, if not the hon. Member for Clwyd, West (Mr. Thomas).

Mr. Ron Davies: My hon. Friend the Member for Clwyd, West (Mr. Thomas) would not know, because he was not a Member during previous debates.

Mr. Ancram: I am sure that the right hon. Gentleman will advise his hon. Friend on the value of St. David's day debates.

The new clause stems directly from the result of the referendum on 18 September, when the people of Wales—we cannot avoid the fact that, more precisely, just over 25 per cent. of the people of Wales—voted for an assembly. That tiny minority, about which much has already been said, was not replicated evenly across Wales. Indeed, Wales was effectively split down the middle. The most significant aspect of the result was the regional variation in the yes and no votes. It reflected deep differences and different outlooks—and, indeed, fears—between the various parts of the Principality. The geographic split in the vote was both instructive and not a little alarming. As politicians who are used to studying the nuances of votes, we should be most unwise to ignore the way in which the votes were distributed.

I may not be Welsh, nor can I claim to know Wales as well as I know Scotland but, since June, I have travelled extensively in Wales and regularly visited various parts. It does not take a great deal of expertise to realise that Wales is fundamentally divided. It is not just, as one Labour Member said, that Offa's Dyke has moved west, but that the north fears domination by the more populous south, the east expects and fears favours for the west, and both English and Welsh speakers fear losing out to one another.

I think that we all realise that the north looks not to the south for its economic centre of gravity but to Merseyside and beyond. Monmouth feels more affinity with its erstwhile historic English county neighbours than with its quarter of a century of Welshness. There is fear, resentment and a feeling of a democratic voice being ignored. To turn a blind eye to that would risk storing up immense problems for the future and build in a destabilising factor of unacceptability in the assembly. That would serve nothing, least of all the concept of devolution in Wales.

Mr. Win Griffiths: I want to pull up the right hon. Gentleman on the travesty of history in referring to Monmouth and Wales being connected for a quarter of a century. He may recall that the only reason why Monmouthshire has any English connection is that the Laws in Wales Acts of 1535 and 1542 placed Monmouthshire in the Oxford circuit for judicial purposes—but that was all. One only has to look at the place names in Monmouthshire. In fact, in Herefordshire, the right hon. Gentleman will find a similar good dose of Welsh place names. It could be argued that Offa's Dyke should be moved a little east.

Mr. Ancram: I listen with great care to what the Minister has to say. However, judging by my visits to Monmouth and the correspondence that I have received from there, his view is not unanimously held. I shall be corrected if historically I am wrong, but I think that Monmouth was made a county of Wales in 1972, having previously been a county of England. *[Interruption.]* I shall certainly be corrected.

Mr. Grieve: My right hon. Friend may care to bear in mind when praying in aid the position of Herefordshire that, if questions of national identity are anything to go by, during the disestablishment of the Church of Wales, the parishes on the Radnorshire side of the border were offered the choice of whether to stay in England, and they

chose to stay in England. The argument that, somehow, Herefordshire should always be viewed differently is complete bunkum.

The Second Deputy Chairman: Order. The argument is straying into English matters. I should be grateful if the Committee returned to the new clause.

Mr. Ancram: I accept your strictures, Mr. Lord, and turn back to regionalisation in Wales.

Mr. Rhodri Morgan: Will the right hon. Gentleman give way?

Mr. Ancram: Yes, I always enjoy giving way to the hon. Gentleman.

Mr. Morgan: On Wales and Monmouthshire, I am afraid that the right hon. Gentleman has committed the most ghastly historical solecism. Monmouthshire was never in England. For centuries, legislation has referred to Wales and Monmouthshire, which clarified Monmouthshire's position. That is anything but Monmouthshire being in England. To say that, since Monmouthshire was not in Wales, it must therefore be in England is completely wrong. The right hon. Gentleman should withdraw that remark straight away before he receives letters from history teachers throughout Wales—and England.

Mr. Ancram: I said that I stood open to correction. The hon. Gentleman used a fair amount of what the right hon. Member for Llanelli (Mr. Davies) was accused of the other day: legalistic talk. The position is absolutely clear. The referendum results

"showed a marked difference in views between north Wales and south Wales and between east and west Wales".

I do not think that any of us would deny that

"we need to do a lot more work to bring Wales together."

We must continue to listen to what people in Wales tell us.

Mr. Ron Davies: The right hon. Gentleman is compounding his mistakes. First, he is making a grave error in trying to overemphasise the counts that were conducted on the basis of unitary authorities. They were merely the mechanisms for counting. The count itself was an all-Wales count. As history recalls, in that referendum, the people of Wales voted yes. The right hon. Gentleman's second error is to disregard the thousands of people in the unitary authorities of Monmouth, Wrexham, Flint and Conwy—the local authorities that voted no—by suggesting that they share a monolithic view that there should not be an assembly. That is just not so. There is a broad base of support right across Wales. He should also have regard to the fact that the swing in Monmouth from the 1979 vote was huge.

Mr. Ancram: The right hon. Gentleman says that, when I say that the referendum

"showed a marked difference in views between north Wales and south Wales and between east and west Wales"

and that

"we need to do a lot more work to bring Wales together"—[*Official Report, Welsh Grand Committee*, 18 November 1997; c. 12.]

I am compounding my error; but those are not my words—they are his, spoken in the Welsh Grand Committee on 18 November. It seems strange that, when I quote them back to him, I am told that I am compounding an error and that I have somehow misunderstood the position. When I read his words of 18 November, I agreed with him and because I am repeating what he said, I hoped that he would agree with me, but that may be too much to hope for.

The point is that nothing in the legislation as it stands works to bring Wales together. Nothing heals the rifts or quells the fears that the Government have created by this legislation and which, as the Secretary of State admits, were reflected in the referendum result. In the setting up of regional Committees, there is a cosmetic attempt to assuage the fears of north Wales, but, in practice, that is a meaningless gesture, and north Wales knows it. The southern-dominated assembly gets to decide how many regions there will be; it draws up the boundaries for those regions; and, because the regional Committees are only advisory, they can simply be ignored by the southern-dominated assembly.

In short, nothing in the Bill addresses the fears and concerns of people outside south Wales. People in the north of Wales will have watched the cavalier way in which the Secretary of State cast aside their bids to home the currently itinerant National Assembly for Wales. The fear is not temporary: it is a fear of long-term, if not permanent, domination. In any democracy, the fear of permanent domination by a majority is a recipe for ultimate breakdown. We cannot allow such a democratic deficit to be built into the new National Assembly for Wales, first, because that would be a mockery of its name and, secondly, because it would create a long-term legacy of resentment.

I accept that our new clause might not provide all the answers, but it is designed to build in a safety net that would bring some much-needed comfort and reassurance to the Welsh people, both those who live outside the south and those who live in the south. Essentially, the new clause would ensure that any decision that might affect the vital interests of a particular region would have to be authorised by a vote of the assembly in which at least one third of the Members from the region affected—however they were elected—gave their approval. That is a variation on the principle of weighted voting, which is often used in cases of this nature to mitigate what would otherwise become an oppressive majority.

Mr. Rhodri Morgan: I am interested in the underlying principle. The right hon. Gentleman is right to say that south Wales is more populous than the rest of Wales: south Wales contains about 2 million people out of the 3 million living in Wales as a whole, and if industrial south Wales were compared with north Wales, the population ratio might even be 4:1. However, the right hon. Gentleman was always against devolution, even though Wales had only about 5 per cent. of the United Kingdom population, whereas England had about 85 per cent. of the population. Why was he not in favour of devolution if he believes that people worry about being dominated by a majority with different political patterns?

Mr. Ancram: The hon. Gentleman was obviously concentrating so hard on campaigning for the yes vote

[Mr. Ancram]

that he did not listen to the arguments made on the no side during the referendum campaign. We argued that the White Paper opened up the danger but provided no solution to it and that, unless a solution were found, it would be a fundamental flaw that could undermine the concept of devolution in the longer term. That fear was clearly shown in the way in which votes were distributed within Wales.

Mr. Morgan *indicated dissent.*

Mr. Ancram: The hon. Gentleman may shake his head but, according to *The Guardian* of 20 September, the Prime Minister said in Downing street the day after the referendum:

"We must take account of the narrowness of the margin and that is why we carry on, allaying their fears, and making sure they know that this is about decentralising power."

The Independent of the same day quoted the Prime Minister as saying:

"moves to create a Welsh assembly would carry on while the Government concentrated on 'allaying the fears of people that were expressed during the campaign'."

The Prime Minister accepted that there were fears, that the margin was narrow and that something had to be done to address that; but, having waited since the referendum to find out what measures were to be taken to address those fears, we find that there is none. For that reason, we tabled our new clause. We are trying to supply what the Prime Minister inferred would be produced by the Government, but which they have singularly failed to produce.

6.45 pm

Mr. Morgan: It is the consistency of the right hon. Gentleman's argument that I am questioning. If that is what he believes, given the 4:1 ratio between the populations of industrial south Wales and north Wales, why was he against Wales being given any devolved powers, given that, in the United Kingdom, there is a 17:1 ratio between the populations of England and Wales?

Mr. Ancram: I am finding it difficult to understand whether the hon. Gentleman believes that it is healthy that one part of Wales may be able permanently to dominate another. Those who believe in devolution think that that is wrong and, if devolution is to work, we need to apply the sort of remedy that is contained in our new clause.

The one-third threshold is not a major hurdle and it is not obstructive—it is reasonable. The test of what decisions should be subjected to the threshold would be for the Presiding Officer to determine, having clear regard to the views of the regional Committee. It is right that the Presiding Officer should be able to exercise independent judgment as to whether to apply the threshold. I suspect that such decisions would most often involve economic and industrial issues, where fairness was essential to the future economic cohesion of Wales as a whole; or cultural or social matters, where parity of esteem was crucial to the smooth working of devolution. Given the nature of Wales and of the referendum result, it is surprising that Labour Members find it so difficult to accept our fairly modest remedy.

The overall intention is not to create gridlock, but to ensure that, in specific and important matters, the interests of any region cannot be overridden roughshod by a geographical majority. The provision would probably not be used often, but where and when it was used, it would work to bring Wales together. It would provide a protection that democracy would welcome, but that Wales's geography denies. It would give teeth to the concept of regions within Wales, which the current proposal for toothless advisory Committees singularly fails to do. It would remove the causes of the real concern and fear that have been expressed to me in my travels. It would reduce hostility by giving all parts of Wales the confidence to try to make devolution work, in the knowledge that it was no longer weighted to work against their interests.

The new clause would remove one of the deepest flaws in the Bill and the nature of devolution to the assembly as proposed. It is central to making devolution work constructively, rather than destructively. In that spirit, I commend the new clause to the Committee.

Mr. Dafis: I rise to speak in support of new clause 24, which stands in my name and those of my right hon. and hon. Friends. I should say first that the reference to Cardiff in the new clause is not based on any assumption about the location of the assembly; it refers to the relocation of functions that are currently at Cardiff. We want that sort of radical decentralisation.

New clause 24 represents an infinitely preferable approach to dispersing activities and power than that suggested in new clause 21, which would place a totally unreasonable constraint on the assembly's ability to develop national policies, and would make it difficult to take any strategic decision that could be interpreted as being to the disadvantage of any region. It is a curious idea that the final decision about whether the interests of a region were seriously threatened should be taken by the Presiding Officer of the assembly—I cannot imagine that the Speaker of the House of Commons would want, even after consulting hon. Members from throughout the United Kingdom, to decide whether a policy constituted a sufficiently serious threat to a region that it should be changed. The proposal is inappropriate and improper.

I despair of the Tory party. Centralists have always advocated the policy of divide and rule. The British empire was adept at it, and the Tory party is the remnant of the British imperial way of thinking. New clause 21 would entrench the purported divisions that Conservative Front Benchers say that they want to heal. Does the Conservative party intend to campaign for election to the assembly with such an appallingly negative agenda? If so, it will find it difficult to enter the assembly.

New clause 24 would create a presumption in favour of decentralising functions throughout Wales. There are various reasons for such an approach, including such elementary ones as the financial savings that would come from locating functions in areas of lower property values. More importantly, we must use the location of Government Departments, functions and arm's-length bodies—such as the remaining non-departmental public bodies—as an instrument of regional policy.

That policy has been widely used at the UK level to create employment: when the Employment Service was created, it was located at Sheffield, and one of the best

examples in Wales is the establishment of the Driver and Vehicle Licensing Agency at Swansea. I welcome the further moves in that direction in Wales. The Welsh European programmes executive will be based in the Cynon valley and in Machynlleth, bringing high-quality jobs to areas that need such a transfusion.

Unfortunately, the trend has largely been in the opposite direction. In 1993, I think, it was decided to transfer a section of the Welsh Office Agriculture Department from Trawscoed outside Aberystwyth to Cardiff, which led to significant job losses in an area where such jobs are scarce and getting scarcer. That was done on the spur of the moment. The decision was taken in June or July 1993 on the basis of short-term cost savings—it was certainly a short-sighted policy—and was a disgraceful example of the tendency to centralise for the most superficial reasons and in the teeth of strong opposition. I do not believe that it would have happened if a national assembly had existed, as the assembly—unlike the Welsh Office at the time—would have had a strategic view of the location of jobs. Another example was the removal from Aberystwyth to England of all but an outpost of the British Geological Survey.

I trust that both those actions will be reversed over time—soon, in the case of the Welsh Office Agriculture Department. The department would appropriately be located in rural Wales, particularly rural Ceridigion—although I would say that, wouldn't I? That would create high-quality, well-paid employment and the spin-off of other job opportunities.

The use of electronic communications would facilitate further decentralisation as the pattern for future activity in Wales, and we should consider the assembly's activities in that context. It has been suggested that there should be access points to the assembly in various parts of Wales. I hope and trust—that is the right word to use—that the National Library of Wales will, in effect, be the assembly's library. It would be absurd to try to replicate the massive resource at Aberystwyth wherever the assembly is located—electronic communications would make feasible the use of that tremendous resource.

Other Welsh Office departments, such as the one responsible for industry, could be located in the valleys, Swansea or even further west. The new Welsh Development Agency must operate in a much more decentralised way than before. It seems inevitable that a core headquarters, which will be responsible for strategic functions, should be located in the capital, but the regional offices should also be powerful, and should become centres for the development of expertise in some of the agency's functions. Business services, for example, could be located in one of the regional offices, as could the policy unit itself.

The regional office for the central region—the canolbarth, as we call it in Welsh—should certainly be responsible for rural policy for the whole of Wales. I also believe that the office should be in the west, which tempts me to utter the name Aberystwyth once again, although perhaps that would be to overstress my point. The location of the WDA office for the central region will be a live and real issue.

The new super-TEC—the new training and enterprise council—should be established in the south-east, but away from Cardiff and Swansea: in the valleys, perhaps. The Welsh Language Board or its functions—however they are to be delivered—would appropriately be located in Welsh-speaking areas, and why not move the Arts Council from Cardiff?

Mr. John Smith: I have much sympathy with the hon. Gentleman—

Mr. Rhodri Morgan: Does he want anything in Cardiff?

Mr. Smith: I think that there is case for rewriting the new clause to mention Ceredigion. Surely the location of those bodies is for the new assembly to decide; it is not our business to pre-empt it. The hon. Gentleman used the word trust—he should trust the assembly to make the right decisions.

Mr. Dafis: Yes, but it is our business to probe policy issues, consider the ways in which the assembly will operate and lay down some principles in advance. Decisions that may be made before the assembly is established could also benefit from the application of those principles.

Mr. Morgan: The hon. Gentleman is talking about the principles. I wonder whether he wants to leave Cardiff, the capital city of Wales, with anything at all. The last speech along those lines that I heard from a major political leader was by Pol Pot in Cambodia, who believed in getting rid of the capital city altogether and dispersing its entire population to the countryside. Is that really what the hon. Gentleman has in mind?

7 pm

Mr. Dafis: The hon. Gentleman is being untypically facetious. I see no danger of Cardiff being left with nothing; a lot is happening in, and concentrating on, Cardiff. No less a person than Mr. Russell Goodway, in his advocacy of locating the assembly at Cardiff, suggested that certain departments should be located well outside Cardiff, and mentioned the Welsh Office Agriculture Department as an example.

Spending on government is an important reality, and the dispersal of that spending is worth advocating seriously. In the new Wales that we want to create, we should certainly consider the dispersal of the high-status activity that is associated with government; of prosperity; of vitality; and of influence. We are devising a system of government at the very time when electronics is revolutionising communications, and when distance, however great, is becoming far less of an obstacle to the co-ordination of activities.

It is also important to overcome the perception that the government of Wales will be remote from the people. That is a similar theme to that of the right hon. Member for Devizes (Mr. Ancram), but I hope that I am being more constructive and positive about it. On the United Kingdom level, that perception has been influential in bringing about the devolution proposals enshrined in the Bill and in the Scotland Bill.

We must avoid the perception—however inaccurate—of a single centre where the members of the power elite socialise, drink coffee, wine and dine, and cobble together

[Mr. Dafis]

deals that serve their own interests rather than those of the people at large. Much of the debate about the location of the assembly has sprung from such concerns.

Mr. Nick Hawkins (Surrey Heath): I am following the hon. Gentleman's argument closely. Will he be more specific? When he talks about the perceived elite, is he referring to the Government party?

Mr. Dafis: When I think of elites, I normally think of Tories; that is deeply ingrained in the culture in which I was brought up, so I shall not apologise for it. Elites are people who, for various reasons, have power and influence and tend, if their power is not curtailed, to look after their own interests.

Mr. Grieve: Is that not a most compelling argument for new clause 21?

Mr. Dafis: I spoke about that new clause earlier, and I do not need to go over that ground again. It is an absolutely cockeyed new clause.

We have the opportunity from the outset to establish an approach to government that avoids the geographical imbalance that has disfigured Britain; that typifies the United Kingdom; and that people fear may be replicated in Wales.

Mr. Gareth Thomas: Does the hon. Gentleman accept that a programme to get civil servants, some of whom must necessarily be based in south Wales, out of their bunkers in Cardiff or elsewhere and into the regions, to educate them about how people live in other parts of Wales, is as important as permanently dispersing them around the country? Of course, that applies equally to civil servants in the mainstream United Kingdom civil service.

Mr. Dafis: I am sure that there are civil servants sitting not far from us at the moment who are keen to educate themselves about the needs of Wales in its entirety. Among Welsh Office civil servants, I have never come across anything but a desire to understand the needs of Wales as a whole; the problem has often been with their political masters.

New clause 24 was drafted to highlight at the outset the importance of the principle that I have outlined.

Mr. Livsey: The right hon. Member for Devizes (Mr. Ancram) made a divisive speech in support of new clause 21. He could perhaps have concentrated more on the advantages of having strong regional bodies within Wales. He talked about permanent domination and democratic deficits. None of us wants to be permanently dominated, but in 33 of the final 50 years of this century we have tended to be dominated in a certain way. The assembly will set us free from such domination.

We do not want to replicate that domination in the Welsh assembly. The regions are vital, and there is a great difference between all the regions in Wales. I often liken Wales to a jigsaw puzzle in which people in different parts of the country think entirely differently.

The challenge to the assembly is to unify the regions and give them a common purpose. We need the generosity of spirit to reach out into all the regions of Wales and bind them together; but they also need their independent voices. I agree with the right hon. Member for Devizes that there is not much in the Bill to give us hope. Ministers must give us more meat on the bone—if I may use that phrase—for the regions of Wales.

The regional Committees must have real teeth. Ministers must prove to us that that will be the case. They have alluded to the matter in rhetoric, but they have not made any concrete proposals. I hope that they will not ride roughshod over the regions. That phrase was used by the right hon. Member for Devizes. No region of Wales would want to be ridden roughshod over by Swansea, Cardiff, Wrexham or anywhere else. The regions want a life of their own, but in close association with the assembly.

What are the vital interests referred to in the new clause? A definition would be most illuminating and would assist me in making a judgment on the new clause. Inclusivity is vital, but we need to ensure that the regions have a fair deal; after all, they have strong characteristics and individual needs. We need to be persuaded that the legislation will meet that challenge.

The notion of one third of the assembly's members having to support any decision that might affect the vital interests of a region is interesting, although I am not sure why it should be specifically one third. I have more confidence in new clause 24 when it provides that the assembly should decentralise functions from Cardiff. That provision is similar to an amendment that we have tabled recently. Functions should be decentralised from Cardiff—or Swansea, as the hon. Member for Ceredigion (Mr. Dafis) pointed out—to the regions whenever possible and we should encourage public bodies to do likewise. I totally agree with the hon. Gentleman about the importance of that point.

I was professionally involved in the work done by Trawscoed. It was obvious that the staff were doing a job that was relevant to rural Wales and accessible to a large proportion of the population—the farming community in particular. When I lived and worked in Aberystwyth, the administrative section of the Welsh Office Agriculture Department was removed to Cardiff and I did not think that that was an especially good idea. The assembly will need to consider such moves.

We want to enable more local people to become involved in the decision making in their areas. We all know about the difficulties in Wales of communication and transport and the inadequacy of the infrastructure. It is vital that the assembly appears inclusive; the regions must have adequate powers. The assembly must react to and accept proposals from the regions. Many people from the regions of Wales will have great confidence in an assembly that behaves like that, and I hope that the Minister will convince us that it will do so. Otherwise, we shall have to adopt the new clause to ensure that it does so.

Mr. Gareth Thomas: I oppose new clause 21. I understand the political motives behind it; it is clear that, in the speech of the right hon. Member for Devizes (Mr. Ancram), we have heard a rehearsal of the campaign that will be conducted by the Conservatives during the elections to the National Assembly for Wales in May next year. Their campaign will be based on divisiveness. We had a fascinating insight into it tonight.

The right hon. Member for Devizes struck a chord, however, because a rudimentary reading of Welsh history shows that the country has been prone to parochialism and regional tensions. One need only consider the history of the Welsh princes and the abject failure to establish any political unity in Wales until recently to see that. Wales is a parochial country and it is proud of its parochialism.

At St. David's day dinners such as those I have attended recently, the first question asked is not, "Which school did you go to?"—as Conservatives might ask each other—but, "Where do you come from?" People want to know exactly which part of the valley or which part of a community others are from because they take great pride in their locality. However, it would be wrong to institutionalise that diversity and to mistake the message of Welsh history and our rich patchwork of communities. It is pessimistic to believe that Wales is incapable of political unity; that is taking cynicism too far.

I reject the premise behind the new clause, which is typical of the patronising attitude of Conservative Members to the Welsh people. Conservatives think that the Welsh people are incapable of forming a political community: that is wrong. The Bill takes great care to address regional tensions in Wales and it is right to do so. The voting method is clearly designed to enable more inclusive debate in Wales.

The new clause raises practical considerations. The Presiding Officer would be in an invidious position if he or she had to decide what constituted the vital interests of a region. How should a region be defined? Extraordinarily, the official Opposition define regions as coterminous with European constituencies, but that definition is unworkable. The new clause is divisive and would be a disincentive to the constructive, bridge-building approach that the Welsh people need to improve their economic and social status. I reject the new clause and I deplore the sentiments behind it.

7.15 pm

Mr. Desmond Swayne (New Forest, West): I shall speak in favour of new clause 21. I should have preferred the opportunity to speak in favour of new clause 17 but, unfortunately, it was not called for debate.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. The hon. Gentleman should not mention any clause or amendment that has not been selected by the Chair.

Mr. Swayne: I apologise, Mr. Martin. New clause 21 will do very well.

It is appropriate that the new clause provides a mechanism that would address the interests and outlook of the regions that are at variance with the Welsh mean. If we take Monmouthshire as an example, we find that in the referendum only 10,592 voters were in favour of the assembly, against 22,403—more than double—who voted against. That was true not only in Monmouthshire: it was mirrored all the way down the March. Such results should be set in the context of an overall majority in Wales for the assembly of only 6,700-odd.

The Prime Minister said that sensitivity would be exercised. New clause 21 would be evidence of such sensitivity, were it accepted. However, the sensitivity shown in the remarks made by the Secretary of State for Wales only two hours ago, when he said that the people of Wales won on the night of the referendum, leaves those of us who are anxious about the future of the interests of the regions I have mentioned feeling that our anxiety is well placed. Such regions are characterised by small market towns whose economic and political outlook is at variance with that of industrial south Wales, and our anxiety about them must be addressed.

The Secretary of State would do well to appreciate that Owen Glendower failed to take Monmouth and, shortly after that, he met his end. The Monmouthshire and Berwick-upon-Tweed Act 1756 specifically excluded Monmouthshire from the provisions of legislation pertaining to Wales except when it was explicitly included.

Mr. Rhodri Morgan: First, perhaps the hon. Gentleman could tell us more about how and when Owen Glendower met his end, because—according to the history books—nobody knows how he met his end. Secondly, what is the hon. Gentleman's definition of a region?

The First Deputy Chairman: Order. The hon. Gentleman will not make any mention of Owen Glendower and how he met his end, because the hon. Gentleman is talking about new clause 21.

Mr. Swayne: I shall not pursue that matter. The hon. Member for Cardiff, West (Mr. Morgan) asked about the definition of a region. We are constrained by the Bill and the new clause, but I acknowledge that another definition might have been more appropriate. To avoid being ruled out of order, I shall not pursue the subject any further. All I would say is that there must be a mechanism to address these issues.

I know that Labour Members dispute that because, on Second Reading, there was much talk of a new politics. It was said that the assembly would be very different; that it would have a gender balance; that it would be inclusive of all minorities; and that children would trip about in the aisles. In all, it was going to be an assembly for the new Jerusalem. I wondered where I had heard all that before—and then it dawned on me; we are back in Praise-God Barebones' "Parliament of the Saints" in the 1640s.

However, setting that aside, there must be a means of securing the interests of the regions that find themselves unsympathetic to the political outlook of the industrial areas in south wales that will dominate the assembly. New clause 21 provides such a mechanism.

Mr. John Smith: I strongly resist new clause 21, on the ground that it—if nothing else we have heard during seven days in Committee—blows the cover on the Tories. This is the new clause that proves that they have no intention of behaving constructively during the Bill's passage through Parliament or of campaigning during the assembly elections except in the divisive manner that we have heard tonight.

The Tories' hypocrisy is breathtaking. Theirs is the party that opposed devolution tooth and nail to the bitter end; and tonight they expect us to believe that they now want devolved regions within Wales—our country. What a nonsense; what hypocrisy.

Mr. Ancram: The hon. Gentleman has obviously not read our new clause. We do not set out what the regions

[Mr. Ancram]

are, other than to accept the definition of electoral region that is already given in the Bill and for which Members will be elected both directly and by the additional member system. We are not inventing those—they are in the Bill. They were created by the Government.

Mr. Smith: Yes—and let me tell you what else this ludicrous new clause does, Mr. Martin. It proves once and for all that its authors have no understanding of what it is to be Welsh and what it is to be part of one nation. The proposal that our new national assembly, the single voice for our country, should be undermined by this bureaucratic nonsense, exposes them for what they are. It is an appalling new clause.

Mr. Lembit Öpik (Montgomeryshire): I am struck by the passion with which the hon. Gentleman speaks. Notwithstanding the known conversion of the hon. Member for Ribble Valley (Mr. Evans) to the assembly when the right hon. Member for Devizes (Mr. Ancram) was not looking, does the hon. Gentleman accept that the new clause may be quite constructive? Taken at face value, it may be a constructive protection for regions within Wales. More to the point, there is genuine anxiety in the regions that a centralised southern assembly might discriminate against the regions.

Mr. Smith: I would draw attention to the different ways in which this issue has been dealt with—there is one approach in new clause 21, which is a nonsense, and another in new clause 24, which raises some serious issues about these regional anxieties. That is the difference. *[Laughter.]* Let the Tories laugh; they may laugh all the way to the next election, when they will be wiped out because of their behaviour during the Bill's passage and in this Committee.

Unfortunately, the new clause lowers the tone of the debate and the behaviour of the Opposition. Instead of constructively criticising the Bill and making realistic suggestions and proposals, they table wrecking new clauses such as the one before us and have no intention of giving the Bill principled support.

My final point is practical. We have already gone out of our way to set up the regional Committees. By doing so, we have recognised the differences within our country—one country, one nation, which is about to inherit its mature nationhood. We have restructured the powerhouse; we are recognising the differences that exist within our country by restructuring the training and enterprise councils. We are fully aware of the differences that exist in our country. The fact that the north-east Wales corridor—

Mr. Ancram *rose—*

Mr. Smith: I give way to the right hon. Gentleman, but I hope that he will not mess about.

Mr. Ancram: Under the hon. Gentleman's system, how many regions will there be?

Mr. Smith: They will be regions established to reflect the genuine differences and the genuine interests of our people, which do vary.

It is crucial that we throw out, and have nothing to do with, new clause 21. Any country, any democratic body, any democratic forum, must be able to take decisions that are in the strategic interest of the whole constituency. One of the terrible legacies of local government reorganisation in Wales is that the strategic county councils have been done away with and a tier of unitary authorities has been created. Those authorities do a damned good job in representing their own areas but they cannot represent the country as a whole.

Mr. Tim Collins (Westmorland and Lonsdale): The hon. Gentleman is waxing lyrical on the importance of clarity in local government in Wales. He has had a moment or two to think about it; will he now answer the question? What number of regions does he favour?

Mr. Smith: This is typical of the behaviour that has characterised tonight's debate. The Tories are not serious; they are out to wreck this constructive Bill. It is vital that there is one voice for Wales: that one national body has the authority to speak for the whole country. For generations, if not centuries, the Tories tried to rule on the principle of divide and rule; they will not get away with it tonight.

Mr. Collins: We had a note of—perhaps unintentional—hilarity from the hon. Member for Vale of Glamorgan (Mr. Smith). Earlier, he waxed lyrical about how appalling, ludicrous and scandalous it was that there should be any suggestion of creating regions within Wales. When it was pointed out to him that regional Committees are in the Bill as proposed by the Government, he tried to change tack, but when he was asked—twice—how many regions or regional Committees he wanted, he was unable to say. That may show that there is some confusion on the Labour Benches just as, earlier, there seemed to be some confusion on the Labour Benches about whether Herefordshire should be inside the borders of Wales. Perhaps a new Welsh imperialist party is taking shape on the Labour Benches.

Mr. Win Griffiths: I was only saying that parts of Herefordshire used to be in the diocese of St. David's, that many place names in Herefordshire are Welsh and that at one time it would have been part of Wales.

Mr. Collins: The Minister is making my point for me. Earlier, he suggested that Monmouthshire was as Welsh as Herefordshire, which slightly undermined his argument.

Plaid Cymru Members rightly drew attention to what, from their point of view—and, I suspect, from that of many Labour Members—is the problem with new clause 21. It was said that new clause 21 is unacceptable because similar provisions will not apply in the Westminster Parliament. That slightly gave the game away, because we have been told throughout that the Bill will not create a Parliament and that the assembly will not have a power to make primary legislation. Nor will it have the power to introduce taxation. It is an assembly, not a Parliament comparable to Westminster. If it is argued that new clause 21 would not be accepted by Westminster, that gives part of the game away.

My primary concern, however, is to reveal the heart of the reason new clause 21 is needed. The argument has been voiced a little in this part of the debate, but not

sufficiently during the Committee's consideration of the Bill. New clause 21 is needed to deliver on the clear promises given by the Prime Minister and the Secretary of State the day after the result of the referendum, to which my right hon. Friend the Member for Devizes (Mr. Ancram) referred.

7.30 pm

The Prime Minister and the Secretary of State said that they would take on board the fact that the result was exceptionally narrow, that they would listen to the arguments advanced by the no campaign—which did far better than anyone expected—and that they would present new proposals that would take account of the fact that the referendum result indicated not a huge mandate in favour of change, as the Secretary of State said, but the fact that the Welsh population was at best split down the middle, if not split one quarter in favour and three quarters apathetic or opposed.

Where are those new proposals in the Bill? We have heard a little about the regional Committees, but if we do not know how many regional Committees there are to be, as has been amply demonstrated, it can hardly be said that they are a central part of the Bill or that a great deal of thought has been given to them.

Mr. Dafis: The right hon. Member for Devizes (Mr. Ancram) suggested that the regions referred to in the new clause are the electoral regions from which the additional Members will be elected. Are Opposition Members seriously suggesting that we should regard the Mid and West Wales electoral region, which extends from the coast in the north right down through the centre of Wales, including Llanelli, Carmarthenshire and Pembrokeshire, as a coherent regional entity for the purposes of the new clause?

Mr. Collins: I agree to some extent with the hon. Gentleman. He makes a powerful case against the Bill, which was not introduced by my party, and against the electoral system, which throws up such absurdities. That is what happens when the Government try to introduce a new system of elections—we heard in Home Office questions that five different electoral systems will apply in the United Kingdom during the next 24 months. That is absurd.

As my right hon. Friend said, we are proposing new clause 21 as a genuine attempt to get the Government to deliver on the promises that they made. They were not forced by us to make them. No member of the Conservative party was pulling the strings of the Prime Minister when he came out on the steps of No. 10 after the election and volunteered that the Government would listen and address the issues. The Secretary of State was not bullied or blackmailed into making the announcements that my right hon. Friend quoted earlier. He said that he recognised that the results showed that different parts of Wales had different attitudes towards the national assembly.

It has been suggested that Conservative Members are being divisive, but it was the Secretary of State who said that there were different attitudes in the Welsh regions. The new clause may not be the ideal way to deal with the problem, but no one has come up with a better way. At least there is some substance to the new clause—unlike the nebulous regional Committees, which seem to have only advisory functions, which can be overruled by the assembly and whose number is to be guessed at or plucked from the mind of the Secretary of State at some time in the future. Now, when the Bill is being considered by the Westminster Parliament, we are not to be told how many regional Committees there will be.

New clause 21 deals with a serious concern. We have heard from the Secretary of State and others who are in favour of the Bill that it is a major problem that needs to be tackled. The new clause deals with it in a responsible way. It provides that where there are to be decisions affecting the vital interests of a region, one third of the representatives of that region should vote in favour of that proposal. That is quite a low threshold by many standards.

The new clause is constructive and would enable the Government to deliver on their promises. It would reflect the fact that the referendum result did not indicate, as we have heard repeatedly from the Secretary of State, that the Welsh people are of one mind and one determination, for they were not, according to the referendum result. Parliament has a responsibility to deliver on the undertakings made from the doorstep of No. 10 that the Bill would be amended to take account of those differences.

We have the chance today, in the discussion on new clause 21, to make the Bill a great deal better and to give the Welsh people what they were led to believe, the day after the referendum, they would get. For that reason, I support new clause 21.

Mr. Rhodri Morgan: Despite the attempts at elegant advocacy by Conservative Members, new clause 21 remains, as I think was admitted by the hon. Member for Westmorland and Lonsdale (Mr. Collins), legislative junk mail. They know that it will not work. They are trying to tap into a wellspring of those who voted no, and to use them as a springboard for a modest electoral revival in Wales in the assembly election campaigns, the Euro-elections or the local government elections next year.

I am afraid that Conservative Members are sadly mistaken if they think that trying to balkanise Wales is a constructive way forward. To provide for blocking minorities implies a degree of split in Wales that was not the purpose of the regional Committees, which were proposed in the White Paper and are mentioned in the Bill. Admittedly, only one is specified to serve the northern part of Wales. That may well be a northern Committee, but the rest of the structure of the regions is a matter that can be left until a later date, possibly to the assembly itself, to take account of the views of those elected to the assembly on the question of how many regions are needed in order to administer Wales in an appropriately decentralised way.

To install blocking minorities as the new clause proposes is absurd. It is an attempt to balkanise Wales. It is a sound principle that any new legislative body should not attempt to run before it can walk, but this is a proposal to hobble the Welsh assembly before it can walk.

There must be a balance in a democratically elected Welsh assembly, with a proportional representation component as to a third of the seats, which will enable people who are not of the majority party in any of the

[Mr. Rhodri Morgan]

Euro-regions of Wales to have a fair chance to give them an incentive to take part in the election, even though they may never win a majority.

That applies to Conservatives in the south Wales valleys and to Labour people in some remote rural parts of Wales. They may never win a majority, but their supporters have every incentive to vote because the party may have a candidate elected under the list system. It will be inclusive in that respect.

The adoption of a committee system rather than a cabinet system in the modus operandi of the assembly is another way of ensuring that those who may not be able to win a majority nevertheless have some share of power. That also is intended to cover the fact that in areas of Wales there may be people who feel that they are not part of the dominant political culture.

In democracies we always count heads—we count majorities, and majorities could conceivably oppress minorities. We accept that. The ways around it are those that have been proposed: proportional representation, the committee system and the establishment of regional Committees, with an obligatory northern Committee and others to be sorted out by the assembly or at a later date.

The Welsh assembly must be given room to breathe. It must be able to act and to take a strategic all-Wales view at the times and on the subjects where that is appropriate. It must disperse and decentralise where it can, but it must have the strength to make decisions and to deliver on manifesto promises, taking as many of the people along with it as it can. Democracy requires the ability to get decisions made. To tie the Welsh assembly's legs together before it has had a chance to take a few strides, as new clause 21 would do, is absurd. It is an attempt to say to the assembly, "You don't exist yet, but, before you do, we want to make sure that you will be as weak as possible in case you do something to those who voted no in the referendum or those who vote Conservative in general elections".

Is there any evidence to suggest that, under the proposed structure—given the absence of primary legislative powers and given the existence of an obligatory north Wales Committee, of a proportional representation voting system and of a modus operandi by committee—the assembly will oppress minorities in Wales? We do not know the answer to that question, so why should we assume that the assembly—which, unlike Parliament, will have all sorts of special features designed to prevent oppression of the minority by the majority—will do that?

If those protections are not built into the Westminster system, why should we assume—even before the assembly is established—that it will oppress minorities because many people happen to live in the industrial south and north-east of Wales? It is true that 50 per cent. of the Welsh population live within 25 miles of central Cardiff—that is not a sin, although the hon. Member for Ceredigion (Mr. Dafis) might think so. That is the population distribution in Wales that we have inherited as a result of the various economic factors that lead people to live where they live. That is the way it is in Wales: many people live in industrial south Wales. We are heavily outnumbered by sheep in Wales by a ratio of about 9:1.

Mr. Öpik: Sixteen to one.

Mr. Morgan: It is not as many as that—perhaps it is 5:1. The sheep to people ratio in mid and north Wales is different from the ratio in the industrial south. That is due to the nature of economic activities in different areas of Wales.

We cannot, on the basis of some absurd fears, hobble the Welsh assembly with leg-irons before it is established. There are many protections in place as a result of the voting system, the modus operandi, proportional representation, and the obligatory north Wales Committee and the assumption of other regional Committees. If we were to accept new clause 21, myriad other new clauses would be suggested to provide further protection for those who voted no in the referendum. Those people would be offered individual opt-outs so that they would not have to pay obeisance to the Welsh assembly.

Mr. Ancram: The hon. Gentleman referred to "absurd fears". Were those the fears to which the Prime Minister referred? If not, to which fears did he refer?

Mr. Morgan: The Prime Minister said that the narrowness of the majority in the referendum implied that the Welsh assembly would have to work very hard—and we would have to work hard in framing the legislation—to carry the people of Wales with us and overcome the apathy shown by 49 per cent. of electors who did not vote and those who voted no.

How will we carry those people with us? One thing we must not do is exaggerate their fears and extend the natural centrifugal forces in Wales that are created by the population distribution in industrial south Wales, with the mountains in the middle and another population belt along the north Wales coast. We must overcome those centrifugal forces.

We will not carry the people of Wales with us by balkanising Wales or—like the United Nations mandate in Bosnia—by installing blocking minorities for this or that and giving people the impression that they can opt out. That is not the correct way forward. We must generate enthusiasm for the new Welsh democracy that the legislation creates. We should not let people think that they can opt out in some way: they must opt into the new democratic structure. The Tories are trying to replay the referendum in an attempt to cash in on the high proportion of those who voted no and to create the impression that, in some way, the Tories are looking after their interests by helping them to opt out mentally, as it were, and not be part of the new democratic Wales.

That is an absolutely pernicious way of thinking, which is a reversion to the old Tory colonial mentality: when all else fails, try divide and rule. We will not allow that to happen in our proceedings tonight.

Mr. Grieve: The more I listen to the arguments advanced by Labour Members—particularly the hon. Member for Cardiff, West (Mr. Morgan)—the more convinced I am about the correctness of new clause 21. The hon. Gentleman manifested real anger and passion

when it was suggested that the new clause might appeal to voters in many parts of Wales. It is extraordinary to suggest that new clause 21 is a wrecking measure and an Opposition conspiracy designed to exploit differences in Wales. That is rather similar to the suggestion that the countryside rally was a conspiracy planned by landowners who gathered together 284,000 forelock-tugging retainers. The two arguments have exactly the same lack of discernment.

7.45 pm

The fact is that tensions are currently present in Wales—the passion with which Government Members have opposed new clause 21 shows that they know that very well. It is a tribute to the hon. Member for Ceredigion (Mr. Dafis) that he recognises that those tensions exist. The question is: will those tensions be addressed?

Mr. Dafis: I did not mention tensions. I spoke about the need to develop a decentralised pattern of government in Wales, unlike the grossly centralised pattern of government that Britain has had for so long.

Mr. Grieve: I apologise to the hon. Gentleman if I have misquoted him. I took the thrust of his argument to mean that he recognised that there is immense diversity of view in Wales. We know that from the referendum result. Numerous regions of Wales do not want the assembly. One might infer that they are suspicious of the assembly for a host of different reasons, ranging from a lack of desire for another tier of government to the fact that their regional identity is so markedly different from the areas of south Wales that they believe will become dominant that they are seeking protection.

Those problems will not go away. Over time, the sense of national identity reflected in the comments about a "national assembly"—and descriptions of it as such—may prevail. However, one can only apply one's own experience and what one sees for oneself when one travels through Wales. When I visit Wales, I get the impression that there is immense diversity and a great sense of local identity. Many people are deeply suspicious of the Cardiff assembly.

Mr. Donald Anderson (Swansea, East): What about the Swansea assembly?

Mr. Grieve: I am much obliged to the hon. Gentleman. The proposed new clause asks that those factors be recognised in order to prevent the regions from being trampled on by the Cardiff assembly. If that occurs, the consequences will manifest themselves—whether or not the new clause is part of the Bill—in hostility about the way in which the assembly operates. That is the reason why this is a sound and solidly based new clause.

Mr. Anderson: Is the hon. Gentleman privy to information that the rest of us are not in referring to the Cardiff assembly—or is that a general term of Conservative abuse for the Welsh assembly?

Mr. Grieve: I am aware that the assembly appears to be somewhat peripatetic as to its possible final location. I refer to it as the Cardiff assembly because, according to the hon. Member for Cardiff, West, it will be dominated by the area within 20 miles of Cardiff where the population is. Regardless of whether the assembly is located in Cardiff or in Aberystwyth, I am sure that the hon. Gentleman will agree that its composition will be dominated by south Wales by virtue of population distribution. I also thought that the Secretary of State wanted the assembly to be located in Cardiff—the fact that Cardiff does not want it, because Cardiff did not want an assembly in the first place, is another matter.

Fear of domination is something that the Committee should address. It is said that Conservatives believe in divide and rule. Nothing could be further from the truth. We have spent the past six months arguing that we do not want the United Kingdom to be divided, and that we would prefer to maintain a unitary system. It is hon. Members on the Government Benches who have been fermenting discord, but having done so they set up their own imperial entity and seek to dominate other regions within it. That is the fantasy that they have created in their minds as to the way in which government should be conducted. That is a bad principle.

As the Government have accepted, there is tremendous diversity of view in Wales, and the Prime Minister has said that it should be recognised. They should have the courage to accept that and accept the new clause, which protects the regions of Wales. Whether or not these are electoral regions, they are the only ones that we have at the moment. If the Government were creative, they would identify the different regions in Wales and include them by amendment in the Bill. The fact that they have not done so has put the responsibility back on us, and we have done our best.

Mr. Robert Syms (Poole): I shall make a brief speech in support of the new clause.

The United Kingdom is the result of relationships that have grown up over quite a long time. The question is: what unites the Welsh? One feature that unites the Welsh is the English. There is a relationship between England, Scotland, Wales and Northern Ireland. Whether on the rugby pitch or trying to represent the Welsh nation, or whether one is making proposals, the reality is that there is a certain unity that the Welsh have had to have as 5 per cent. of the United Kingdom population. Once one devolves power to the Welsh assembly, one changes the nature of that relationship, and there is internal competition from within the Principality for resources. Ministers would be well advised to recognise that the debate, which so far has been in terms of Wales, England, Scotland, and the United Kingdom, will be different with a devolved assembly.

I have sat through the debates on almost all the clauses, and have been struck that whenever resources or the Welsh Development Agency is discussed, or even where the assembly will be based, hon. Members have jumped up to make bids for their respective regions. That is part of politics. We all like to represent our areas, but it is quite clear that there are different agendas in different parts of Wales.

There are worries. Fears have been expressed. None of us wants disunity in Wales. That is not part of the Conservative party's agenda at all. We wish people to work together. From what we have heard during the Bill's consideration, and from the result of the referendum, to

[Mr. Robert Syms]

which one must pay attention, we are concerned that many areas of the Principality had, and may still have, concerns about the way in which the assembly will be set up and how it will operate. What we on the Conservative Benches are trying to do, in our most helpful fashion, is to ensure that there is consent and consensus throughout the regions of Wales.

I agree that the regions chosen are not ideal, as they were set by the Government for electoral reasons. We should review the regions to see what interest there is. It is clear that there are differences between north and south Wales. If that were not so, there would not be a north Wales Committee in the Bill. There are differences between east and west Wales, with the exception of Pembroke. There is a diversity within Wales. All we are trying to do is to have that recognised by the assembly.

I hope that the Government will pay attention to the new clause. If they do not accept it at this stage, I hope that they will come back with proposals to ensure a great deal of unity throughout the regions for any proposal that they make.

We heard from hon. Members about the electoral system and the various methods of trying to create unity. My central point is that if one changes the relationship within the United Kingdom and ends up with a wholly Welsh assembly that deals with problems with a different agenda, the nature of the relationship within Wales will be changed.

I almost felt sorry for the hon. Member for Cardiff, West (Mr. Morgan) when hon. Members started to talk about shifting jobs out of Cardiff to other areas of Wales, with hon. Members suggesting that perhaps the assembly should be in Swansea, or elsewhere. No doubt there will be fierce competition for the £7 billion of resources that the assembly will spend. There is no doubt that many people in Cardiff and the surrounding areas have jobs, living standards and mortgages based on the fact that they work for the Welsh Office, and the Welsh civil service. That will be a real issue for debate. Our proposal is to ensure the greatest consent throughout the regions—north, south, east and west.

I would not say that I am wholly uncritical of our proposals, because given that the new clause has been selected for debate, and the electoral regions were not selected by us, in different circumstances one could probably have done a better job of drafting a better proposal. I hope that the Government will take on board our concerns for the regions of Wales: the change in the relationship of the United Kingdom will change the dynamics of the debate in Wales. After all the debate and all the concerns that have been expressed, and with the great investment that the Government—indeed, the people of Wales—will make in the assembly, I hope that it will be a success, and that there will be a great deal of unity in setting out its objectives. None of us particularly wants to see it fail, although we opposed it in terms of the referendum. The key point is that it has to have consent throughout every region of Wales.

Mr. Letwin: I, too, speak in support of the new clause, but from a slightly different angle.

Mr. Rhodri Morgan: A legalistic one.

Mr. Letwin: No, in contrast to the hon. Member for Cardiff, West (Mr. Morgan). I do not wish to dwell on what he would describe as a legalistic point.

Mr. Morgan: For the first time.

Mr. Letwin: This is not the first time.

I shall dwell on precedent and effect, because part of the duty of the Committee is to consider the effects not just on Wales, which have been much discussed, but on the United Kingdom as a whole. This is a major constitutional Bill, and the new clause is a major constitutional provision. Both the Bill and the new clause will affect how the rest of the constitutional development of the United Kingdom proceeds.

In particular, with entirely unified objections from Opposition Members, we are led to believe that there may come a time, alas, when Her Majesty's Government will introduce a subsequent Bill with a view to making the current hotch-potch arrangements of regional development agencies in England the basis of English regional government.

Mr. Syms: Shame.

Mr. Letwin: I echo entirely the comments of my hon. Friend. It would be a shame, to put it mildly.

Nevertheless we must recognise that the Government have a significant majority. Indeed, they spare no pains to remind us of that daily. Having introduced such a Bill, the Government, with or without referendums—

The First Deputy Chairman: Order. The hon. Gentleman is going wide of the new clause before us.

Mr. Letwin: I intend to return specifically to the effect that the new clause would have—

The First Deputy Chairman: It is not a question of when the hon. Member decides to return to it. I am telling him to return to it now.

Mr. Letwin: I shall do so immediately, Mr. Martin—forthwith.

If the new clause is not adopted, a precedent will be created in that there will be no protection for parts of the entirely arbitrary regions, which may be set up for England, from other parts of the same regions with the greatest voting power. That precedent would suggest precisely the need for such protection. Without straying from referring to the new clause, I shall use as an example my own region, the south-west, which some hon. Members present also represent. It is evident to us that in the absence of mechanisms similar to those which are suggested through new clause 21, there would be a grave danger—especially in the case of Bristol, which has a great weight of the votes within the south-western region—of certain areas becoming the overwhelming and dominant features of an arbitrary region. There are parallel cases throughout England in what are, perhaps in contrast to Wales, entities that have hardly any cultural homogeneity, hardly any real historical association and hardly any feeling of being conjoined except by arbitrary fiat of Her Majesty's Government and by a Bill produced in the House of Commons in an arbitrary and legalistic, if I may put it that way, fashion.

8 pm

There is a distinction between a country which has a real history and English regions which do not. The danger is—

The First Deputy Chairman: Order. We are not considering the Bill generally. Instead, we are dealing with a specific new clause. The hon. Gentleman must speak to the new clause, and he should know that.

Mr. Letwin: I accept your admonition, Mr. Martin. In one sense, I find it refreshing, having been accused throughout our consideration of the Bill in Committee of concentrating excessively on the precise words of each clause. In this instance, I am trying to relate my remarks to the new clause while illustrating what I think is an important precedent effect. If new clause 21 is accepted by the Government, or if any similar version is, the Government will be establishing a precedent that will provide protection of the sort that I have described for the English regions. That in itself would justify for many of my right hon. and hon. Friends the insertion of such a new clause.

Even if the Minister chooses not to take account of the new clause, and not to rephrase it in some way acceptable to himself and his colleagues, I would be extremely grateful if he were able at least to put on record that the Government accept the strength of feeling that would exist in a parallel case in English regions. I would be grateful also if the Minister would accept that where there are arbitrary collocations of particular places put under a single sub-national government, there is a need for protection of the sort suggested in the new clause.

Mr. Owen Paterson (North Shropshire): New clause 21 is excellent, and I support it on the ground that it is clear this evening that not one Government Member has understood how delicate the opinions of many Welsh people are on the question of the assembly. It grieves them to be reminded, but they must be reminded yet again, that 75 per cent. of the Welsh people did not want the assembly. Labour Members have been grossly insensitive this evening towards those who do not want the assembly.

Mr. Öpik: I am generally sympathetic to the terms of the proposed new clause. However, is the hon. Gentleman not weakening his argument by using the tired old debating point about 75 per cent. yet again?

Mr. Paterson: If the hon. Gentleman allows me to develop my argument beyond the first four sentences, he might learn what I am about to say.

The referendum proved that Wales is not homogeneous politically, socially and economically.

Mr. Dafis: Is England homogeneous in the ways that the hon. Gentleman says Wales is not?

Mr. Paterson: Certainly not, but we are not putting forward such a measure for England. We believe in a sovereign Parliament for a United Kingdom, and not for one region.

Mr. Rhodri Morgan: Will the hon. Gentleman not rethink the repetition of the tired old line that 75 per cent. of the population of Wales did not want the assembly? His side lost the referendum campaign, and we on the other side won it. That is why the measure is before us. These are not just weasel words: I put it to the hon. Gentleman that they are a stoat's soundbites. Will he either rethink the tired old line or forget it? If he does not, his party, the Conservative party, will have no chance of ever reviving from the appalling position of zero Members in which it now finds itself.

Mr. Paterson *rose—*

The First Deputy Chairman: Order. We must be careful. We must not return to the argument about the referendum. The hon. Gentleman was right to say that he wished to develop his argument. He has referred to the referendum, but we will not get bogged down by that. Instead, we shall deal with new clause 21.

Mr. Paterson: Thank you, Mr. Martin. I am delighted that hon. Members are so interested in my comments. I would like to progress beyond my fifth sentence.

I am delighted also that the great listener has resumed his place. I refer, of course, to the Secretary of State, who said:

> "I am conscious that we need to do a lot more work to bring Wales together. We must address genuine concerns and I acknowledge the fact that we must listen and continue to listen."—[*Official Report, Welsh Grand Committee*, 18 November 1997; c. 12.]

I revert to my argument. Wales is not homogeneous. There are major differences between those in south Wales round Cardiff, who believe strongly—*[Interruption.]* If hon. Members rise to make interventions, I may be able to respond to them.

South Wales has little in common with the rural areas that are represented, for example, by the hon. Member for Montgomeryshire (Mr. Öpik). There is a Labour-dominated elite in south Wales. That economy looks to the east, to the M4. Montgomery and the hills of Powys and those of Denbighshire have little in common with south Wales. The areas of Wales that I know well are in the north-east, on the borders of Wrexham. There again, the borders are arbitrary. The nearest village to my house, Overton on Dee, was a bastide built by Edward I. It is very similar in design to the bastides that he was building in Aquitaine at about the same time.

Borders are arbitrary, but social and economic flows are not. Labour Members must recognise that there are real misgivings, especially in north-east Wales, about an assembly that may be in Cardiff or Swansea—much depends on how negotiations develop with the local estate agents. We do not know where the assembly will be, but it is almost certain that it will be built in south Wales.

As I have said, there is real unease. I beg the Secretary of State to take that on board. There is unease in the markets in north Wales as there is among investors, who are coming over the border from places such as Chester, Manchester and Liverpool. Those are the areas to which the economy of north-east Wales looks.

Socially, many of the people in north-east Wales have come from over the border and are all along the coast. There are those who have come from Merseyside. They have little in common with those who will dominate the assembly in south Wales, and they are nervous.

[Mr. Paterson]

There is no transport system between north and south Wales. That is no one's fault, because there are mountains in the way. The hon. Member for Montgomeryshire knows full well that the way to get through from north Wales to south Wales runs through my constituency and on to Shrewsbury. There are no links, and there is little in common. That was demonstrated graphically during the referendum.

New clause 21 would give the regions a chance. As proposed, the Bill contains no reference to a revising chamber. There is nothing to resist the diktat of the south Wales majority. *[Interruption.]* The two Ministers are laughing, but we could not have been faced with a more graphic example yesterday. There were nearly 300,000 people on the country march. They demonstrated that we cannot run a parliamentary democracy if the majority abuses its temporary power.

Ministers must take that on board. Majorities cannot use their power to trample on substantial minorities. The referendum showed that. I know from the people in north-east Wales, whom I speak to every week, that there are those in north Wales with real doubts about the whole project.

I turn briefly to new clause 24. The hon. Member for Ceredigion (Mr. Dafis) told us that he wants to reduce traffic. I cannot understand how traffic will be reduced if parts of the administration of the assembly will be dispersed around Wales. We have the horrendous example of the European Parliament. I think that about 80 trucks go up and down between Brussels and Strasbourg once a month. We do not want to see that in Wales, if it is to remain a green and unpolluted land. I shall vote against new clause 24, and strongly support new clause 21.

Mr. Win Griffiths: We have had an entertaining and, at times, passionate debate on the new clauses. New clause 21 would place on the assembly procedural limitations in decision making on the vital interests of any region. Decisions could not be made without the support of at least a third of the Members of the Assembly from that region.

The right hon. Member for Devizes (Mr. Ancram) specified five electoral regions: I shall not cavil at what regions he could justifiably use for this purpose. The assembly's Presiding Officer would determine when a region's vital interests were likely to be affected by a particular proposal. In reaching that conclusion, the Presiding Officer would have to have regard to the views of the regional Committee, which would be binding unless the Presiding Officer certified that they were without reasonable weight.

The assumption behind the new clause should not go unchallenged. My hon. Friends the Members for Clwyd, West (Mr. Thomas), for Vale of Glamorgan (Mr. Smith) and for Cardiff, West (Mr. Morgan) considered the new clause typical of the Conservative party's cynical and patronising attitude to Wales. My hon. Friend the Member for Vale of Glamorgan saw it as hypocrisy: the Conservative party was opposed to devolution for Wales, but now seems to want devolution within Wales.

My hon. Friend the Member for Cardiff, West said that the new clause was an attempt to balkanise Wales and to hobble the National Assembly for Wales. The Bill provides for proportional representation, and, through the regional Committees, for the views of all parts of Wales and of all parties that gain reasonable support across the whole of Wales to be taken into account.

The hon. Member for Beaconsfield (Mr. Grieve) may know that the Select Committee on Welsh Affairs has suggested that regions could be based on the four areas used by the Welsh Development Agency, or on those to be used by the new powerhouse. The national assembly advisory group has been considering seven regions, but there will be consultations, on the basis of which my right hon. Friend the Secretary of State will decide on the best way forward. The principal point is that advisory committees will be set up.

It takes unprecedented gall for Conservative Members to discuss the worries of people in Wales. Only the hon. Member for North Shropshire (Mr. Paterson) can claim to have regular contact with any part of Wales. We should remind ourselves that, of the 40 Welsh constituencies, 34 returned Labour Members of Parliament, in industrial and rural areas; four returned Plaid Cymru Members; two returned Liberal Democrat Members; and not one elected a Conservative Member of Parliament. Conservative Members should approach with humility the matter of what they know about what the Welsh people are thinking.

The Opposition assume that the assembly will in some way ride roughshod over the interests of particular regions of Wales in a malign conspiracy to promote one area over another. Labour Members represent 34 of the 40 Welsh constituencies, and are always in a majority in Wales.

We reject the nightmarish picture painted by the Conservative party. The National Assembly for Wales will work for the whole of Wales, not just for parts of it. The electoral system that we are providing will ensure that the voices of all parts of Wales will be heard in the assembly, and that the interests of the whole of Wales are taken fully into account. New clause 21 would place an artificial and bureaucratic constraint on the assembly in the proper discharge of its functions. We cannot accept it.

We have heard much about the referendum and yes-voting and no-voting areas. I remind the Opposition that the distribution of yes and no votes—the so-called green and red areas—is artificial, and does not sufficiently represent how the votes were cast. Nearly 40 per cent. of the yes votes were cast in areas that voted no. The 10,000 yes votes cast in Monmouthshire were as crucial to the majority as the yes votes cast in Carmarthenshire. Wales voted for the proposal in a national referendum. We can forget about the concept of yes and no votes: there was a substantial yes vote in the no areas.

8.15 pm

The new clause is inconsistent with the Opposition's championing of a cabinet system for the assembly, because it would hobble such a system and make it difficult to operate. The Opposition have suddenly come up with a regional system, which would hobble the National Assembly for Wales. Why on earth did they not think of it years ago, when they were considering the electoral make-up of the United Kingdom? They could have given Members of Parliament from Wales, Scotland and the standard planning regions of England a vote on proposals that had an impact on everybody—a far greater impact than a national assembly with its own powers will

have—and, if more than a third of them were opposed to a proposal, such as the poll tax, it could have been shelved or imposed only on those parts of England that voted for it. The story told by Conservative Members is ludicrous.

New clause 24 was spoken to by the hon. Member for Ceredigion (Mr. Dafis) and supported by the hon. Member for Brecon and Radnorshire (Mr. Livsey). The proposal for a National Assembly for Wales is aimed at bringing government closer to the people, and is at the heart of devolution. I look forward to the assembly making itself visible and accessible to all the people of Wales. However, the proposal in new clause 24 is not the best way forward.

Although the hon. Member for Ceredigion advocated devolution from Cardiff, it sounded like devolution to Aberystwyth. I shall put that matter aside for the moment, and point out that 25 per cent. of the executive quangos in Wales have headquarters outside Cardiff. There is also a substantial Welsh Office presence in a number of parts of Wales. We have no objection in principle to administrative devolution, but it is a matter that the assembly should consider. Significant extra costs would be built into the operation of the assembly in its early years if Parliament imposed an artificial timetable for devolution.

We must accept that the assembly may want to take up the theme of new clause 24, and will decide whether to undertake administrative devolution from Cardiff in its own time and in its own way. It is not, however, the job of this Parliament or this Bill to provide for such a set programme of administrative devolution. I hope that the hon. Member for Ceredigion will accept that.

Mr. Paterson: What reassurances can the Minister offer people in north-east Wales who have real doubts about the whole project? We have heard bluster from him, but so far we have heard no answers.

Mr. Griffiths: I realise that it is difficult for the hon. Gentleman to get to grips with the concept of the whole of Wales. Let me explain the point of our proposals. At present, no Conservatives represent north-east Wales, but under the additional member system, there is a chance that a few may do so. That will give an opportunity to some of the voice of north-east Wales that is not now heard in this Parliament to be heard in the national Assembly for Wales.

Similarly, the regional Committees will have an opportunity to give advice to the assembly. I have every confidence that the whole assembly will want to consider the views of its constituent parts. I realise that it is difficult for Conservatives to understand that any institution will listen to advice, because for 18 years they rejected advice consistently.

We will reject new clause 21 if the Opposition have the temerity to press it to a vote. As for new clause 24, I hope that it will not be pressed.

Mr. Evans: We always thought that this would be a significant debate. It has proved to be so, but it does not behove the Minister to talk about "listening", given that we have listened to what he just said about new clause 21.

I thank my hon. Friends the Members for Westmorland and Lonsdale (Mr. Collins), for South Dorset (Mr. Bruce), for Poole (Mr. Syms), for Beaconsfield (Mr. Grieve), for New Forest, West (Mr. Swayne) and for North Shropshire (Mr. Paterson). They proved one thing, at least: that they have listened to what the people of Wales have been saying.

New clause 21 is intended to allay the fear of people in the regions that they will be dominated by Cardiff and the south-east. If we look at the result of the referendum on 18 September—*[Interruption.]* I was waiting for the Secretary of State to start huffing and puffing. This is the one thing that he does not want: he does not want people to talk about the result of the referendum on 18 September. I understand why—it was an embarrassing result for the Secretary of State—but we will not allow history to be airbrushed in such a fashion.

Mr. Win Griffiths: Let me remind the hon. Gentleman that, if the swing of opinion between 1979 and the referendum had been the same as the swing between then and the general election, there would not have been a Conservative Member in the House.

Mr. Evans: That comes from the same school of thought that told us a moment ago that it was Monmouthshire that "won it for us". It is ridiculous to use statistics in such a way. The result in Monmouthshire was appalling—more than two to one against the measure.

The First Deputy Chairman: Order. Hon. Members must not dwell on the results in Monmouthshire, or in any county of Wales; they must debate new clause 21.

Mr. Evans: I went down that route, Mr. Martin, in response to the Minister, who presented a particular proposition.

New clause 21 refers to the regions. We must not ignore the fears of Wales, and we must not ignore the result of the referendum. We must take it on board. We must accept that there was a low turnout and that the result was split, and we must not kid ourselves, or con the Welsh people, that it was otherwise. At least on the morning of the result, the Prime Minister—instead of flying to Wales to pat the Secretary of State on the back and say how wonderful the result had been—

The First Deputy Chairman: Order. We must not go into the history of the referendum, which is past and done with. What is won is won, and what is lost is lost. We must deal with new clause 21.

Mr. Evans: New clause 21 is intended to address the fears of the people of Wales, who, in the regions, did not whole-heartedly support the proposals. The result proved that Wales was split down the middle. New clause 21 is aimed to deal with the result of the referendum. The Government—along with the Prime Minister—said that they would listen to the fears of the Welsh people, but they have not done so. It is the same sort of listening as their "listening" to the countryside. That is why 284,000 people marched on London yesterday.

[Mr. Evans]

The Government said that they would listen to the sensitivities of the people of Wales. What have they offered the people of Wales in the Bill? They have offered clause 62. I do not know whether Labour Members have read clause 62, but it could be called the sop clause.

The First Deputy Chairman: Order. The hon. Gentleman must not start quoting from clause 62. We are discussing new clause 21.

Mr. Evans *rose—*

The First Deputy Chairman: Order. The hon. Gentleman must listen to me, even if he listens to no one else in the Chamber. *[Interruption.]*

Mr. Evans: I will certainly ignore sedentary catcalls from the Secretary of State.

New clause 21 addresses the deficiencies of clause 62, which deals with regional Committees. Clause 62 provides for the establishment of a regional Committee in north Wales—*[Interruption.]* Will the Secretary of State listen for a moment? This is his Bill. The Government have decided to set up a Committee in north Wales, and other Committees in other regions of Wales. When the hon. Member for Vale of Glamorgan (Mr. Smith) was talking about the Committees, we asked how many would be set up. He could not tell us, because he did not know. I suspect that he had not read the Bill properly. Clause 62 clearly states—

Mr. Win Griffiths *rose—*

Mr. Evans: I have no time to give way. I have only four minutes left, and I am trying to follow the Chairman's guidance as far as possible.

The Government refer to north Wales and the other regions. In subsection (5), they state that the members of a regional Committee should be the Members representing regional constituency seats and also regional seats. We have taken the new clause from clause 62, to try to be helpful and to deal with the fears of people in the regions. *[Interruption.]*

The First Deputy Chairman: Order. Those on the Government Front Bench must be quiet.

Mr. Evans: Thank you, Mr. Martin.

The fact is that clause 62 does not address the fears of people in the regions, for instance in north Wales, who feel that they will be dominated by a Cardiff-based, or Swansea-based—certainly a south Wales-based—assembly. We tabled new clause 21 to allay those fears.

The Secretary of State and the Minister have talked about being inclusive, and listening to what the people have said. If they want the will of the Welsh people to be settled, they will accept new clause 21. It will provide real presence and structure; it will address the fears of the regions in vital respects that affect parts of Wales outside Cardiff and the south-east. They will have a blocking vote that will give the whole structure some teeth. Our new clause is intended to be constructive rather than destructive. We have tried to include the people of the regions outside Cardiff and the south-east. The new clause is straightforward, but if the Secretary of State is unhappy with it, he can prepare one of his own.

We want to listen to the people of Wales, but the Government have shown that they are not interested in anything other than spin, soundbites and cheesy smiles, and they are not enough to assuage the fears of people in the regions. That is why we will divide the Committee. We have listened to the people of Wales, and Labour has not. We shall speak up for all the Welsh people.

Question put, That the clause be read a Second time:—

The Committee divided: Ayes 144, Noes 271.

Division No. 186] **[8.29 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Beith, Rt Hon A J
Blunt, Crispin
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan

Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Speirman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Walter, Robert
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Oliver Heald and
Sir David Madel.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Betts, Clive
Blizzard, Bob
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Cousins, Jim
Cox, Tom
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNulty, Tony
MacShane, Denis
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Robertson, Rt Hon George *(Hamilton S)*
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David

White, Brian
Whitehead, Dr Alan
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Clelland and
Mr. David Jamieson.

Question accordingly negatived.

New clause 22

EQUAL OPPORTUNITIES (WELSH PUBLIC BODIES)

'.—(1) It shall be the duty of any body mentioned in Schedule 13 to make arrangements with a view of securing that its functions are carried out with due regard to the need to secure equality of opportunity.

(2) In this section, "equality of opportunity" means the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds, or on grounds of disability or of other personal attributes, including belief or opinions, such as religious beliefs or political opinions.'.—*[Ms Julie Morgan.]*

Brought up, and read the First time.

Ms Julie Morgan (Cardiff, North): I beg to move, That the clause be read a Second time.

The First Deputy Chairman: With this, it will be convenient to discuss the following: New clause 25—*Gender neutral drafting*—

'.—The National Assembly for Wales shall use gender neutral language in its publications and when framing subordinate legislation.'.

New clause 30—*Equal opportunities (candidatures)*—

'.—(1) The Sex Discrimination Act 1975 shall be amended as follows.

(2) After section 49 of the 1975 Act there shall be inserted—

"*Candidatures for National Assembly for Wales*

49A. Nothing in Parts II to IV shall render unlawful any act done by or on behalf of a registered political party within the meaning of the Government of Wales Act 1998 if it is an act done for the purpose of, or in connection with—

(a) selecting female candidates only, or male candidates only, for election to the National Assembly for Wales ('the Assembly'), or

(b) taking any steps preliminary to, or in connection with, such selection which either favour or subject to a detriment either female or male candidates,

provided that in the opinion of the party concerned the act in question is in the circumstances necessary to attempt to secure an equal number of members of the sex favoured as there are of the other sex as candidates of that party for election to the Assembly".'.

Ms Morgan: New clause 22 would impose the duty on public bodies of ensuring that their functions are performed with regard to equality of opportunity. It would apply to any of the public bodies mentioned in schedule 13 to the Bill—such as, for example, health authorities and trusts, the Welsh Development Agency and the Welsh Language Board. The membership of public bodies in Wales is very unrepresentative of the people of Wales, with women comprising less than a third of their membership. The new clause is therefore very necessary.

I should like to speak primarily to new clause 30, which would amend the Sex Discrimination Act 1975 and allow political parties to introduce positive discrimination, to secure the selection of equal numbers of women and men candidates in elections to the assembly. I shall go into some detail on how the 1975 Act operates and on how new clause 30 would help to secure a more representative assembly.

The Sex Discrimination Act 1975, which is now 23 years old, was the first time that Parliament tried to legislate for equality between women and men. We have come a long way since the Act was passed, in our understanding of what we mean by equality and of how discrimination can arise. Discrimination often happens unintentionally, because little thought is given to the effect of actions on women and on men.

The 1975 Act differentiates between direct and indirect discrimination and states that, to claim discrimination in a tribunal, one must show a detriment. However, the Act provides only a few specific instances of detriment, such as in advertising. The Act makes it clear that its provisions apply to employment, education and access to publicly available goods, facilities and services, although it has been up to the courts to decide by case law what constitutes discrimination.

An individual alleging sex discrimination makes an application to a tribunal and argues her or his case, giving as much evidence as they can. Decisions are made individually. The Equal Opportunities Commission has made recommendations to establish a clearer and more comprehensive law, and has produced a document that is currently out for consultation. However, the law that currently applies is that which was passed in 1975.

The legal definition of discrimination has not been set in stone but has evolved by case law, both in United Kingdom and in European courts. It was not until 1986, for example, that sexual harassment was acknowledged as constituting sex discrimination. Even more recently, the courts have agreed that detrimental treatment of a woman because of pregnancy is sex discrimination. The law grows and evolves—reflecting society's views and sense of justice—in outlawing discrimination.

Until the Jepson case—which challenged all-women shortlists—it had been widely believed that the actions of political parties fell outside sex discrimination legislation. Section 33 of the 1975 Act specifically states that the Act shall not

"be construed as affecting any special provision for persons of one sex only in the constitution, organisation or administration of the political party."

That means that we are legally able to have women's sections and women's seats on committees, which have been widely used by all political parties.

When Mr. Jepson began his case, in 1993, the Equal Opportunities Commission took an opinion, which confirmed its view that selection for parliamentary candidates did not constitute employment, and so did not fall within the scope of the 1975 Act, but was an internal matter for a political party. An industrial tribunal disagreed. However, that was only one tribunal; another might have reached a quite different conclusion. The case was not appealed, and therefore did not reach a higher court, where a precedent might have been set and the law clarified.

8.45 pm

The objectives of the European Community and of the United Nations are to achieve gender balance in decision making. The United Nations convention on the elimination of all forms of discrimination against women was acceded to by the United Kingdom Government in 1986, and places special importance on women's participation in the public life of their country. Other conventions have reinforced the position of establishing a set framework of international standards of equality—including the Beijing declaration, and the platform for action arising from the United Nations conference on the status of women, which our Government agreed to implement.

Across the world, political debate now acknowledges that it is not enough simply to remove barriers to women's participation, but that we must take positive action and positive measures to get women involved. The concept of democracy that Labour is committed to renewing will have real meaning and lasting effects only when political decision making is shared by women and by men.

Article 4 of the UN convention encourages the use of temporary special measures to give effect to article 7, which spells out the right to participate in the formulation of Government policy, to hold public office and to participate in non-governmental, public and political organisations.

New clause 30, which would not only amend but clarify the 1975 Act, would allow British political parties to give effect to the principle stated in the UN convention, and would allow the UK to support and to take action in achieving the European Commission's fourth equal opportunities action programme—which has as one of its five objectives promoting a gender balance in decision making, and proposes that the Commission should develop a policy for promoting gender balance in decision making, by improving the quantity and quality of women's participation. The Commission plans to encourage and to support similar actions at the other decision-making levels—at both national and regional level—within member states.

The Labour party's proposals for Wales and for Scotland are absolutely in line with the EC and UN objectives. In Wales, women have been more dramatically under-represented in public and political life than in any other part of Britain. Wales has the lowest percentage of female councillors, and until May, only four women had ever represented Welsh constituencies. The three new women Members elected in May bring the grand total to four out of 40 and were selected from women-only shortlists. Positive action was required to ensure that more women were elected to represent Wales.

Labour has agreed to field equal numbers of women and men as candidates in the elections to the assembly and to the Scottish Parliament.

Mr. Alan W. Williams (East Carmarthen and Dinefwr): I whole-heartedly agree with the aim of gender balance, but my hon. Friend knows from our discussions on achieving that aim that it raises difficult issues for constituency parties. What is the problem with 50:50 shortlists? That form of positive discrimination could apply in the public sector as well as to political parties, although it would not guarantee gender balance. Will my hon. Friend explain why she rejects that idea?

Ms Morgan: I reject the idea of 50:50 shortlists because there is no guarantee that it will produce the required result. Obviously, it is a step in the right direction, but it would not guarantee 50:50 representation. I would accept that only as part of the solution.

We are working on procedures to achieve equal representation, but a worry remains that the law is unclear and any procedure adopted may be challenged. The new clause would not mean that there would be no legal challenge—nothing can guarantee that—but it would make clear the Government's intention that women should play a full and equal part in the national assembly and their commitment to allow political parties to take whatever steps they see fit to achieve that.

Sir Raymond Powell (Ogmore): Is my hon. Friend aware of my proposal that there should be 40 seats for women and 40 seats for men, totalling 80 seats in the assembly? Would not that solve the problem? It would do away with the need for proportional representation, as there would be an equal balance of male and female Members of the Assembly.

Ms Morgan: That would be a simple solution, and I welcome the proportionality that it would involve. However, we have to combine gender balance with the element of proportionality.

The new clause would enormously strengthen the position of any political party that needed to contest a legal challenge. We have to be aware that anti-equality organisations may mount such a challenge.

The new clause means that any case would have to hinge on European law. The Equal Opportunities Commission has taken further legal advice, which confirms the earlier advice that it received and argues that measures to ensure parity of female candidates are unlikely to contravene the equal treatment directives.

There have been a number of signs that European law will uphold special measures if they are consistent with United Kingdom law. First, the treaty of Amsterdam, which amends the treaty of Rome, makes it clear that positive action measures to redress the under-representation of women are lawful. Article 119 states that

"the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures providing for specific advantages in order to make it easier for the underrepresented sex to pursue vocational activity or to prevent or compensate for disadvantage in professional careers".

In the recent Marschall case, the European Court of Justice ruled that selection procedures that gave priority to female candidates when fewer women than men were employed was not unlawful discrimination, provided that there was an objective assessment of male as well as female candidates.

There is a great deal of evidence and legal opinion to suggest that a legal challenge to measures to field equal numbers of male and female candidates in elections to a new body such as the Welsh assembly, in a country where women have been so dramatically excluded from political life, would not succeed.

[Ms Morgan]

The argument in favour of amending the Sex Discrimination Act is that that would strengthen the ability of political parties to defend themselves against a claim, by making clear the Government's intention and demonstrating that democracy comes first. The establishment of the Welsh assembly is a crucial part of the Government's strategy to revitalise and renew our democracy, and for it to work, we must ensure that 52 per cent. of the Welsh population who were previously excluded are there at the start. We cannot afford to waste time and energy defending cases through industrial tribunals, when we need to make absolutely categorical and indisputable our commitment to equality and inclusiveness, as part of the new democracy.

The new clause would enable the Government to defend themselves against any claim or action by any political party; it is essential that we ensure that 52 per cent. of the Welsh population have an opportunity to serve on the assembly.

Mr. Öpik: We support the new clause, for the simple reason that it is about time that we started taking equal opportunities seriously. It places a duty on

"any body mentioned in Schedule 13",

such as a housing action trust, the National Museum of Wales, or the National Library of Wales, to ensure that there is equality of opportunity in the carrying out of its functions. It states that

"'equality of opportunity' means the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds or on grounds of disability . . . religious beliefs or political opinions."

Mr. Livsey: Does my hon. Friend agree that agism should be included in that list? As it is my hon. Friend's birthday today, on which I congratulate him, does he not think it an appropriate moment to introduce that point?

Mr. Öpik: I thank my hon. Friend for undermining my repeated youthful credentials. The world should know that this is the end of my first third of a century on the planet. At 33 today, I remember when I was younger, but I shall leave those reminiscences until another time.

My hon. Friend raises a serious point, however. There is a great deal of age discrimination, and perhaps the new clause would have been even better if it had included that.

The new clause also demands acceptance that the Welsh assembly would necessarily use gender-neutral language in its publications and when framing subordinate legislation. In effect, it is saying that the status quo is not an option when there is a choice between prejudice and equality.

The challenge of our political generation is to ensure that equal opportunities are enshrined in the etiquette and the legislation of our political institutions. The greatest strength of the new clauses is that they spell out the demand for equal opportunities in the Welsh assembly—a case that has already been made in legislation.

Mr. John Hayes (South Holland and The Deepings): The hon. Gentleman has spoken a good deal about equal opportunities. The hon. Member for Cardiff, North (Ms Morgan) spoke a lot about equality of outcome. Does he acknowledge that there is no guarantee that equality of opportunity will lead to equality of outcome? Where does he draw the line? Would he be prepared to go as far as the hon. Lady on what she described as positive action or affirmative action, or is he sitting on the fence, as Liberal Democrats are wont to do?

Mr. Öpik: I fully understand the Conservative crisis on the issue. I am flattered that the hon. Gentleman is asking the Liberal Democrats for guidance on what the moribund Conservatives should do to ensure equality of opportunity. My tuppenny-worth is that the important point for any political party—not just in Wales—is to set a strategy to dissolve the prejudices that so infest the political structures of the United Kingdom. To that extent, I agree with the desire of the hon. Member for Cardiff, North (Ms Morgan) for a system to redress the balance, which surely nobody in any party can think is reasonable or fair as we come to the turn of the millennium.

There are differences of view on how best to achieve our aim. The Labour party is proceeding in one direction. We settled our process at a conference at the weekend. I look forward to hearing what the Conservatives will do to ensure that they do not live in the ancient past, with ridiculous sexual inequality and an overbearing proportion of men in whatever seats they can win in the assembly. I hope that that answers the question of the hon. Member for South Holland and The Deepings (Mr. Hayes). I shall be happy to furnish him with a few more ideas on what the Conservatives might do, when he buys me my birthday drink in the Strangers Bar.

9 pm

Mr. Alan W. Williams: The Liberal Democrats are claiming the moral high ground on sorting out the gender balance. Of the 46 Liberal Democrat Members of Parliament, how many are women? What did the Liberal Democrats decide at their weekend conference?

Mr. Öpik: I do not want to digress too far from the matter in hand, but in the spirit of directness that I always seek to achieve in my interactions in the House, I shall answer the hon. Gentleman's questions as briefly and clearly as I can. He well knows that of our 46 Members of Parliament, only three are women. That is an unacceptable proportion. We have said that, and others have said it. We must set about modifying not just the proportion but the first-past-the-post system, which creates such an outcome. The hon. Gentleman knows that we believe that a single transferable vote system would redress the balance. The statistics on our candidates in the general election back that up.

The hon. Gentleman's second point is probably more relevant to the issue under discussion. The fundamental need is to engender an attitude of not tolerating discrimination in our systems. To summarise very briefly, the conference decided that we must proceed with equal shortlists and show to one and all attitudinally that we are not prepared to accept the prejudices—which come from the head and heart rather than constitutional documentation—that have infested our party and kept us from achieving the sexual equality that we all seek. I hope that that is sufficient explanation for the hon. Gentleman. I see him nodding, so I shall move on.

On a clean sheet, which the assembly is, we can draw any picture that we want of etiquette and prejudice. We can reproduce the same old tired weaknesses and paradigms that we see in this House, or we can decide that the past is not an option, refusing to tolerate the sexism, racism and agism that have pulled down the credibility of our political system. *[Interruption.]* Despite some of the incomprehensible shocked disappointment coming from the Conservatives on what is not just logic but a moral imperative, we should all agree on the issue.

The Government can give a little. Some people think that it is a sign of weakness to accept someone else's ideas. It is the same for the Government sometimes. The starting point for overcoming prejudice is recognising that the vulnerability of listening to and accepting another person's views can help us to modify positions that may prevent us from achieving equality. Just as men must acknowledge that a person's capability should be assessed regardless of gender, just as skin colour does not define personal abilities, so being in government does not entitle a person to believe that they have a monopoly on good ideas. Those who think otherwise feed the fallacious assumptions of superiority from some arbitrary distension. That and a fear of looking vulnerable are the seeds of discrimination. The Government genuinely could go some way to accepting the new clauses, rather than giving some reason in the summation why that is not on.

Whatever one's view about the selection processes adopted by various parties, what possible harm would it do Ministers or the Government's image to accept the basic request of, say, new clause 25, to ensure gender-neutral language in the assembly's publications? That would not cost a penny. I suggest that those who do not think that that is important ask themselves whether they are unaware of some prejudice in their outlook in the political environment, which makes them discount the importance of changing words to reflect the attitudes so clearly enunciated by the hon. Member for Cardiff, North.

I urge the Government to show commitment to equality in terms of words and deeds. It is a virtue to admit fallibility. In doing so, they will provide the precondition to sweeping away sexual prejudice. The best thing that the Government can do is to prove that they mean what they say. They have been resistant to accepting change in our deliberations so far. I urge them to accept this change, to show us that they take the issue seriously and to send a message, behind which I hope we can all unite, that sexual equality is the only option in the assembly. The assembly should be a model of good parliamentary practice for the rest of the United Kingdom. We have a golden opportunity to dissolve prejudice.

Mr. Bernard Jenkin (North Essex): As I look to the Benches behind me, I freely confess that the Conservative party is not unpreoccupied with matters of female representation in this place, or in the party. One of the key features of our party's renewal will be the involvement of more women in its front line.

The new clauses display a remarkable lack of confidence in the electors of Wales and how their elected representatives will deal fairly with such issues without the sanction of primary legislation. The Bill already requires the assembly to exercise its functions with due regard to equality of opportunity. The assembly will also have to publish a report each year, outlining what arrangements it has put in place to achieve that and how effective they have been. I imagine that, by implication, that applies to the assembly's responsibilities. It is up to the assembly whether it wishes to lay down conditions for Welsh public bodies, as new clause 22 would require in primary legislation. New clause 22 would impose a duty on the bodies to make similar arrangements to the assembly for exercising their functions with due regard to equality of opportunity, but that surely should be a matter for the assembly and not be imposed by the Committee.

I shall brush over new clause 25 and move straight on to new clause 30. New clause 30 appears to be an interference in the relationship between the elector, the party and the elected. Whatever the internal arrangements of a party, it is not for legislation to lay down methods of selection. Nor should it legitimise forms of discrimination that would otherwise be illegal.

The way in which the argument about discrimination has progressed is extraordinary. Discrimination is outlawed in the Sex Discrimination Act 1975, the equal treatment directive and article 119 of the treaty on European Union. As that does not satisfy the political agenda of some of the participants, they want to make legislation more, not less, discriminatory.

When the Labour party tried to introduce women-only shortlists for parliamentary elections, that was found to be unlawful under the Sex Discrimination Act 1975 in the case to which the hon. Member for Cardiff, North (Ms Morgan) referred. Labour did not appeal, leaving the legal position still somewhat unclear, but several leading lawyers argue that the parliamentary selection process would not be subject to the Act if it came before a court of law.

Mrs. Maria Fyfe (Glasgow, Maryhill): Will the hon. Gentleman explain why he thinks that the new clause would lead to a more discriminatory outcome when the whole point is that, starting with a clean slate and a new assembly, the intended outcome should be equal and that neither sex should have a numerical advantage over the other?

Mr. Jenkin: The logic of the hon. Lady's position is to accept an earlier suggestion that we should simply legislate for 50 per cent. of the Members of the Assembly to be women. That is not a democratic outcome, because the voters of Wales should decide the membership of the assembly, and they should be free to vote for the candidates whom the parties choose to put up. There is a difference between discrimination in the process and discrimination in the outcome. We are against discrimination in the process, whereas the hon. Lady is in favour of discrimination in the process in order to achieve a particular outcome that satisfies her beliefs. That is not necessarily more democratic.

We all want more women to come into public life, to compete for jobs in public life and to do well, but it does not do women a favour to promote women who are necessarily less well qualified than men. *[Interruption.]* Women are not inferior to men; women can do just as well as men and often do far better, as we in the Conservative party have discovered from time to time. The problem is that the new clause would legitimise discrimination, and that flies in the face of the very rights that the hon. Member for Cardiff, North is trying to create.

[Mr. Jenkin]

I refer the Committee attention to article 14 of the European convention on human rights, which the Government are incorporating into United Kingdom law. It states:

"The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

That is the true language of rights. The language of the new clause is the language of a political agenda that has more to do with restricting rights in favour of certain groups than with promoting genuine equality. That is why we oppose the new clause, although I congratulate the hon. Member for Cardiff, North on her tenacity and on her honesty in telling the House that she herself is here by virtue of such a discriminatory process.

Mr. Win Griffiths: The business of the Committee has meant that the debate has not been as long as we might have wanted it to be and my remarks will necessarily be brief.

New clause 22 arises out of a use of schedule 5 to the Scotland Bill and, unfortunately, the way in which that has been transposed into the Government of Wales Bill does not meet the same requirements that exist in the Scotland Bill. It would extend rights in respect of religious and political beliefs, but we have no statute law on those matters and they are therefore specifically excluded in the Scotland Bill, even though they are referred to in the interpretation of equal opportunities. Because of the pressure of time, I shall write in detail to my hon. Friend the Member for Cardiff, North (Ms Morgan), who stated her arguments clearly, and place a copy of the letter in the Library.

The hon. Member for Montgomeryshire (Mr. Öpik) spoke to new clause 25. We believe that the Bill already provides in clauses 47 and 113 for the assembly's business and the exercise of its functions to be pursued having regard to the principle of equality of opportunity. We also believe that the use of gender-neutral language is only one element in this. The national assembly advisory group is already considering equality of opportunity in the context of clause 47, and I shall ensure that its attention is drawn to the concerns that the hon. Gentleman raises.

On new clause 30, the Government attach great importance to much more extensive participation by women in the political process. I take it that that is the feeling of the whole Committee, despite some rather negative remarks. For far too long, there have been far too few women in our elected chambers. That is particularly true of Wales, where, as my hon. Friend the Member for Cardiff, North said, women have been scandalously under-represented in political life. In 80 years, only seven women Members of Parliament have represented Welsh constituencies, four of whom are current Members. However, I am pleased that two of the five representatives of Welsh constituencies in the European Parliament are women—that is something on which to build.

9.15 pm

Mr. Dafis: I want to make it clear that Plaid Cymru Members strongly support the new clause tabled by the hon. Member for Cardiff, North (Ms Morgan). May I draw to the Minister's attention the fact that the Women's Institute in Wales suggested that the Equal Opportunities Commission should be included in the list of organisations in schedule 4, to establish a relationship between the assembly and the commission and so encourage the integration of gender balance into the work of the assembly?

Mr. Griffiths: Speaking off the cuff, I do not think that there would be any problem with that—we shall consider it.

The Government hope that representation in the National Assembly for Wales will, from the outset, be different from what we have had at Westminster. The assembly will be a new start for Wales, and we hope that women will be to the fore in ensuring that that new start is a success.

Sir Raymond Powell: What are the Government's proposals to ensure a gender balance? How will they ensure that women are elected to the Welsh assembly?

Mr. Griffiths: If I may continue with my speech, I hope that some of the issues will emerge as I proceed.

Sir Patrick Cormack (South Staffordshire): Three minutes.

Mr. Griffiths: Well, I shall have to proceed very quickly.

The Government are committed to the principle of equality. We want the assembly to be inclusive and equally accessible to all groups in Wales. New clause 30 would amend the Sex Discrimination Act 1975 to remove from its scope the selection procedure for assembly candidates. That is a complex issue. The requirements of European employment law, particularly the equal treatment directive, and the Sex Discrimination Act have established the framework in which we work.

The parties can take a range of steps to encourage more women to put themselves forward as candidates. They need to make a strong statement nationally of their commitment to encourage women to come forward as candidates for selection—I have no hesitation in giving that commitment on behalf of the Wales Labour party.

Parties should offer more training for women who are interested in putting themselves forward as candidates. There should be training for local selection committees, and promotional literature to encourage women party members to stand for selection. The Equal Opportunities Commission has offered political parties advice on how to put into practice equal opportunities in their selection procedures, and I urge all parties to take up that offer.

We are also aware that the procedures and working practices of a legislature may in themselves be an active disincentive to women who might otherwise be interested in standing for election. With that in mind, clause 47 requires the assembly to make appropriate arrangements to ensure that its business is conducted with due regard to the principle that there should be equal opportunities for all.

Clause 113 also requires the assembly to make arrangements to ensure that it has regard to the principle of equality in the exercise of its functions. The White Paper made it clear that we are committed to equal opportunities for all. That commitment extends to women and men, members of the ethnic minority communities, the disabled and others. We urge all political parties to have regard to the principle of equal opportunities in drawing up their procedures for the selection of candidates for the assembly elections.

I urge my hon. Friend the Member for Cardiff, North to withdraw the motion.

Ms Julie Morgan: In view of those remarks, and in the hope that the Government will examine the issues again during the passage of the Scotland Bill and consider whether free-standing legislation should be introduced, I reluctantly beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Mr. Wigley: On a point of order, Mr. Lord. In view of the way in which the guillotine is preventing debate on matters such as the consumer affairs committee, can we have some assurance that those matters will be given some consideration on Report?

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): That is not a matter for the Chair at this point. I am sure that the Committee is well aware of the times laid down for debates this evening.

Mr. Livsey: Further to that point of order, Mr. Lord. May I make the same point about the Consolidated Fund, which is especially important?

The Second Deputy Chairman: I have dealt with that point of order. I remind the Committee that points of order simply take more time out of tonight's debate.

Mr. Ron Davies: Further to that point of order, Mr. Lord. Let it nevertheless be on the record that the timetable motion with which we are complying was agreed by all parties, and that the whole House has responsibility for the passage of the legislation.

The Second Deputy Chairman: I think that I have dealt with that point of order.

New clause 31

TREASURY CONSENT (LOCAL GOVERNMENT EXPENDITURE AND COUNCIL TAX)

'(1) The Assembly shall not directly or indirectly do anything, or omit to do anything, which would have, or may have, the effect of increasing local government expenditure in Wales or the effect of increasing the rate of council tax in Wales without the consent of the Treasury.

(2) Such consent of the Treasury may be given from time to time and may be revoked or qualified at any time or times.'.—*[Mr. Jenkin.]*

Brought up, and read the First time.

Mr. Jenkin: I beg to move, That the clause be read a Second time.

In an effort to ensure that everyone gets a chance to speak, I shall be as brief as possible. It was interesting to note in the previous debate that the Liberal Democrat spokesman, the hon. Member for Montgomeryshire (Mr. Öpik), spoke for longer than the hon. Member for Cardiff, North (Ms Morgan), who moved the original motion.

Paragraph 3.8 of the White Paper made it clear that the assembly would assume responsibility for funding Welsh local authorities, and that was to be put into effect by clause 22 and schedule 2 which, taken together, require the Secretary of State to transfer functions relating to local government in Wales.

The amount of revenue support grant awarded to a council is not specified in law and will be totally at the assembly's discretion. Furthermore, the Government are committed, as paragraph 3.9 of the White Paper says, to removing "crude and universal capping". Indeed, the Secretary of State said:

"Certainly I want to get away from the capping regime. I think that it is unhealthy . . . as a Government we are opposed to the crude and universal system of capping, introduced by the last Government, which we have inherited."—[*Official Report*, 11 February 1998; Vol. 305, c. 385-87.]

As we have consistently said, the assembly could introduce its own tax-raising power through the back door, by deliberately holding back funds from the unitary authorities, safe in the knowledge that they would then raise council tax. The new clause would stop the assembly forcing local authorities to raise their council tax without Treasury approval.

We have consistently warned that the assembly will effectively possess an indirect tax-raising power. The new clause is designed to prevent that.

Mr. Win Griffiths: The hon. Member for North Essex (Mr. Jenkin) displays entirely unnecessary caution and fear, as I hope to be able to show. It must be realised that funding for local government—the hon. Gentleman specifically referred to that point—represents nearly half of the total Welsh block. New clause 31 would fundamentally affect the way in which the assembly would discharge its responsibilities for funding local government in Wales.

We must be clear about the effect of the new clause. It would provide for a Government Department in Whitehall to second-guess decisions of an elected assembly based in Wales. The assembly will be directly accountable to the people of Wales for its decisions, but that is not to say that, under devolution, the United Kingdom Government will have no interest in the level of local government expenditure in Wales. The block principles that my right hon. Friend the Chief Secretary published before Christmas made it clear that financial arrangements would be made to safeguard the United Kingdom taxpayer from the effects of decisions taken by the assembly. That is why, for example, the cost of council tax benefit in Wales is to be brought within the block. The assembly will not be able to pass on the benefit costs of its decisions to the Department of Social Security.

We have also recognised that, at the moment, local authority self-financed expenditure, including council tax income, forms part of the Government's control total. Council tax levels are controlled by capping. As the hon. Member for North Essex rightly pointed out, the

[Mr. Win Griffiths]

Government are committed to abolishing crude, universal capping, but we are reviewing the capping powers as part of our review of local government finance. Consultation on those issues will be carried out later this year in England and Wales. We shall decide, in the light of the review, what powers the assembly should have. The block principles cater for that.

If local authority self-financed expenditure in Wales grows more rapidly than the equivalent expenditure in England and in such a way as to threaten targets set for public expenditure as part of the management of the UK economy, it will be open to the Government to take the excess into account when considering the level of the Welsh block. That safety provision is written in. Therefore, appropriate safeguards will be put in place to protect the UK taxpayer. The Government's view is that those safeguards are best delivered through the flexible administrative arrangements in the block rules, instead of the straitjacket that would be introduced by new clause 31.

Under the new clause, a decision to give £1,000 more to local government would require the assembly to go, cap in hand, to the Treasury for permission. That cannot be an appropriate way to treat a mature, elected body. I hope that the hon. Member for North Essex will accept that protection for the UK taxpayer is provided in the block principles that we have already set out. A serious side effect of the new clause would be to make it impossible for the assembly to make even small changes in the provision for local government in Wales. Therefore, I hope that he will withdraw the motion.

Mr. Jenkin: I am grateful to the Minister for that reply. He gave the answer that I expected. Will it be less inflammatory for the future relations between the Treasury and the assembly for a behind-the-scenes, arm-twisting policy to be the way in which the Treasury controls the withdrawal of grant from local authorities, instead of clear and unequivocal consents being required by the Bill? I ask that question as a warning. We believe that misunderstandings on that issue are likely to lead to friction between the Westminster Parliament and the Welsh assembly in the future.

Mr. Win Griffiths: There is nothing behind-closed-doors about this. I have explained clearly how the principle will work, and it is open for everyone to see.

Mr. Jenkin: The hon. Gentleman may say that, but there will be private discussions between representatives of the Welsh assembly and the Treasury, behind closed doors, where the issue of how much revenue support grant settlement is doled out to local authorities will have to be agreed, so that the assembly should know that what it is agreeing will not result in a withdrawal of grant by the Treasury.

That is the use of Executive power, instead of the use of simple expedients in the Bill, to try to control local authority spending. I can appreciate why, sitting in his position, the Minister would prefer everything to be done at the discretion of Ministers, but that approach carries with it dangers. The dangers are that, when the arm twisting becomes serious, the assembly will feel that its legitimate rights are being thwarted because no restriction that would otherwise contain its action has been put in the Bill.

To achieve what we should prefer to achieve by legislation, the Minister will have to rely on back-room pressure, and back-room pressure is less satisfactory than an open agreement set down in the Bill. However, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 32

ASSEMBLY TO BE SUBJECT TO INVESTIGATION BY PARLIAMENTARY COMMISSIONER

'In Schedule 2 to the Parliamentary Commissioner Act 1967 at the appropriate place insert:—

"The National Assembly for Wales".'.—*[Mr. Jenkin.]*

Brought up, and read the First time.

9.30 pm

Mr. Jenkin: I beg to move, That the clause be read a Second time.

The Second Deputy Chairman: With this, it will be convenient to discuss the following: New clause 33—*Assembly to be subject to investigation by Commission for Local Administration—*

'In section 25(1) of the Local Government Act 1974 at the end insert:—

"(e) the National Assembly for Wales".'.

New clause 41—*Ombudsman for Wales—*

'.—(1) The Assembly shall make provision for the investigation of relevant complaints made to its members in respect of any action taken by or on behalf of a member of the executive committee in the exercise of functions conferred on the members of the executive committee.

(2) For the purposes of subsection (1), a complaint is a relevant complaint if it is a complaint of a kind which could be investigated under the Parliamentary Commissioner Act 1967 if it were made to a member of the House of Commons in respect of a Government department or other authority to which that Act applies.

(3) In making provision of the kind required by subsection (1), the Assembly shall have regard to (among other things) the Act of 1967.

(4) The provision required by subsection (1) shall include the appointment by the Assembly of a National Assembly for Wales Commissioner for Administration.

(5) In this section, "action" includes failure to act (and related expressions shall be read accordingly); and the references to the Act of 1967 are to that Act as it has effect on the commencement of this section.'.

Mr. Jenkin: I shall be very brief because I should be grateful to the Minister for an answer.

There is no provision in the Bill for an ombudsman to investigate complaints of maladministration by the assembly or those bodies for which it has responsibility. We could give many examples of where an ombudsman would be an appropriate port of last call for members of the public with grievances. The House has an ombudsman; local government has an ombudsman. Is there an ombudsman to whom people could apply in this case?

Mr. Wigley: I wish to speak to new clause 41, which proposes an ombudsman for Wales, making slightly different provision from that suggested by the Conservative new clauses 32 and 33, which give that responsibility either to the parliamentary ombudsman or

to the local government ombudsman. Our new clause provides the facility for a specific ombudsman for the National Assembly for Wales. Whichever course is chosen, it is essential that there is recourse to an ombudsman.

Mr. Livsey: Liberal Democrat Members agree with what the right hon. Member for Caernarfon (Mr. Wigley) has just said, but if what he proposes is not possible, we propose that the assembly be subject to investigation by the parliamentary commissioner. We do not believe that investigation by the commissioner for local administration in Wales, as is suggested in new clause 33, is appropriate.

Mr. Win Griffiths: I was fully prepared to take short speeches from all the Opposition parties because we believe—as we have shown in our actions—that an important part of the process of passing the Bill is to listen to what people have to say.

The House may recall that, in the White Paper, we said that we would wish to extend the jurisdiction of the parliamentary commissioner to cover the work of the assembly. However, after considering the matter, and at the suggestion of the parliamentary commissioner, Michael Buckley, we felt that it would be better to create a separate office of the assembly ombudsman. My right hon. Friend the Secretary of State informed the House of that on Second Reading.

It is our intention to create a new office of the assembly ombudsman. We would expect constituents to bring their appeals to the ombudsman through their Member of the Assembly, as constituents bring appeals to the parliamentary commissioner through their Member of Parliament. It would be up to the assembly to decide whether it wanted its own free-standing ombudsman or whether it would place itself at the disposal of the parliamentary ombudsman. However, we shall table an amendment, and when we do so there will be an opportunity to discuss the detail. Therefore, I hope that the motion will be withdrawn.

Mr. Jenkin: It has been drawn to my attention that, in view of our previous debates, it might be more appropriate to call the person an ombudsperson rather than an ombudsman, because I believe that we want gender-neutral language in the Welsh assembly. That rather underlines the pointlessness of the exercise. I am grateful to the Minister for his comments. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 35

CANDIDATURES

'(1) No party may submit a list of candidates to be Assembly members for an Assembly electoral region unless there is a candidate of that party in at least one-half of the Assembly constituencies included in that Assembly electoral region.

(2) Where a party has candidates in at least one half of the Assembly constituencies included in an Assembly electoral region they shall submit a list of candidates to be Assembly members for that Assembly electoral region.'.—*[Mr. Ancram.]*

Brought up, and read the First time.

Mr. Ancram: I beg to move, That the clause be read a Second time.

This is a somewhat unusual new clause that deals with an important point. As I have only a short time to deploy the argument, I hope that hon. Members will forgive me if I do not take interventions. I hope that the Government will be able to respond.

To understand the argument, it is necessary to revisit the proposed system of elections to the assembly, which we discussed earlier in Committee—the two-vote additional member system known as AMS, with the distribution of list seats contingent on the outcome of the constituency contests in the individual constituencies in each region.

For various reasons, largely in relation to the Scotland Bill, it has become clear that the AMS as at present provided could be open to legal but undesirable manipulation, which would effectively go far towards negating the purpose of achieving a more proportional result.

As hon. Members will recall, I made clear my dislike of the AMS at an earlier stage. I want to make it clear at the outset that the new clause does not seek to wreck the proposed system. In reluctantly accepting the system, I am trying to mitigate the effects of the damaging manipulation which, it appears, could currently arise and which, without some adjustment to the Bill, is quite likely to arise.

The potential for manipulation arises from what could loosely be called ticket splitting. In a region where one party is likely to score heavily on the first-past-the-post constituency contests, the AMS by way of the d'Hondt divisor, which is the one built into the Bill, applied under clause 6(1)(b), would on straight party tickets militate strongly against that party on the electoral region lists. Indeed, the required proportionality is achieved through the so-called adjustment seats, which is the purpose of the d'Hondt system that the Government have adopted and by which they set great store, as they have told us repeatedly.

The potential, however, arises for the party in question to decide not to contest the list seats at all, but instead to throw its weight behind another party in order to deny other parties additional members through the adjustment seats. This other party could be, as is happening increasingly in Germany, a potential coalition partner that would then owe loyalty in return for the benefit of the split ticket. Although that is undesirable and undermines proportionality, I fear that that is probably unavoidable within the system.

The most unacceptable manipulation can occur in a slightly different way. The dominant party in terms of the constituency elections could decide not to contest the list seats, and could instead form an understanding with another party, probably one that might be termed an alter ego party, which had been registered for that purpose—a party that either had not stood in the constituency seats, or had received no votes there.

Mr. Ron Davies: Or presumably that could be done with independent candidates.

Mr. Ancram: Indeed, but the mathematics become more fierce when they involve a registered party on the list system. The alter ego party could stand in the regional lists, and if there was an effective straight replication of votes across from the constituency to the regional lists, the effect would be dramatic in the overall increase of

[Mr. Ancram]

seats that those combined parties could achieve. The alter ego party would avoid the constituency strike-rate element of the divisor, and would be subjected to the divisor only under the list system itself.

A party could stand, for example, as Plaid Cymru in the constituencies and register its alter ego as the Party of Wales for the regional list. Conservatives could become Unionists for the same purpose. Labour could become Co-operative, as has been mooted in the west of Scotland, or resurrect the Independent Labour party.

Mr. Wigley: Or become socialist.

Mr. Ancram: Or even become socialist. Liberal Democrats, as we know, would probably become whatever suited them at the time.

It all sounds complicated, but in essence it is not. A split-ticket campaign would not be difficult where the split between the two parts of the system was total. If, however, there is any cross-over, split-ticket voting is by no means impossible, but it becomes much harder to manage. I shall return to that.

I shall try to exemplify. I am sorry that I have not been able to produce any figures for Wales, but some work has been done in Scotland. I refer with appreciation to the initial work of Dr. Michael Dyer of the department of politics and international relations at Aberdeen university. On the basis of the electoral results of 1 May last year applied equally to both ballots within the AMS in Scotland, it is calculated that Labour would have returned 64 out of 129 Members of the Scottish Parliament—which is only one short of an overall majority. However, if there had been a clear split-ticket arrangement in place using an alter ego party, the combined total would have been 91—a clear majority and an increase from just under 50 per cent. to just over 70 per cent. of the seats. While that might be attractive in political terms, it would comprehensively defeat the purpose of the AMS system: proportionality would be side-stepped and the basis of the new political arrangements would be undermined. On that basis, I hope that the Secretary of State will share my concern about that problem.

That brings me to the solution. Clearly the key will be the provisions for the registration of parties. The worst of the effects that I have mentioned would be avoided if there were provisions to prevent the registration of what I have termed alter ego parties. However, at present, we do not know what the provisions will be. It is quite extraordinary, if not unacceptable, that we have reached this stage in considering the legislation—alongside the Scotland Bill and the European Parliamentary Elections Bill, which are also affected—without sight of the terms of the enactment referred to in clause 4(8) and having achieved nothing more than the earliest stages of inter-party consultation about what they might be.

So central is the question of registration to the proper working of the electoral system that it is unconscionable that the legislation could complete its passage through this place without full sight of, and discussion about, the statutory criteria by which registration will operate and clear indications that alter ego parties will not be permitted. I make that point very seriously at this stage in the hope that the right hon. Gentleman will take steps to ensure that, when we return to the Bill on Report on the Floor of the House in due course, we shall be fully apprised of the details of the forthcoming legislation regarding registration. It cannot be right that important democratic systems are created in legislation with a vital component such as this left unrevealed. We need to see the registration Bill—and soon.

In the meantime, our new clause—which does not and cannot deal with registration—seeks to mitigate the worst effects of such manipulation. It seeks to prevent the optimum split-ticket arrangement where the split between the two parts of the system is total. It is in two connected parts: the first requires a party to put up candidates in one half of the constituencies in an electoral region if it wants to nominate a list; and the second requires a party to nominate a list if it has candidates in one half of the constituencies in an electoral region. I must admit that that does not resolve the problem, but it makes the potential abuse more difficult to achieve. It is certainly better than nothing—which I fear is what the Bill at present provides.

I hope that this suggestion will appeal to anyone who genuinely wants a fair and balanced system of elections to the assembly—and I hope that that includes the Government Front Bench. In any event, I commend new clause 35 to the House.

Mr. Win Griffiths: I thank the right hon. Member for Devizes (Mr. Ancram) for advancing new clause 35 and the reasoning behind it. We acknowledge the points that he has made and I concede that there may be scope for collusion between and within parties to exploit the two-ballot structure of the additional member system in the manner that he described. Such cynical manipulation of the system would be an affront to the electorate and would undermine the democratic credibility of the elected body.

However, it is not easy to deal with this problem as a matter of law—the proposed new clause would have some undesirable consequences, as I shall explain in a moment. I am not aware that there is any provision in existing electoral law that would provide the answer. A rather similar circumstance prevails in certain parts of Wales that has a different effect. Known members of political parties often stand in local government elections as independents, even though they are nothing of the kind. They do not wear their political colours because they fear that that might reduce their chances of election. Nothing in the law prevents that practice, and it is left to the good sense of electors to figure out who is who.

One of the unfortunate side effects of the new clause is that it could—without going into all the details—have a severe effect on many of the smaller parties in the electoral regions. It would sometimes be difficult for them to offer a sufficiently large number of candidates for the list. The new clause could damage the interests of smaller parties. We want to be inclusive in the assembly. We want to try to take account of the fears of people throughout Wales. That is why we are a bit hesitant.

9.45 pm

I return to the issue of collusion. The collusion mentioned by the right hon. Gentleman will require the vigilance of other political parties and the media to expose it. There is evidence to show that, in New Zealand and

Germany, where efforts have been made to use collusion, it has been exposed and it has not done the parties involved any good. If that were to happen in Wales, it would not reflect well on the guilty parties. That would be a real deterrent. That said, we take on board the serious concerns the right hon. Gentleman has raised.

I am not in a position to give a guarantee about when the details on registration will emerge. I can assure Opposition Members that we want to see whether it will deal with these issues. I am not entirely sure that it will. We do not want to dismiss the matter as of no importance. We shall examine it with our colleagues in Scotland and the Home Office to try to prevent collusion in the additional member system in Wales.

I hope that, with those assurances, the right hon. Gentleman will be prepared to withdraw the motion.

Mr. Ancram: I am grateful to the Minister for the concern that he has shown towards the new clause and, indeed, for the way in which he responded to it. He, like me, realises that whatever our views on a particular electoral system, it is important that it is seen to work fairly if it is not to undermine the democratic institution at which it is directed.

I am worried not just about collusion, which might be regarded as underhand and when exposed cause a public reaction, but about the open manipulation of the system, as happens in certain parallel systems where having an alter ego party is a purely political manoeuvre to allow the d'Hondt divisor to be avoided in the second list, which means that in the first calculation no account is taken of the constituencies that are won on the direct list. The system can be abused not just in an underhand way but in a legitimate and legal way, which would avoid the intentions behind the system. I hope that that can be looked at.

I am a little cautious about using Germany as a parallel. The areas there are much bigger and there is not the tendency, except in a few areas, towards a preponderance of one-party votes that could create the problems in an area such as this.

Finally, I return to the registration of political parties. Important issues arise and I stress that I shall be making the same point in relation to the Scotland Bill. I think that my right hon. Friend the Member for North–West Cambridgeshire (Sir B. Mawhinney), the shadow Home Secretary, made the same point when the House of Commons was discussing the European Parliamentary Elections Bill last Thursday. If we are to have confidence in going along with what is proposed, we must know the criterion on which legislation is to be based. I understand that consultation has begun, but it is at an early stage and fairly vague.

As for the propensity for alter ego parties to get through the system, I should be grateful for detailed information, if that is possible, on Report. Indeed, it would be difficult for us to take a sanguine attitude to these matters if that information was not available. I realise that that is not entirely in the hands of the Minister or the Secretary of State, but is a matter for the Home Secretary. However, I hope that my views and representations will be made known strongly and clearly.

In the light of what the Minister has said, and given his undertaking to take the new clause away and consider it carefully, I am prepared to withdraw the new clause. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 36

RIGHTS OF MEMBERS OF THE HOUSE OF COMMONS REPRESENTING PARLIAMENTARY CONSTITUENCIES IN WALES

'(1) Members of the House of Commons representing a constituency in Wales shall be entitled to attend and participate in any proceedings of the Assembly.

(2) Subsection (1) does not confer on any such Member of the House of Commons—

(a) any right to vote, or

(b) any right to attend or participate in the proceedings of a committee of the Assembly or any sub-committee of such a committee.

(3) The standing orders must include provision for any documents which—

(a) contain material relating to any business which has been, or is to be, transacted by the Assembly itself, and

(b) are made available to all Assembly members,

to be available to such Members of the House of Commons no later than the time when they are made available to Assembly members who are not members of the executive committee.'.—*[Mr. Jenkin.]*

Brought up, and read the First time.

Mr. Jenkin: I beg to move, That the clause be read a Second time.

Under clause 75, the Secretary of State for Wales is entitled to attend and participate in any proceedings of the assembly, although that right would neither give the Secretary of State a vote nor would it extend to Committees. The Secretary of State would also receive any relevant documents at the same time as Members of the Assembly. The new clause would give Members representing Welsh constituencies similar privileges. We think that that is only right as they have responsibilities for representing the electors of Wales as much as Members of the Assembly.

Mr. Syms: I support my hon. Friend the Member for North Essex (Mr. Jenkin). One of the key points will be how the relationship between the House of Commons and the Welsh assembly develops. The new clause provides a mechanism whereby Members of this place may at least be able to attend, talk and participate but not vote in the assembly's deliberations. That would be useful for an understanding of the perspective from the point of view of us in the United Kingdom Parliament and of Members of Parliament, of what is happening and of the issues that are current within the assembly.

Almost of more importance is the last part of the new clause, which provides that documents should

"be available to such Members of the House of Commons no later than the time when they are made available to Assembly members who are not members of the executive committee."

It is important that if decisions are made in the assembly that have an impact on parliamentary constituencies, Members who represent those constituencies should at least have the full information available to them relatively quickly so that when they are dealing with correspondence or local problems they are aware of the

[Mr. Syms]

advice that was given to assembly Members by their officers and aware also of the information that has been available to those who have taken decisions.

Mr. Gareth Thomas: I oppose the new clause because it would confuse the roles of elected representatives of the assembly and elected representatives at Westminster. They should work in partnership, but to allow representatives from Westminster to attend the assembly, even if they do not have the right to vote in debates at the assembly, would create confusion and would undermine the principle of accountability. It would also eat into debating time within the assembly.

I shall be interested to hear what my hon. Friend the Minister has to say in reply. I am sure that I am not the only Member of this place who, while supportive of the principle of devolution and congratulatory of the Government on their valiant efforts to produce workable legislation, wants to hear what my hon. Friend has to say about how he and the Government generally intend to foster a workable relationship between Members of Parliament in Westminster and elected Members of the Assembly. Given the devolved nature of powers, that is particularly significant, and it will be interesting to see whether the Government start a debate about how that partnership should be engendered. That important point exercises the minds of hon. Members on both sides of the Committee.

There would have to be a partnership. It is not beyond the wit of man or woman to realise that assembly Members and Westminster Members of Parliament must respect each other's functions. Westminster will retain primary legislative power, and Welsh Members of Parliament will continue to play an important part in the legislative process.

I oppose the new clause because, although it raises an issue that should be addressed, it confuses the roles of the representatives at Westminster and in the assembly.

Mr. Livsey: Liberal Democrat Members believe that the new clause would subordinate the Welsh assembly to the views of Westminster Members of Parliament, which is not the correct way to proceed. Westminster Members should have the right to observe the assembly's proceedings and to receive documentation on its workings. Beyond that, a line should be drawn.

Mr. Grieve: The hon. Member for Clwyd, West (Mr. Thomas) made interesting points, but I shall explain why the anxieties that he expressed do not add up.

The assembly will regulate its own proceedings. I should be surprised if Westminster Members who wanted to attend were given priority over Members of the Assembly to participate in debates, but the new clause addresses the anxieties that the hon. Member for Clwyd, West rightly expressed. There must be a good working relationship between Members of Parliament representing Welsh constituencies and the assembly if the assembly is to do its work successfully.

The assembly will deal with secondary legislation—we shall consider statutory instruments later in the debate—and good channels of communication with those who represent Welsh interests when primary legislation is considered at Westminster are essential. There will be the danger of a breakdown in communications if Westminster Members of Parliament are not invited to attend the assembly's debates. Members of Parliament will not want to attend as observers unless their views can be heard.

The new clause is designed to deal with precisely that point, and would not subordinate the assembly to the will of Members of Parliament. The reverse is true: the assembly will have the power to regulate its own proceedings under the Bill, and the new clause would allow Members of Parliament to be fully briefed on assembly issues. For that reason, I support the new clause.

Mr. Letwin: I see the new clause as a cry for help. We have frequently examined the tissue of the conflicts to which the Bill gives rise, and the Secretary of State and his colleagues on the Treasury Bench have assured us on numerous occasions that our fears will be resolved by a new spirit of amity and co-operation. Those Ministers have often told us that our fears are based on a reactionary view of the likelihood of constitutional conflict. They have said—the Secretary of State is nodding helpfully—that, if only we understood the new spirit in which the House of Commons, the other place and the Welsh assembly would proceed, we would realise that our fears were groundless.

10 pm

If that is true, it falls to the Secretary of State and his Ministers to tell us how, mechanically, such an entirely new constitutional spirit will arise. Close to me sit the highly articulate and noble representatives of a political party represented—at the moment—by the right hon. Member for Caernarfon (Mr. Wigley). Unlike the Government, they have an entirely clear view of what the assembly is, where it is headed and what is to be made of it. They have taken great heart from the Secretary of State's observation on repeated occasions—I think I quote him exactly—that this is a process rather than a resting point. As they see it, the process is not one to which new clause 36 would give rise, nor is it in a spirit of amity and co-operation. On the contrary, like many parts of the Bill—to which, admirably, the right hon. Member for Llanelli (Mr. Davies) and others have drawn our attention—it allows, in great measure, for a spirit of litigation.

Mr. Wigley: The hon. Gentleman has tempted me to intervene. I know that my reaction is delayed; it is the shock.

Does the hon. Gentleman accept that the process—although it is a process—can go no faster or further than the people of Wales want, or even than the House permits? The long stop, in terms of legislation, rests with the House.

Mr. Letwin: That is an interesting point, which the Committee ought to ponder.

I entirely accept that it will not be possible to go further or faster than the Welsh assembly desires, and, to the extent that the assembly reflects opinion in Wales, I suppose that it must be true that it will not be possible to go further or faster than the majority opinion in Wales wishes. However, once a constitutional muddle is established as the Bill establishes it, in the absence of a

measure such as new clause 36, the natural means by which that muddle will be resolved is one for which the Bill provides: litigation before the Judicial Committee of the Privy Council and, in some cases, lower courts leading to that.

I think that the right hon. Gentleman would agree that there is no knowing where that process will lead. It will be taken out of the hands of elected representatives, Welsh or otherwise, and placed in the hands of judges—on the whole, English judges—who will decide most of the important issues. New clause 36—I refer to it before the Secretary of State tries to get the Chair to call me to order—tries to deal with that.

The new clause may well be described as insufficient, inadequate and inelegant. On behalf of Front Benchers, I think that I can accept all those accolades. The important point that it raises, however, is undeniable. It seeks to establish some mechanism to make a reality of the rhetoric that the Secretary of State and his Ministers have repeatedly given the Committee, in the absence of the slightest substance in the Bill.

Nowhere, other than in new clause 36, do we see even an attempt to create the mechanics for co-operation. That is extraordinary. We have been told repeatedly that well-documented causes of litigation and strife will be avoided simply through a new spirit, without being vouchsafed a single set of mechanics for that new spirit save a mysterious entity called "the concordat". That is not provided for in any way in the Bill.

There is every reason for the Committee to look at new clause 36 as a probing measure, which is how our friends in Plaid Cymru once described another new clause. It seeks to elicit from the Government the slightest concrete example of how they will engender this supposed spirit of amity and avoid what, despite the evident smiles of Government Front-Bench spokesmen, I confidently predict will lead to the Government's misery in the years ahead. That will happen as the predictions of litigation are seen to be true rather than merely hypothetical, and as the Government find themselves unable to deal with that because the courts have taken over from elected representatives.

Dr. John Marek (Wrexham): I oppose the new clause. The hon. Member for West Dorset (Mr. Letwin) is quite wrong. The functions of the National Assembly for Wales will be entirely different from the functions of this place. The assembly will operate on a committee system and everybody will have an important role in executing the functions that the assembly decides. In this place there is much hot air and very little else.

How many amendments have been accepted by the Government? There might have been one or two but, generally, decisions are made not in the Chamber but in the ministerial corridors or across the road in Whitehall. This is the place for talk and the hon. Member for West Dorset seeks to transfer talking to the assembly. I do not think that we want too much of that in Wales. We can certainly talk, but we want decisions as well.

Mr. Letwin: Will the hon. Gentleman give way?

Dr. Marek: I intend to be brief, so I shall give way to the hon. Gentleman and then quickly finish my speech.

Mr. Letwin: Was the hon. Gentleman here when we conclusively showed, and I think that the Secretary of State admitted, that it was within the scope of the powers of each of the Committees to which the hon. Gentleman so lovingly refers, to delegate its entire power to a Secretary who would be a de facto member of the Cabinet? If that is the case, does the hon. Gentleman think that there will be the slightest difference between this place and the assembly to the extent to which this Chamber is a talking shop? Does the hon. Gentleman agree that the Secretaries would be able to wage war on this place and on the Government through the courts?

Dr. Marek: They may wish to wage war, and rightly so, but I do not think that that is the issue. It would be wrong for all the functions of a Committee to be delegated to a Secretary. I have reasonable confidence that that will not happen because of the committee system that is envisaged for the assembly.

Mr. Letwin: I do not know why the hon. Gentleman has that confidence. If he reads *Hansard* he will see that the Secretary of State admitted that the Bill contains powers for each Committee to do precisely what I have described.

Dr. Marek: I have lived in Wales for a long time and I understand what will happen. The hon. Gentleman can take it from me that there will be far more co-operation and committee work in the assembly than there is here because there is none in this place. That is the problem. I accept that what the hon. Gentleman outlines may happen to some degree, although I hope that it will not. If it does, the new clause would simply add to the problem. The last thing that anybody in Wales and many hon. Members with a different rigour about them and a different purpose in life want to see is time wasting, talking for hours on end in an assembly that ought to be deciding important matters for the Welsh people. I hope that the Minister, although perhaps not for the reasons that I have enunciated, does not give way on the new clause.

Mr. Win Griffiths: This has been an interesting debate and I thank the hon. Member for North Essex (Mr. Jenkin) for moving the new clause. Under clause 32 of the Bill, the Secretary of State has to consult the assembly on the Government's legislative programme. Clause 75 entitles the Secretary of State to attend and participate in the assembly's debates. The new clause goes much wider than that because it seeks to create a sort of Welsh assembly grand committee in which anyone who has been elected to the assembly or to this place can join in the fun. It takes only two or three seconds to realise that such a proposal is totally impractical. We would have to ensure, first, that we virtually doubled the size of the assembly's chamber, because it would be disastrous—we would never hear the end of it—if 40 Members of the Assembly turned up and there were no places for them.

We must realise also that hon. Members and Members of the Assembly will have completely different responsibilities. As an hon. Member who does not intend to be a Member of the Assembly, I foresee no good purpose being served by my trying to rush between London and south Wales to participate in assembly debates on matters in which Welsh hon. Members will have a full role in this place.

[Mr. Win Griffiths]

The assembly could perhaps pass on to hon. Members its papers and proceedings. If hon. Members want to spend time dealing with those, it will be up to them. However, I do not think that the new clause would assist in helping the assembly to perform its job effectively.

The directly elected Members of the Assembly and hon. Members will also return to the same constituency parties. I am quite sure that that is the place where co-operative relations might develop. I therefore hope that the hon. Member for North Essex will withdraw the motion.

Mr. Evans: I am rather disappointed by that reply. Although new clause 36 is only a probing measure, we tabled it not only because it mirrors clause 75 but because it would include our desire to provide Welsh hon. Members with the same opportunities as the Secretary of State for Wales to attend the assembly's main proceedings and functions—although not to attend its Committees or sub-committees. The new clause certainly does not propose that Welsh hon. Members should be allowed a vote in the assembly's proceedings.

We thought that the new clause would be an ideal opportunity to provide an assembly that will shortly be born with the wealth of experience of Members of Parliament representing Welsh constituencies, some of whom have served well the House for many years.

Mr. Ron Davies: Name them.

Mr. Evans: I am too embarrassed to name them, because of those I would exclude rather than those I might include.

Some very experienced hon. Members represent Welsh constituencies. The Minister said—it was almost a criticism—that hon. Members, unless they represent regions, would serve exactly the same constituencies as Members of the Assembly. That is absolutely correct. However, as my hon. Friend the Member for West Dorset (Mr. Letwin) said, the new clause would allow a dialogue between hon. Members—with their knowledge and insight of what is happening in this place—and Members of the Assembly, and would allow Welsh hon. Members to participate fully in the assembly's major debates, thereby enriching and enlightening those debates.

Mr. Öpik: In the spirit of what the hon. Gentleman is trying to achieve, would it not be more sensible to invite Members of the Assembly to Westminster when we are debating Welsh issues—rather than to clog up the assembly's business with lots of questions from hon. Members?

Mr. Evans: It would be a fine thing if, as we look forward to our St. David's day debate, we could debate Welsh issues the day after St. David's day. However, I think that we will all have to travel to Cardiff or to Swansea or to wherever the Welsh assembly will be sited to participate in Welsh affairs.

Hon. Members would not attend the assembly's debates on a daily basis. They have work and functions at Westminster, for which they will have to prepare. They will also have their constituency work, and want to participate in our debates in the Chamber and in Committees at Westminster. However, on some occasions they may want to participate, particularly in debates involving their constituencies. They would not have the opportunity to vote or to participate in the Committee or Sub-Committee stage. I was rather hoping that the Minister might have been as generous as he was in respect of a previous new clause, but I understand that that is not to be, so I leave it to my hon. Friend formally to withdraw the motion.

Mr. Jenkin: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New clause 39

ROLE OF JOINT COMMITTEE ON STATUTORY INSTRUMENTS

'(1).— The subordinate legislation procedures must include provision for ensuring that, before a draft of a statutory instrument containing Assembly general subordinate legislation is laid before the Assembly, the draft is—

(a) submitted to the parliamentary Joint Committee on Statutory Instruments ("the Committee"), and

(b) approved by the Committee without adverse comment.

(2) When any draft is submitted to the Committee under this section, the Committee shall report within a reasonable period as to whether it approves the draft without adverse comment.

(3) Adverse comment on a draft shall only be made by the Committee on any of the grounds (so far as applicable) on which the Committee is empowered to draw a statutory instrument to the special attention of either House of Parliament.'.—*[Mr. Jenkin.]*

Brought up, and read the First time.

10.15 pm

Mr. Jenkin: I beg to move, That the clause be read a Second time.

All statutory instruments laid before Parliament are considered by the Joint Committee on Statutory Instruments, composed of Members of both Houses and usually chaired by an Opposition Member. Its remit is to focus upon technical rather than policy matters and to ensure that draft subordinate legislation conforms with the primary legislation from which it derives. It might ask, for instance, whether the Minister who made the order was acting within his powers or whether the drafting was defective. It is not a political Committee and it does not consider political issues; it performs a valuable task in scrutinising the thousands of pieces of legislation that Ministers produce and that never cross the consciousness of the vast majority of right hon. and hon. Members.

The new clause would require the Joint Committee on Statutory Instruments to consider any draft subordinate legislation before it was considered by the assembly simply for the purpose of ensuring that the legislation was technically appropriate and would achieve what Ministers had intended. If the Joint Committee on Statutory Instruments reported adversely, the draft could not become law. It would then be a simple matter of the statutory instrument in question being amended or revised so that it could be passed by the Committee and the assembly. It could then become law.

The new clause is not designed to limit the political powers of the assembly; it is simply a safeguard to ensure that the statutory instruments that it considers conform with the primary Acts of Parliament from which they derive so that the scope for getting into a muddle about legislation is considerably reduced.

Mr. Livsey: I am sure that the hon. Member for North Essex (Mr. Jenkin) is proposing the new clause from the best possible motives, but we see certain disadvantages stemming from it. In spite of what the hon. Gentleman said, it would certainly create more bureaucracy that would slow up decision making and reduce the effectiveness of the assembly. We believe that it takes away some of what little power the assembly will have.

We should like to know the definition of "a reasonable period". The Conservative interpretation of the word "reasonable" has not always inspired confidence—and I am putting that gently. The new clause opens up a number of ways by which statutory instruments could be delayed and in the process it would tend to reduce the powers of the assembly.

Mr. David Tredinnick (Bosworth): I am grateful for the opportunity to address the issue. I welcome the new clause tabled by my hon. Friends on the Front Bench, as I recognise that there are still many grey areas in the likely relationship between the Welsh assembly and Westminster on the scrutiny of statutory instruments. The Joint Committee on Statutory Instruments, which I chair, has raised the issue with the Leader of the House. I am grateful for the reply that I received today, which says that the issue is still under consideration and that a full response will be forthcoming as soon as possible. We hope that the memorandum that the Leader of the House has promised to issue with the Welsh Office will set out the Government's position in detail. They have not done so to date.

The Joint Committee on Statutory Instruments has three main concerns: first, arrangements for co-operation between it and its counterpart in the Welsh assembly, particularly over joint instruments, which, under the Bill as drafted, will be made jointly by Ministers of the Crown and the assembly; secondly, the potential for conflict between the two Committees over similar instruments laid before the assembly and Parliament; and thirdly, the scrutiny of instruments derived from European obligations.

The new clause would give the JCSI more powers over Welsh legislation than it currently has over United Kingdom instruments. Many hon. Members have argued for a long time that it should have more powers. In a sense, the new clause is a step in the right direction. However, the Government are not currently required to act if the Committee criticises an instrument. Making our adverse comment on an instrument sufficient to stop it in its tracks would be a major change. That is not the only solution, but it would be one way to focus attention on the scrutiny of delegated legislation, which is too often neglected.

That illustrates how the role of the JCSI must be considered when planning arrangements for the scrutiny of secondary legislation in the context of the Welsh assembly and the Scottish Parliament. It cannot be left to chance after the assembly has begun to work. If it is, the situation will be chaotic. That will be in the interests neither of Wales nor of the United Kingdom Parliament. I am pleased to see the Secretary of State nodding about that. Potential areas of confusion and difficulty must be identified and solutions found. The JCSI will continue to press on that, but it will also co-operate in any way that it can with the assembly, once established.

I look forward to hearing the Minister's reply. It is a great pity that the Government have not been able to address the issue earlier in the passage of the Bill. It touches on many vital issues. The Committee checks the legality of a good deal of legislation. It is a pity that the House has not been able to look in detail at the Government's proposals. In fact, it has not had any proposals to look at.

I exhort the Secretary of State to talk to the Leader of the House and to give us the Government's position face up, so that we can consider it. That must happen before the Bill goes to another place.

Mr. Grieve: I join my hon. Friend the Member for Bosworth (Mr. Tredinnick) in his comments on the new clause and the way in which statutory instruments are subjected to scrutiny. I also have the pleasure of serving on the Joint Committee.

The issue is not a tug of war for power between the House of Commons and the assembly. It is a question of the absolute necessity of maintaining a degree of conformity of practice and drafting in the way in which statutory instruments are dealt with, whether in Wales or England.

Scotland has a separate legal system and it will have a separate Parliament. I accept that the situation there is bound to be different, even though there will clearly also have to be considerable co-ordination. None the less, we are to continue to have a common legal system in this country—which is England and Wales. As long as that is so, it is essential that subordinate legislation, whether created in Cardiff or wherever else the assembly may sit, or in this place, should be drafted in a way that does not give rise to problems.

We also ought to bear in mind that we in this House are privileged to have a body of expertise in the Speaker's Counsel and assistants to the Speaker's Counsel on the way in which subordinate legislation is drafted.

I endorse every word that my hon. Friend the Member for Bosworth said about the fact that the role of the Joint Committee on Statutory Instruments is insufficient to meet the amount of legislation that is coming through by statutory instrument. It is also insufficient to scrutinise and check as one would wish some of the gobbledegook to which we are subjected. The new clause provides an opportunity to put our house in order on the way in which both the Welsh assembly and the House proceed with statutory instruments.

I hope that the Minister and the Secretary of State will bear those points in mind. This is really a non-partisan issue. It is a question of ensuring that, when the assembly is introducing statutory instruments in 10 years' time in order to achieve exactly the same effect as those being introduced here, we do not end

[Mr. Grieve]

up with the ludicrous situation of such statutory instruments being different in content and legal interpretation. That could happen; there is no adequate mechanism to prevent it.

Regardless of whether the Government are prepared to accept new clause 39, I ask that we are given some adequate replies on the way in which the matter will be dealt with. It will be interesting to know where, for instance, expertise will be found immediately to provide advice to the assembly when it is set up.

Mr. Ron Davies: In Wales.

Mr. Grieve: It may be in Wales, but it will still have to be found. It is likely that a degree of co-ordination with expertise available in the House will be required.

Mr. Letwin: At the risk of sending the Secretary of State to sleep—he is clearly near to the point of quiescence—I should like to go slightly beyond what my hon. Friends have said.

Mr. Win Griffiths: Not beyond the new clause.

Mr. Letwin: Certainly not.

What is proposed in new clause 39 is not in any way surprising. What is surprising is that there is no clause equivalent to its effect in the Bill. Clauses 59 and 60 set up a system which, in the absence of new clause 39, yet further intensifies—the Secretary of State and his colleagues may by now have noticed that this has been a theme of mine in this Committee—the potential for litigation. That goes to the heart of the Bill; new clause 39 is profound in its implications.

Surprisingly, there is no check other than that proposed by new clause 39 or some substitute for it on the Welsh assembly's interpretation of its own powers to engage in subordinate legislation—other than, of course, the courts and ultimately the Judicial Committee of the Privy Council. Clauses 59 and 60 are so structured as precisely to permit a majority of the assembly to constitute a majority of the statutory instruments Committees, which could decide to legitimate, or appear to legitimate, as a piece of subordinate legislation an action that was entirely ultra vires. If new clause 39 is not accepted, the Bill will contain no limit on that.

Ministers have assured us—indeed, it is part of the essence of their argument—that they are establishing a structure that permits the Welsh assembly to engage only in subordinate legislation. That is a fine phrase, but if it is rendered meaningless by repeated decisions of the relevant Committee of the Welsh assembly that items that are clearly primary in intent and would not, in this House, qualify as subordinate are nevertheless subordinate, that can be challenged within the structure of the Bill without new clause 39 only through the courts and ultimately in the Judicial Committee of the Privy Council. New clause 39 would rescue the Secretary of State and his colleagues from a manifest lacuna in the Bill and I should have thought that, far from giggling themselves into a pleasant pre-nuptial sleep with the Bill—*[Interruption.]*—I stress, with the Bill, they should be grateful to my right hon. and hon. Friends for tabling an amendment that rescues them from that lacuna and fills it so admirably.

10.30 pm

Mr. Win Griffiths: I cannot go for a pre-nuptial sleep, but I have been looking forward to sleeping and I have to admit that the debate was pushing me towards that state, but occasionally awaking me with horror at what I was hearing.

Paragraphs 4.22 and 4.27 of the White Paper made it clear that the assembly would have its own procedures for formulating and approving subordinate legislation. Those are set out in part III of the Bill. Following the precedent of section 75 of the Wales Act 1978, clause 43—I am surprised no one referred to this—provides for parliamentary procedures generally to cease to apply to subordinate legislation made by the assembly. The assembly will be an elected body able to make its own subordinate legislation and it will be directly accountable to the people of Wales for its actions.

In the Government's view it would be inappropriate for all the assembly's subordinate legislation to have to be referred to the Joint Committee on Statutory Instruments. Clause 59 establishes a subordinate legislation Scrutiny Committee whose role will be analogous to that of the Joint Committee, but there is one major and important difference and I hope that the hon. Member for Beaconsfield (Mr. Grieve) will accept that it is an improvement. Whereas the Joint Committee's evaluation of a statutory instrument often takes place after the instrument has been made and laid before Parliament, the assembly's Scrutiny Committee will perform its functions before the formal making of the instrument. Indeed, the effect of clause 65(5)(a), subject to clause 66, is that the assembly may not make any general subordinate legislation without having before it a report on the draft from its Scrutiny Committee.

Mr. Grieve: I do not disagree with any of that—it is an improvement on the House's procedure for the scrutiny of subordinate legislation—but the key question is whether the Minister agrees that a great deal of the subordinate legislation will, of necessity, be identical in intent to that which will be passed by the House. How, for the sake of legal clarity and the maintenance of conformity, are we to retain parity of wording? If that is not regarded as important, will the Minister explain why it is not?

Mr. Griffiths: The hon. Gentleman may be getting rather exercised because of the desperation he has felt in meetings of the Joint Committee on Statutory Instruments. He needs to bear in mind that the National Assembly for Wales will be serviced by civil servants currently in the Welsh Office and from other parts of the United Kingdom who want to be a part of this exciting new project. When scrutinising statutory instruments, a wealth of experience will be available to help Members of the Assembly judge what the best wording will be. I do not think that we need to get over-worried about that, although I can see why the

hon. Gentleman finds it easy to become exercised about such matters when serving on the Joint Committee deep in the bowels of this place.

Mr. Tredinnick: My hon. Friend the Member for Beaconsfield (Mr. Grieve) has raised a valid point. I want to draw to the Committee's attention a problem that it has not addressed—European legislation. Although a number of learned counsel advise the Joint Committee on Statutory Instruments, it is difficult to ensure that the instruments conform to the requirements of the European Parliament and European legislation. Having scrutinised these instruments for some time, I am worried about how we can ensure a proper interface between legislative bodies so that there is no difference in the legality of instruments in England and in Wales.

Mr. Griffiths: I think that I have got the drift of the hon. Gentleman's argument. I appreciate that, as Chairman of the Joint Committee, he has particular concerns and is deeply enmeshed in all the difficulties that that Committee faces, but he should remember that Members of the Welsh assembly will be served by civil servants. If Members feel that there is a tricky problem with European legislation or something else, they may ask how the issue is dealt with in the House of Commons. I am confident that people will apply their common sense to all these issues, about which we can become far too worried.

Clause 60 provides for the assembly's Scrutiny Committee to be chaired by a member of a minority party and prevents the assembly Secretaries from being members of it. We believe that that gives us good internal audit—the assembly's secondary legislation will be properly scrutinised.

The memorandums to the Joint Committee on Statutory Instruments about the assembly's subordinate legislation procedures will be forthcoming shortly and I hope that they will allay all the fears that have been expressed. Given that, I hope that the hon. Member for North Essex (Mr. Jenkin) will withdraw the motion.

Mr. Jenkin: I am grateful to the Minister for the trouble he has taken in responding to the motion. I was interested to hear that my hon. Friend the Member for Bosworth (Mr. Tredinnick), as Chairman of the Joint Committee on Statutory Instruments, has discussed these matters with the Leader of the House and others.

I do not want to sound a sour note, but it is rather typical of our proceedings that information has trickled out, sometimes even after the event. It would have been nice to have such a memorandum before this debate. I accept that the debate started 20 minutes early, but I do not expect that we shall see the memorandum tonight. Will the Minister assure us that the Leader of the House will issue the memorandum before Report so that we can debate the issues that arise if we so choose?

Mr. Win Griffiths: I understand that the memorandum is close to completion. We shall certainly make it available to hon. Members as soon as possible. I cannot make an absolute commitment on timing, but I assure the hon. Gentleman that it will be available very soon.

Mr. Jenkin: I wonder whether the Minister could make representations to the Leader of the House about the memorandum. In the spirit of the age and of the new politics, which the Minister clearly espouses for the assembly, I take him to mean that we will see the memorandum as soon as possible and probably before Report. I therefore beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Schedule 1

Forestry Commissioners

Separate exercise of functions in relation to Wales

1.—(1) The Secretary of State may by order make provision for securing—

(a) the separate exercise in relation to Wales of functions of the Forestry Commissioners, and

(b) the exercise of functions by the Forestry Commissioners in relation to Wales free from so much of any requirements as would oblige them to have regard to circumstances outside Wales or to interests other than those of Wales.

(2) An order under this paragraph may include provisions in the form of amendments or repeals of the Forestry Act 1967 or any other enactment.

(3) The functions of the Forestry Commissioners—

(a) may be exercised in relation to Wales whether or not they are exercised in relation to England or Scotland, and

(b) may be exercised differently in relation to Wales on the one hand and England or Scotland on the other.

2.—(1) This paragraph applies where a function of the Forestry Commissioners to make any subordinate legislation is exercised by the making of a statutory instrument containing only provision relating to Wales.

(2) Any relevant Parliamentary procedural provision within section 43(3)(a), (b) or (c) which relates to the function shall not have effect in relation to the exercise of the function.

(3) Instead (but subject to sub-paragraph (4)), the subordinate legislation shall not be made unless a draft of the statutory instrument containing it has been laid before and approved by the Assembly.

(4) But the subordinate legislation may be made without compliance with sub-paragraph (3) if the Forestry Commissioners determine that, in the particular circumstances, it is not reasonably practicable to comply with that sub-paragraph.

(5) If the subordinate legislation is made without compliance with sub-paragraph (3)—

(a) the statutory instrument containing it shall be laid before the Assembly after it is made, and

(b) any Assembly member shall be entitled to move, within the period of forty working days (construed in accordance with section 66(7)) beginning with the day on which the instrument is laid before the Assembly, that the subordinate legislation be revoked.

(6) If, pursuant to a motion made within that period, the Assembly resolves that the subordinate legislation be revoked, the resolution revokes it.

(7) The provision imposing or conferring the function of making the subordinate legislation includes power to make any provision which appears appropriate in consequence of its revocation by the resolution.

(8) Neither the passing of a resolution under sub-paragraph (6) revoking any subordinate legislation nor the making of an order under sub-paragraph (7) in consequence of the revocation—

(a) affects the validity of anything done under the subordinate legislation before its revocation, or

(b) prevents the making of new subordinate legislation.

Status of Commissioners and staff

3. Nothing in section (*Forestry Commissioners' finances*) or this Schedule affects the status of the Forestry Commissioners as a government department or the status of the officers and servants appointed or employed by them.

Receipts

4.—(1) Any sums received by the Forestry Commissioners—

(a) under section (*Forestry Commissioners' finances*), or

(b) (subject to sub-paragraphs (2) and (3)) in respect of any transactions carried out by them in the exercise of any of their functions in relation to Wales,

shall be applied by them towards meeting their expenditure on the exercise of their functions in relation to Wales.

(2) The Treasury may direct that any sums within sub-paragraph (1)(b) which are, or are of a description, specified in the direction shall be paid into the Consolidated Fund.

(3) The Assembly may direct that any sums within sub-paragraph (1)(b) which are, or are of a description, specified in the direction shall be paid to the Assembly.

(4) A direction under sub-paragraph (3) may be varied or revoked by a direction under sub-paragraph (2) (as well as by another direction under sub-paragraph (3)).

Accounts

5.—(1) The Forestry Commissioners shall keep proper accounting records relating to their Welsh finances.

(2) In this Schedule references to the Welsh finances of the Forestry Commissioners are to—

(a) sums within paragraph 4(1) received by them, and

(b) expenditure by them on the exercise of their functions in relation to Wales.

(3) The Forestry Commissioners shall, for each financial year of the Assembly, prepare accounts relating to their Welsh finances in accordance with directions given to them by the Treasury.

(4) The directions which the Treasury may give under sub-paragraph (3) include, in particular, directions as to—

(a) the information to be contained in the accounts and the manner in which it is to be presented,

(b) the methods and principles in accordance with which the accounts are to be prepared, and

(c) the additional information (if any) that is to accompany the accounts.

Audit

6.—(1) The accounts prepared by the Forestry Commissioners under paragraph 5 for any financial year of the Assembly shall be submitted by them to the Auditor General for Wales no later than five months after the end of that financial year.

(2) The Auditor General for Wales shall—

(a) examine and certify any accounts submitted to him under this paragraph, and

(b) no later than four months after the accounts are submitted to him, lay before the Assembly a copy of them as certified by him together with his report on them.

(3) In examining any accounts submitted to him under this paragraph, the Auditor General for Wales shall, in particular, satisfy himself that the expenditure to which the accounts relate has been incurred lawfully and in accordance with the authority which governs it.

Accounting officer

7.—(1) The Treasury shall designate one of the Forestry Commissioners or an officer of the Forestry Commissioners as the Forestry Commissioners' accounting officer for Wales.

(2) The person designated as the Forestry Commissioners' accounting officer for Wales shall have, in relation to the Welsh finances of the Forestry Commissioners and to accounts relating to the Welsh finances of the Forestry Commissioners, the responsibilities which are from time to time specified by the Treasury.

(3) In this paragraph references to responsibilities include in particular—

(a) responsibilities in relation to the signing of accounts,

(b) responsibilities for the propriety and regularity of finances, and

(c) responsibilities for the economy, efficiency and effectiveness with which the resources of the Forestry Commissioners are used in discharging their functions in relation to Wales.

(4) The responsibilities which may be specified under this paragraph include responsibilities owed to—

(a) the Assembly or the Audit Committee, or

(b) the House of Commons or its Committee of Public Accounts.

Examinations into use of resources

8.—(1) The Auditor General for Wales may carry out examinations into the economy, efficiency and effectiveness with which the Forestry Commissioners have used their resources in discharging their functions in relation to Wales.

(2) Sub-paragraph (1) shall not be construed as entitling the Auditor General for Wales to question the merits of the policy objectives of the Forestry Commissioners.

(3) In determining how to exercise his functions under this paragraph, the Auditor General for Wales shall take into account the views of the Audit Committee as to the examinations which he should carry out under this paragraph.

(4) The Auditor General for Wales may lay before the Assembly a report of the results of any examination carried out by him under this paragraph.

(5) The Auditor General for Wales and the Comptroller and Auditor General may co-operate with, and give assistance to, each other in connection with the carrying out of examinations in respect of the Forestry Commissioners under this paragraph or section 6 of the National Audit Act 1983 (economy etc. examinations).

Examinations by the Comptroller and Auditor General

9.—(1) For the purpose of enabling him to carry out examinations into, and report to Parliament on, the Welsh finances of the Forestry Commissioners, the Comptroller and Auditor General—

(a) shall have a right of access at all reasonable times to all such documents in the custody or under the control of the Forestry Commissioners, or of the Auditor General for Wales, as he may reasonably require for that purpose, and

(b) shall be entitled to require from any person holding or accountable for any of those documents any assistance, information or explanation which he reasonably thinks necessary for that purpose.

(2) The Comptroller and Auditor General shall—

(a) consult the Auditor General for Wales, and

(b) take into account any relevant work done or being done by the Auditor General for Wales,

before he acts in reliance on sub-paragraph (1) or carries out an examination in respect of the Forestry Commissioners under section 6 of the National Audit Act 1983 (economy etc. examinations).

Reports

10.—(1) The Forestry Commissioners shall, no later than such time after the end of each financial year of the Assembly as the Assembly directs, make a report in such form as the Assembly directs about the exercise of the Forestry Commissioners' functions in relation to Wales during that financial year.

(2) The Forestry Commissioners shall lay before the Assembly any report made under sub-paragraph (1) and the Assembly shall publish it.

Interpretation

11. References in this Schedule to the Welsh finances of the Forestry Commissioners shall be construed in accordance with paragraph 5(2).'.—*[Mr. Ron Davies.]*

Brought up, read the First and Second time, and added to the Bill.

Clauses 141 and 142 ordered to stand part of the Bill.

Schedule 14

REPEALS

Amendments made: No. 491, in page 123, leave out lines 16 to 19.

No. 492, in page 123, column 3, leave out lines 27 to 29.

No. 515, in page 129, line 5, at end insert—

"PART V

RESIDUARY BODY FOR WALES

1994 c. 19.	The Local Government (Wales) Act 1994.	In Schedule 13, in paragraph 18, in sub-paragraph (3), the words "Subject to sub-paragraph (4)," and sub-paragraph (4).'.

—*[Mr. Ron Davies.]*

Schedule 14, as amended, agreed to.

Clause 143 ordered to stand part of the Bill.

Clause 144

ORDERS AND DIRECTIONS

Mr. Jenkin: I beg to move amendment No. 513, in page 67, line 6, leave out from 'applies' to end of line 27 and insert

'to all orders under this Act.'.

The amendment is essentially probing; it is designed to give the Government the opportunity to explain the purpose of the clause. We have already heard that the Government are most unhappy that this Parliament should have any scrutiny over anything that has been devolved to the Welsh assembly. The clause says:

"No order . . . shall be made unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, each House of Parliament."

The clause then lists a large number of exceptions. By deleting the exceptions, the amendment would obviously act as a sledgehammer, but it is designed to elicit a response from the Minister. Will he illuminate the Committee on the mechanics and purpose of the clause?

Mr. Collins: The amendment deals with some extremely important matters. As the clause stands, Parliament would not debate, other than in special circumstances, matters relating to the date of the elections; payment under certain circumstances to Members of the Assembly; transfers of property; the role of the Auditor General for Wales; the staff of the Development Board for Rural Wales; and the role of the Welsh Development Agency. Those are important matters. *[Interruption.]*

The Secretary of State may say that that is devolution—

Mr. Ron Davies: It was not me.

Mr. Collins: Well, another hon. Member must have said—

The Second Deputy Chairman: Order. It would help very much if we did not have sedentary interventions, and also if hon. Members did not respond to them.

Mr. Collins: I shall make a point of not doing so, Mr. Lord.

It is important for the Government to put it on the record why they do not intend to permit Parliament to have proper scrutiny of such legislation. It is not good enough to say that it is all a matter of devolution, as if the United Kingdom Parliament no longer had any role. Such important matters need to be discussed in the future, as today.

Mr. Letwin: I have no hesitation in depriving the Secretary of State of his beauty sleep for a little longer to discuss amendment No. 513, which—if anything—my hon. Friend the Member for North Essex (Mr. Jenkin) undersold. His brilliance in drafting it exceeds his rhetoric. I hope that the Minister who responds to the debate will answer some serious questions about what clause 144, in the absence of the amendment, would achieve.

I wish to direct the Minister's attention to the powers that the Bill will give the Secretary of State to make orders, including those powers in clause 22, which the Secretary of State clearly believes—judging from a remark he made earlier—are qualified by the restrictions in clause 23. However, on Report, we may raise our doubts about whether that clause is sufficiently tightly drafted to have such restrictive effects.

10.45 pm

In the absence of amendment No. 513, would clause 144 have the effect that orders transferring additional powers to the Welsh assembly could be passed by the House of Commons by negative resolution, without even 90 minutes of debate? If so, that is a remarkable constitutional departure, which should have been included in the White Paper but was not and should have been described by the Secretary of State but has not been. Clause 144 is a case either of bad drafting—as we have experienced frequently with the Bill—or of intent. I may have mistaken the purport of the clause, but it would be helpful if the Minister elucidated it for the Committee.

How will clause 144 operate in the absence of amendment No. 513? Is not the amendment necessary to force orders made under clause 22, as possibly restricted by clause 23, to be subject to the affirmative resolution procedure? That is the minimum that the House could demand of further transfers of its powers to the Welsh assembly. It is the most extraordinary feature of an ill-conceived Bill that the House should be asked to allow

[Mr. Letwin]

the Secretary of State to transfer its powers to another body by order instead of by primary legislation. That is an aberration.

However, we have passed that point in the Bill and we are considering the effects of clause 144. The very least that any responsible House of Commons could demand of the Secretary of State is that further transfers of its powers should be by affirmative resolution. If I have misunderstood the purport of clause 144, the Minister should explain the situation. If I have correctly understood it, the Minister has not a leg to stand on unless he is willing to accept amendment No. 513.

Mr. Win Griffiths: Clause 144 seems to have exercised the minds of Conservative Members; they have tabled the Little Big Horn amendment in a desperate last stand, to prevent the whole purpose of the Bill from being achieved. The Bill is about the government of Wales and the devolution of powers to the national assembly. Clause 144 provides that all powers to make orders are to be exercisable by statutory instrument and sets out the required parliamentary procedures for the Secretary of State's order-making powers. Orders in Council are already required to be exercised by statutory instrument under the Statutory Instruments Act 1946.

Clause 144 sets out the parliamentary procedures that will apply to orders made under the Bill. More significant orders, especially those exercising the so-called Henry VIII powers, are to be subject to laying in draft and affirmative resolution. More technical matters are to be subject only to the negative resolution process. That approach is in accordance with long-standing practice under other statutes, and I am surprised that Conservative Members object in this instance.

Mr. Letwin: The Minister may implicitly have admitted what I was asking about, but will he clarify the matter? Is he therefore agreeing that, under clause 144 as it stands, in the absence of amendment No. 513, it would be possible to make orders under clause 22, by negative resolution?

Mr. Griffiths: Clause 22(4)(a) provides that the affirmative resolution procedure will apply to all Orders in Council under clause 22. If the hon. Gentleman looks at clause 22, he will see that all Orders in Council will go through the affirmative resolution procedure.

Mr. Letwin: That is the issue that led me to the conclusion that there must be a failure of drafting; will the Minister comment? Clause 22(4)(a) does not appear to have the effect that he described. It appears directly to contradict clause 144. Which will prevail, and why does he imagine that clause 22(4)(a) will prevail?

Mr. Griffiths: I do not believe that there is any contradiction, because this part of the Bill refers to an order made by the Secretary of State, to which clause 144 applies; and clause 22 refers to an Order in Council. The two are different. Given the time of the night, and as there are other things to do before we conclude our proceedings, perhaps we should conduct some correspondence to settle the matter if there is any need to do so.

Mr. Jenkin: May I clarify that the Minister is saying that there is a difference between "make an order" under clause 144(1), where it says,

"Any power of the Secretary of State or the Assembly under this Act to make an order",

and an Order in Council, and that therefore he is satisfied that an Order in Council would not be covered by clause 144? I believe that that would answer the point made by my hon. Friend the Member for West Dorset (Mr. Letwin).

Mr. Griffiths: I am satisfied that the two are mutually exclusive and deal with separate issues, but as these are difficult and complex technical matters, I am fully prepared to look at the matter again and let hon. Members know well before Report, so that we may return to it if there is a problem. However, I am pretty confident that it is as I have said.

As amendment No. 513 is phrased, it would require us to debate in the House and approve the transfer to the assembly of specific property, rights or liabilities; the purposes for which the office of Her Majesty's chief inspector of schools in Wales is to be treated as a Government Department; and the transfer of staff to the new Welsh Development Agency. A load of technical things would be caught by the amendment, so I hope that the hon. Member for North Essex (Mr. Jenkin) will withdraw it.

Mr. Jenkin: I am grateful to my hon. Friend the Member for West Dorset (Mr. Letwin), who extended the debate in a most interesting and informative fashion, and I am grateful to the Minister for replying. I look forward to the correspondence to which the Minister refers, if there is a need for it.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 542, in page 67, line 9, after & 141' insert

'or paragraph 1 of Schedule (*Forestry Commissioners*)'.

No. 543, in page 67, line 21, leave out 'or'.

No. 544, in page 67, line 21, after & 5' insert

'or paragraph 1 of Schedule (*Forestry Commissioners*)'.—*[Mr. Ron Davies.]*

Clause 144, as amended, ordered to stand part of the Bill.

Clause 145

INTERPRETATION

Mr. Ancram: I beg to move amendment No. 516, in page 67, line 41, after 'Treasury', insert—

' "Secretary of State" means the Secretary of State for Wales.'.

This is a short amendment, but no less important for that. The amendment seeks, where the words "Secretary of State" appear in the Bill—as they do frequently—to substitute the words "Secretary of State for Wales". That arises from several questions that have been asked in these proceedings, to which we have not received totally satisfactory answers.

I may say that I am not seeking at this stage to find out from the Secretary of State by way of the amendment whether he intends to be that Secretary of

State or whether he will have moved on to other matters in Cardiff, Swansea or wherever it might be. He has shown an unnatural and unaccustomed coyness on the matter, and he has been sufficiently embarrassed today for me not to press him further.

The Under-Secretary has just said that this is the Government of Wales Bill and that the Government are seeking devolution. It seems extraordinary, therefore, that we should leave in the Bill a provision that could suggest that what had been done by the Secretary of State for Wales in the past could be done in future by any Secretary of State.

My understanding is that the term Secretary of State can be applied to anybody who carries that title in the Government. Fifteen members of the Cabinet are described as Secretaries of State. Each of them would fit the nomenclature in the Bill and would be able to exercise the powers given to the Secretary of State. Is the Chancellor of the Exchequer also a Secretary of State for these purposes, and is that true also of the Chief Secretary, the President of the Council and the Lord Privy Seal?

Under the Bill, various powers are to be exercised by the Secretary of State. Under clause 3, he deals with elections; under clause 16, he makes the early determinations in relation to allowances for Members of the Assembly; under clause 22, he lays the draft transfer of functions order; under clause 32, consultations on legislation are to take place under the auspices of the Secretary of State; under clause 80, which is extremely important, he determines the sums paid to the assembly for it to spend; and under clause 141 he has the draconian power to amend primary legislation by order.

If that is all in the hands of the Secretary of State for Wales, we can understand the position, but my fear is that—

Mr. Collins: My right hon. Friend has skipped one clause that immensely strengthens his case: clause 75, which states that

"The Secretary of State for Wales shall be entitled to attend and participate in any proceedings of the Assembly."

If other references to the Secretary of State mean the Secretary of State for Wales, why does clause 75 contain that specific reference?

Mr. Ancram: I am grateful to my hon. Friend for pointing that out. It underlines the fact that my anxieties are well founded. We might well find that no Secretary of State for Wales is involved in determining the sums to be given to the assembly, and that that will be decided by the Chancellor of the Exchequer.

I want to clarify the matter by inserting the words

"Secretary of State for Wales".

If that is what is meant, there can be no harm in doing that. If that is not what is meant, we must fear for the position of the Secretary of State.

I recall that under the Stormont provisions relating to Northern Ireland, there was no Secretary of State. The duties of the Secretary of State were handled by a Minister of State in the Home Office as one of three portfolios. It would not be in the interests of Wales if that happened in this case, and if all the business was conducted by other Secretaries of State.

Mr. Win Griffiths: I am surprised that the right hon. Gentleman, who has had considerable experience in government, should have bothered to move the amendment. As the Committee knows, the Bill confers many functions and duties on the Secretary of State, rather than on a named office holder. That simply reflects the modern parliamentary drafting practice of not naming the individual ministerial offices in statute unless absolutely necessary.

I am pleased that the hon. Member for Westmorland and Lonsdale (Mr. Collins) drew attention to the fact that clause 75 refers specifically to the Secretary of State for Wales. Among all the Ministers of the Crown, only the Secretary of State for Wales will have the right to attend and participate in the debates of the National Assembly for Wales. In all other references, it is assumed, as in all other legislation, that the matter involves the Department of which that person is head.

I am surprised that the right hon. Gentleman did not refer, for example, to clauses 23 and 87. That would have spoilt his argument. Those clauses refer to the Minister of the Crown when the intended meaning is not the Secretary of State. I hope that, after that brief explanation, it is clear that, when the term "Secretary of State" is used on its own, it means the Secretary of State for Wales. When we need to, we make it clear that it is only the Secretary of State for Wales. When the legislation applies to any other Minister, it is a Minister of the Crown.

Mr. Ancram: When we argued about devolution some months ago, we made it clear that we feared that the role of the Secretary of State for Wales would become so otiose that the position would disappear. Judging from the Minister's comments tonight, it is clear that the Secretary of State for Wales will have very limited functions, which will be designated in the Bill. I do not think that that bodes well for Wales. However, I do not think that I shall succeed in having the amendment accepted at this stage. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 145 ordered to stand part of the Bill.

Clause 146 ordered to stand part of the Bill.

It being Eleven o'clock, THE CHAIRMAN, *pursuant to the Order [15 January] and the Resolution [24 February], put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clauses 147 to 149 ordered to stand part of the Bill.

Bill reported, with amendments.

Bill, as amended, to be considered tomorrow.

HOME AFFAIRS COMMITTEE

Ordered,

That Mr. Douglas Hogg be discharged from the Home Affairs Committee and Mr. Nick Hawkins be added to the Committee.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

SCOTTISH AFFAIRS COMMITTEE

Ordered,

That Rosemary McKenna be discharged from the Scottish Affairs Committee and Ms Sandra Osborne be added to the Committee.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

TREASURY COMMITTEE

Ordered,

That Mr. Tony Colman be discharged from the Treasury Committee and Mr. David Kidney be added to the Committee.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

Community Hospitals

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Clelland.]*

11.1 pm

Sir Michael Spicer (West Worcestershire): I am grateful for this opportunity to introduce a short debate on the very important subject of community hospitals. Community hospitals, as against local general district hospitals, have in recent years developed their own distinct role, ethos and dynamic. Linked to general practitioners' services and to other local health and social services, they provide a clear, specific and well-defined pattern of hospital services throughout the country. It is therefore all the more strange that their future should now be under threat.

There are 457 community hospitals in the United Kingdom, which provide approximately 10,000 beds—and several of my hon. Friends who are in the Chamber represent those hospitals. I am informed by the Association of Community Hospitals that 16 of those hospitals are now directly threatened with closure—as it happens, four of them are in Cornwall and four are in Norfolk—and that the continued existence of many others is under serious review.

Both the challenges and problems facing community hospitals are in no way specific to Worcestershire. However, there are reasons—not simply because I am the Member of Parliament for West Worcestershire—for using the case of the Worcestershire hospitals as an example of a more general problem.

Evesham hospital—which used to be in my constituency, but, following boundary changes, is now in the constituency of my hon. Friend the Member for Mid-Worcestershire (Mr. Luff), who has been most assiduous in espousing its cause—is one of half a dozen or so community hospitals listed as nationally recognised models of good practice. While in the marginal seat of Worcester during the general election campaign, the Prime Minister promised to speed up the building of a new acute Worcester infirmary, and so put into question the future existence of the satellite community hospitals, two of which—Pershore and Malvern—are in my constituency.

Although the health authority has recently announced that closure of the Worcestershire community hospitals is not an option, the strains on the funding of the county's hospital services has left question marks, and a good deal of scepticism surrounds the announcement. Any cutting back of the support services on which community hospitals depend, or of the number of beds and services provided by hospitals, will threaten the viability of hospitals, especially the smaller ones, such as Malvern and Pershore. It is in that context that I raise points about community hospitals in general.

Community hospitals exist essentially for two purposes: first, to allow patients to recover from traumatic surgery and medical treatment near their homes and local services, such as those provided by their GPs and physio and occupational therapy, as well as social services, in some cases; and secondly, to provide palliative care for the terminally ill. The ever-present context to all this is a rapidly aging population.

Alongside the need for community-based medical support have been the explosive financial requirements of the high-technology acute specialist hospitals. As life-saving medicine has become more advanced and successful, so in general it has become more expensive. The average bed cost per week in Worcestershire health authority is £2,500 to £3,000. The comparable figure for community hospitals is between £800 and £1,000—roughly a third of the acute hospital costs. Equivalent figures exist throughout the country.

These figures are, of course, non-comparable. High-technology medicine is bound to be much more expensive than recuperative nursing. The problem is that in-patient bed audits show that a large proportion of patients occupying beds in expensive specialist hospitals could easily be transferred more swiftly to the more appropriate community-based hospital.

A recent analysis in Worcestershire revealed that up to 42 per cent. of patients currently occupying an acute hospital bed could be nursed at an alternative health facility. In other words, if patients were sent back to community hospitals in Worcestershire more rapidly than they are at present following major surgery or medical treatment, there could be considerable savings. That is particularly germane in Worcestershire, where the hospital system is running a rapidly growing overdraft, currently standing at some £15 million, with a recurring deficit on present budgets of £8.8 million.

The case for the community hospital is only in part financial. The core philosophy and ethos is rightly different in community and acute hospitals. The acute hospital is primarily concerned with the saving of lives in a medical crisis. Rehabilitation and palliative care, especially for the elderly, are different roles altogether. They are best performed alongside local health and social services.

The danger, and the reason for the debate, is that, in the nature of things, community hospitals throughout the land will be squeezed out by the inexorable, high-profile but expensive onward march of breakthrough technology in life-saving developments in acute hospitals.

No one would argue against pushing out the frontiers of applied medical knowledge. What is true is that, the more successful the advance in medicine, the greater the need for the recuperative work of the GP-led community hospital. As people live longer, due in some measure to the wonders of new technology, so the requirement will grow for nursing care for those who are terminally ill at one end of the spectrum, and for those who are recovering from traumatic medical experiences at the other.

Mr. Christopher Gill (Ludlow): As my hon. Friend knows, one of the hospitals administered by the Worcestershire health authority is sited in my constituency, in Burford, near Tenbury Wells. In respect of that hospital, the health authority is saying that it believes that there are opportunities to develop Pershore and Tenbury community hospitals in partnership with GPs.

In another part of my constituency, a community hospital has been run in conjunction with fundholding general practitioners. That has led to a vast improvement in the range and quality of services for the local community. I hope that my hon. Friend will recognise how important the link is between GPs and community hospitals, and how the advent of fundholding gave an enormous impetus to the improvement in primary health care within local communities.

Sir Michael Spicer: My hon. Friend is absolutely right. One of the definitions of community hospitals is that they are GP-led. The reforms that the Conservative Government introduced gave a boost to the entire community hospital movement. We are not sure what will emerge in terms of GP practice. We do not know whether they will fund-hold, and what other arrangements will be made. It will be a terrible shame if whatever emerges undermines the community-based, recuperative GP-led service, which the Conservative Government did so much to foster.

Mr. Shaun Woodward (Witney): My hon. Friend may be aware that, in my constituency in west Oxfordshire, the Burford community hospital is faced with the threat of imminent closure. I wonder whether my hon. Friend would agree with me that nothing so sadly illustrates the Government's lack of concern for rural communities as the prospect of closure of hospitals such as the Burford community hospital, which play such an important role in rural communities. I shall find only words that express deep regret if the Government do not, as they are proposing to do with village schools, take urgent action to redress the prospect of closures.

Sir Michael Spicer: My hon. Friend makes an extremely important point, in two respects. First, he has identified yet another community hospital of which I was not aware which is under threat. Secondly, he makes the link between, especially, the smaller community hospitals and rural communities. Both those factors are extremely valuable additions to the case that I am trying to deploy.

Two functions are best provided locally—the palliative and the recuperative. These functions are best provided at the places where people live and where they have ready access to the services of their family doctors and the appropriate complementary rehabilitation services. My hon. Friend makes the strong point that that is especially true of rural areas such as his constituency and mine. The smaller rural hospitals are particularly under threat, where any cut and any removal of beds will make them less viable.

Mr. Peter Luff (Mid–Worcestershire): Does my hon. Friend agree that small community hospitals such as the one at Evesham, about which he has spoken, are contributing enormously to the local communities they serve and are capable of developing remarkable expertise of their own? I think especially of the stroke rehabilitative work that is done at Evesham, which is testimony to what community hospitals can achieve. It is a potent example of why they must be saved at all costs.

Sir Michael Spicer: I must not delay the House for too long, but I know the Evesham community hospital well, because it was in the constituency that I represented for 23 years.

My hon. Friend makes an extremely important point. If we start cutting, in the case of Evesham, for example, the Macmillan unit would be involved. Such units are funded with voluntary assistance. The moment we start pulling out some of the plugs, the entire edifice is in

[Sir Michael Spicer]

danger of collapse. Since so much outrage has been expressed by the Conservative party about these matters, there is the worry that the authorities will not confront the problem directly. Instead, they may salami-slice some of the hospitals. That will be particularly serious if small hospitals are involved.

Mr. David Lock (Wyre Forest): Does the hon. Gentleman agree that, in Worcestershire, the root of the problems and the possibility of cuts, against which he rails, derive from an £8 million overspend that occurred substantially through mismanagement when the Conservative Government were in power, and when the people they appointed to the health authority were not managing it properly? So we now have substantial overspend, and a substantial accumulated deficit. That is the mess that the Government and the people they are appointing are having to sort out.

Sir Michael Spicer: We are rapidly running out of time when that argument can continue to be used. The countryside march yesterday showed that things are changing. We did not have these problems, and we did not have this debate, under the Conservative Administration. The Prime Minister, when he was Leader of the Opposition, came to Worcester for electoral reasons.

Mr. Michael J. Foster (Worcester): Will the hon. Gentleman give way?

Sir Michael Spicer: I shall not give way, as the hon. Gentleman did not give way to me in the debate on fox hunting—that issue has become his trade mark.

Without having thought through the funding implications, the Prime Minister said when he came to Worcester that he would accelerate the building of a new acute hospital. Anyone who has examined the figures will know that that is what has brought this matter to a head, and is the reason why I secured this debate.

Mr. Gill: It may interest my hon. Friend to know that, when the hon. Member for Wyre Forest (Mr. Lock) was a parliamentary candidate, he did not blame the health authority. He said that there was a lack of money, and that money was the answer to the problem.

Sir Michael Spicer: That is what Labour Members always say; there is nothing new about that. Labour local authorities also say that more money will do the trick, whereas what is often needed is better management. Most of the problems that are emerging under Labour did not exist under the Conservative Government.

The case for the relatively low-cost community hospital as distinct from the all-purpose, local general hospital, whose days may be numbered, may go by default. It needs to restated, and I am grateful for this opportunity to do so.

11.16 pm

The Minister of State, Department of Health (Mr. Alan Milburn): I congratulate the hon. Member for West Worcestershire (Sir M. Spicer) on securing this debate. This is an important issue. Community hospitals excite much local concern in many parts of the country, and have a great deal of local support. It is a pity that the hon. Gentleman has not read the White Paper "The New NHS", which deals with some of these issues in detail.

The hon. Gentleman asked for a clear steer on the direction of Government policy. Community hospitals are valued parts of the local health service in many areas. Patients value them because they tend to deliver services in a friendly and homely way. Our White Paper "The New NHS" sets out a vision of a service in which swift advice and treatment is available as close to home as possible. Community hospitals will be part of that vision in some places.

Dartford is different from Darlington, and it is the job of health authorities to ensure that local services are matched to local need. I thought that the Conservative Government supported that principle. If there has been a dramatic U-turn, I am happy to take an intervention on the issue; otherwise, I shall continue.

The hon. Gentleman is a strong supporter of Malvern community hospital in his constituency, and I understand his concerns. Public consultation on the future of health services across Worcestershire was launched last Monday by Worcestershire health authority with the document "Investing In Excellence". While that public consultation is taking place, it would be wrong for me to either endorse or oppose the preferred option of the Worcestershire health authority.

Different views and different options on the overall strategy for Worcestershire have been appraised by the health authority against a range of criteria, including clinical quality and accessibility. The preferred option is to centralise specialist services on one site—either Worcester or Bromsgrove depending on the specialism—with local access to diagnostic services, out-patient appointments and post-operative rehabilitation. Emergency services would also be available locally, with major trauma cases going to Worcester.

There are, of course, a number of options that the health authority must consider. One of those options—I think it was option seven, which is of most concern to the hon. Gentleman and, perhaps, other hon. Members—would involve integrating acute and community services across the county, with the closure of all community hospitals. Again, it would be inappropriate for me to comment on the pros and cons of that wide variety of options while the consultation is in progress. The point is that it illustrates just how difficult the decision will be.

Clearly, only one option will finally be approved, and the criteria that we shall use to assess the issue—if it comes to Ministers—will relate to what is in the best interests of patients.

Mr. Woodward: The Minister makes much of the importance of public consultation. In Oxfordshire, the community health trust has presented two options for the future of community hospitals. Option one is the closure of Burford community hospital; option two is the closure of Burford community hospital. Will the Minister explain just what public consultation means, when both options mean that the hospital is faced with closure?

Mr. Milburn: I will not be drawn into a detailed commentary on each and every consultation that is going on. The hon. Gentleman knows perfectly well why that is the case. If a local community health council objects to any of the proposals, the objection will end up on my desk, but until it ends up on my desk I must retain a sense of objectivity and impartiality.

Mr. Lock: Community hospitals are important, but in many areas—such as Kidderminster, in my constituency—people are desperate for their general hospitals not to be downgraded to the status of community hospital. Does my hon. Friend understand the strong feelings in Kidderminster about the proposal for the hospital—just before receiving its charter mark—to be reduced to a hospital of 35 beds, one for every 2,600 people, as opposed to the one bed for every 160 people that there is in Evesham? Will he assure the House that, as far as he is concerned, all options will remain open until and unless the matter comes to his desk?

Mr. Milburn: Of course I am aware of my hon. Friend's concerns. He and his colleagues have been to see me about the health authority's consultation proposals. During any consultation, I shall expect to see a full appraisal of the preferred option of the health authority, but it will be open to local communities and their representatives to make representations to the health authority about other options. The health authority will be expected to examine those options—as, indeed, I would, if they came to me.

Mr. Luff: The Minister, who is taking a very fair approach, will recognise that Evesham community hospital serves not just Evesham, but the whole of south Worcestershire. Many people from Worcester, for example, go into Evesham for rehabilitation.

Mr. Milburn: I am aware of the local position. I know that a number of community hospitals serve a number of communities in the Worcestershire health authority area. I also know of the concern in the areas that could be affected if option seven were given the go-ahead. Equally, I am concerned about the anxieties that have been expressed to me by those in Kidderminster and other parts of the county.

These are clearly difficult issues, which will need to be considered carefully. That is why it is important for the health authority to do everything in its power to ensure that there is a full and open debate about the issues during the next few months. I know that the health authority is promoting that consultation through a number of public meetings. I understand that it has also established a freephone helpline and a website. Moreover, views can be sent to the health authority by freepost.

Let me tell hon. Members on both sides of the House that, when difficult decisions must be made, it is important for those representing local communities in all parts of the area covered by the Worcestershire health authority to submit their views. I assure hon. Members that their views will be properly considered by health authorities. Views that are brought to me will also be properly considered.

Sir Michael Spicer: Do the Government have a policy on distinguishing between community hospitals and their development and the old-fashioned district general hospitals?

Mr. Milburn: I am coming to that, and trying to go beyond the boundaries of Worcestershire.

Mr. Michael J. Foster: Before my hon. Friend leaves Worcestershire, perhaps I could ask whether he agrees that my right hon. Friend the Prime Minister, when Leader of the Opposition, at no time visited Worcester to make the great electoral pledge that we have heard about. Does he further agree that the new hospital that is planned for Worcester springs from medical necessity, and is not the result of some sort of electoral deal?

Mr. Milburn: One of my most pleasing actions as a Health Minister was to give the go-ahead to some new hospitals. I am surprised that some Opposition Members seem to oppose that. I thought that new hospitals were welcome in the national health service. That is certainly what some Opposition Members call for.

The value of community hospitals was recently emphasised in the White Paper that sets out how new primary care trusts will be able to take over the running of community hospitals and other community services to provide a broad range of treatment and care. Precise arrangements will depend on local circumstances, but it is envisaged that, in time, the primary care trust will employ all relevant community health staff and run community hospitals and other community facilities to provide an integrated system of primary and community care. That will allow patients access to an integrated service.

Under the White Paper proposals, primary care groups and trusts will be a focus for better integrating primary and community care services. Clinicians in primary and secondary care will together be able to set quality standards and service protocols so that the patient receives properly integrated programmes of care. By integrating primary care and community health care, we shall bring together health care professionals with many and varied complementary skills. The sharing of skills and expertise in that way will create greater flexibility in the provision of health care services, and will allow general practitioners to use their time more effectively to provide a better service to patients.

Mr. John Burnett (Torridge and West Devon): Are the Government considering changing the appeals procedure for rural community hospitals to match the one that was announced on Friday for rural primary schools, so that there will be a presumption against closure, and a decision to close will have to be referred to the Secretary of State?

Mr. Milburn: I assure the hon. Gentleman that, in some parts of the country—in rural areas, for example—community hospitals may have an important future role. It is a question of horses for courses. We certainly do not have a single national blueprint that can be applied to all areas. There are differences between

[Mr. Milburn]

rural and urban areas, but not all rural areas are the same. We must have a system that allows proper inspection and an analysis of what is needed in each area.

I hope that all hon. Members share our aim of achieving services that are better attuned to local health needs. The consultations that are going on in Worcestershire and in other areas will allow us to do precisely that.

Mr. John Hayes (South Holland and The Deepings): In south Lincolnshire, where we face problems similar to those that have been mentioned, the issue is sparsity. The Minister says that different solutions must be applied to different areas. Can he assure us that sparsity will be fully taken into account? It may not always have been fully considered in the past—I do not seek to make a party political point—but can he assure the House and those in rural areas, many of which are represented in the Chamber for the debate, that it will be considered in future?

Mr. Milburn: We must take into account whether any change in local health services will improve care for patients—that is the bottom line, the barometer and the yardstick against which any change or reconfiguration proposal should be judged. There is no exception for community hospitals.

As the hon. Member for West Worcestershire rightly said, with such wide variations in the types of service provided by community hospitals, it would be wrong to attempt to impose a national blueprint from the centre. The centre's role is not to be prescriptive, but to establish clear national standards to help local planners develop services that best meet local needs. As I have said several times, all districts are different, and all have differing needs. The range of services they commission and the various unit types must be determined locally, and by much more than only physical environments.

We want—more importantly, local people in all parts of the United Kingdom want—local services that best meet their local health needs. As I said, there are many possible models for community hospitals, and a variety of factors will determine the right model to suit local circumstances.

A modern national health service—which is what we want—is one that provides high-quality and appropriate services, and has a capital and staff infrastructure that is capable of delivering those services to meet patients' needs in the 21st century. However, no part of health care stands alone: it is an interconnected system, between primary, community and acute services. It simply is not possible artificially to separate one service from another. In all parts of the United Kingdom, we need to give proper consideration to ensuring that the nature of local health services in totality better meets local health needs.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes to Twelve midnight.

House of Commons

Tuesday 3 March 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

LLOYDS TSB BILL *[Lords]*

Order for Second Reading read.

To be read a Second time on Tuesday 10 March.

Oral Answers to Questions

ENVIRONMENT, TRANSPORT AND THE REGIONS

The Secretary of State was asked—

Regional Regeneration

1. **Mr. Ian Bruce:** If he will make a statement on the closure of the South Dorset economic partnership and the implications of this for the Government's regional regeneration policies. [30620]

The Minister for the Regions, Regeneration and Planning (Mr. Richard Caborn): The South Dorset economic partnership is a local delivery organisation. How it operates and decisions about its future are matters for the local partners.

Mr. Bruce: I am sad that the Minister has not thought to acquaint himself with exactly what is happening at the delivery points of Government policy. The Government have expressed their intention to regenerate jobs, particularly where defence jobs are being lost. Surely the South Dorset economic partnership demonstrates that Government policy is not working and that, because the regional development agencies are not providing funds, and the local authorities are not being given sufficient resources to assist, the excellent delivery of the South Dorset economic partnership is failing. Will the Minister please take some action and find out what is happening on the ground floor? By the time that the regional development agency is up and running, there will be no means left to deliver his policies.

Mr. Caborn: We are keeping close contact with Dorset, where I understand that the three local authorities have withdrawn funding from the scheme. They plan to create a new organisation with a wider remit.

Local Government Finance

2. **Mr. Gray:** What representations he has received on the 1998–99 local government financial settlement. [30622]

The Minister for Local Government and Housing (Ms Hilary Armstrong): The Department received 406 written representations within the deadline for responses. I and other Ministers at the Department also met the Local Government Association and the Association of London Government, delegations from 95 local authorities, and one special interest group during the consultation period.

Mr. Gray: Is the Minister aware that, after the correction of an arithmetical error in the announcement of the revenue support grant for Wiltshire, this year's settlement represents a real cut of 7.2 per cent. which has meant for Chippenham an increase of £75.49 in band D council tax? Are the Government to blame for that increase, or is it the fault of the county council, in which case, will the Minister join me in calling on the four Labour councillors who keep the incompetent Liberal authority in place to withdraw their support?

Ms Armstrong: The hon. Gentleman clearly still has the blame mentality. He will know that the previous Government wanted to shift the balance between central and local funding. We have continued that, but it is up to local government to make decisions about the balance between central funding and local taxation.

Mr. Bill O'Brien: Has my hon. Friend received representations from Wakefield—my local authority—about the way in which the formula has reacted against it? Has she also received representations from the West Yorkshire police, who are now saying that there is a deficit in their income from the formula that has been set by council tax funding? As band D properties in West Yorkshire have received a 75p reduction in council tax, there will be a knock-on effect in all other bands and therefore a substantial reduction in revenue for the West Yorkshire police. Will she address that point and investigate the problems?

Ms Armstrong: I am always interested in hearing from colleagues about how the settlement is working in their area. My hon. Friend will know that consultation on this year's settlement has finished, and the House has made a decision. The authorities that he mentioned will have an opportunity to make representations on how we decide on the standard spending assessments for next year. We intend to achieve a more just settlement.

Sir Norman Fowler: May I ask about the position in London? Will the Minister acknowledge that, even after all the changes to distribution that the Government have made, Wandsworth's band D charge next year will be £319 and Westminster's will be £325, while Camden's will be £879 and Greenwich's will be £883? Why, even under this Government's system, do Labour councils come out so expensive?

Ms Armstrong: I am sure that the House will note the difference between that contribution and what the right hon. Gentleman said during the debate on the settlement. We have begun the fairness exercise, but we have not yet completed it.

Mr. Skinner: To ensure fairness, will my hon. Friend take particular note of the fact that, during the 18 years when the Tories were in power, many Tory Members from Derbyshire used to tell Ministers in the House to cut the grant for Derbyshire? They did that for 12 consecutive years. The net result is that we now need a little extra help to achieve fairness. I am being consistent. I called for extra money when the Tories were in power. I do the same now. Will my hon. Friend ensure that help is received?

Ms Armstrong: My hon. Friend reminds us of the comments of the Conservatives during debates on settlements. We have not yet received representations from Derbyshire. When we do, we shall consider them fairly.

Water Treatment Works

3. **Mr. Sanders:** If he will introduce measures to allow independent public monitoring organisations to gain automatic entry to water treatment works. [30623]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott) *rose—*

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): I see no reason to provide for additional organisations to monitor water treatment works. Standards of water treatment are extremely high. Water companies must, by law, check that drinking water meets 55 separate standards. It is the job of the drinking water inspectorate to check that companies carry out their quality checks properly.

Mr. Sanders: I thank the Minister for that reply, but it does not answer the question. Private companies are able to stop public bodies, such as the drinking water inspectorate and the Environment Agency, from gaining access to water works. There were problems with the cryptosporidium bug in my constituency in 1995 and more recently in London. Will the Minister look closely at the rights and duties of the public bodies that exist to protect the public's drinking water so as to enable them to inspect water works without prior appointment?

Angela Eagle: We are looking carefully at the fallout from the outbreak of cryptosporidium and the health problems caused in Torbay in 1995, particularly in the light of the subsequent attempt to prosecute the water authority, which failed because the court did not allow as evidence the report of the outbreak control team. We hope to be able to make a statement about that shortly.

Local Government (Best Value)

4. **Jane Griffiths:** When he expects to publish his consultation document on best value in local government; and if he will make a statement. [30624]

Mr. Prescott: At last; I was so keen to get in.

Today, my hon. Friend the Minister for Local Government and Housing launched the consultation paper on best value in local services. It takes forward our commitment to introduce a comprehensive regime, which will empower local people and ensure continuous improvement in the performance of local services. The proposals were discussed with local government at the central-local partnership meeting, which I chaired this morning, along with nine members of the Cabinet and Ministers.

Jane Griffiths: I thank my right hon. Friend for his answer and welcome the publication of the consultation document. Will he confirm that the purpose of best value is that councils should provide services at the level that residents have the right to expect, and at a price that residents can afford? Does he agree that Reading's Labour council, with its partnership-focused approach, is very well placed to meet the challenge posed by best value?

Mr. Prescott: I very much agree with my hon. Friend. Our approach is about better value and fairer employment.

Mrs. Ballard: The majority of councils are run by the Labour party. The Government, in their White Paper, are rightly wary of councils with large single-party majorities. Does the Secretary of State agree that the best way in which to achieve best value and truly accountable local government is by a fair system of local elections?

Mr. Prescott: Although I am not surprised that the hon. Lady equates everything with a fairer voting system, I think that our proposals for best value are the best way of dealing with the issue.

Mr. Tipping: Will the Deputy Prime Minister ensure that all councils benefit from the experience of best value councils and that good practice is promoted by the Audit Commission and other bodies? Will he particularly consider Newark and Sherwood district council's excellent record of energy efficiency and conservation?

Mr. Prescott: Yes, the Audit Commission has looked at the matters and reported very favourably on local authorities. I endorse a great deal of what it says. We have made it clear in our approach to best value that we want better value and fairer employment. The pilot schemes, of which there are about 40, are under way. The reports from them will make a major contribution to improving standards of service and gaining better value in our local authorities.

Sir Norman Fowler: Will the Secretary of State acknowledge that competitive tendering achieved hundreds of millions of pounds of savings to the benefit of the council tax payer? Is not the danger with the new system that has been set out today that it is too bureaucratic, will allow reluctant councils to continue to resist change, and will therefore work directly against the interests of the council tax payer?

Mr. Prescott: It has been acknowledged by all parties that have studied the matter that competitive tendering cost the taxpayer considerably more, as the system was reduced to least cost, least value. The cost to the taxpayer,

either through family income supplements or as a result of the resources that were needed, was considerable. Even the private sector, in partnership with local authorities and trade unions, came to the conclusion that the previous system was over-bureaucratic and, in some cases, denied equality of employment in the contracts. That was the result of compulsory competitive tendering. We are seeking to change it.

Regional Development Agencies

5. **Mrs. Spelman:** What representations he has received from local authorities over the accountability of regional development agencies. [30625]

Mr. Caborn: We received a number of representations from local government about the accountability of regional development agencies. RDAs will be non-departmental public bodies; as such, they will be accountable to Ministers. They will also be required to consult the designated regional chamber, and account for their activities to the chamber.

Mrs. Spelman: Will the Minister assure the House that the new regional development agencies will not remove powers from local government, especially the planning powers envisaged in clauses that were withdrawn in consideration in Committee of the Regional Development Agencies Bill?

Mr. Caborn: The hon. Lady knows that, in Committee, we said that we should look at certain clauses and come back to the House on Report.

Mr. Blizzard: Will not people judge the accountability of a regional development agency by how successful it is in tackling a region's problems? For example, in Lowestoft in my constituency, where unemployment is 9.2 per cent., against a regional average of 3.6 per cent., people are looking forward to the RDA tackling the disparity, which was left unattended for 18 years by the Conservative party. Will my hon. Friend confirm that addressing such disparities will be one of the priorities of RDAs?

Mr. Caborn: My hon. Friend is right. Apart from the Opposition, everybody accepts that there is a need to address the serious structural weaknesses in our eight English regions. To that extent, all the major stakeholders involved in the RDAs will address the issues and will try to bring more employment back to those regions than ever before.

Mr. Yeo: As the Minister will appoint every single member of the RDA boards and will also choose the organisations that are to be designated as the regional chamber, is there not clearly a serious lack of accountability in the structure proposed? Against that background, is it not absolutely extraordinary that every one of the Opposition amendments, which would have required the Minister to consult local authorities about the activities of RDAs, were voted down by the Government?

Mr. Caborn: The Opposition should be the last people to start lecturing the Government about quangos and accountability. We well know that the Conservatives took more powers from local authorities than any other Government in history. We want no lectures from the Opposition on this issue.

Madam Speaker: Mr. Boswell.

Mr. Boswell: Number seven, Madam Speaker.

Mr. Prescott: I think that it is number eight. At least I am right on this one.

Air Quality

8. **Mr. Boswell:** What plans he has to introduce measures to improve air quality. [30628]

Mr. Prescott: The Government are taking action to improve air quality through the implementation of the national air quality strategy. On 12 February, we announced our plans to take forward an immediate review of the strategy, during which we shall look at all options for delivering improved air quality more quickly.

Mr. Boswell: While that is welcome, will the Deputy Prime Minister take a particularly close look at the Environmental Agency's recent proposals in connection with sulphur dioxide emissions from power stations, which do not seem to be well founded in the facts and go well beyond our current international obligations? Incidentally, the proposals would have the serious effect of virtually wiping out the economics and the potential of the British coal mining industry overnight.

Mr. Prescott: The hon. Gentleman will be aware that this strategy was begun by the previous Administration and that that is one of the gases under consideration in the review. We shall take into account the points that he has made.

Dr. Lynne Jones: I understand that the planting of trees can have beneficial effects on air quality. However, will my right hon. Friend assure the House that he will not encourage the planting of leylandii trees and hedges in residential areas? On the contrary, will he consider introducing measures to curb the activities of those who insist on growing those hedges to monstrous proportions, thus inflicting considerable misery on their neighbours?

Madam Speaker: The hon. Lady's question is vaguely related.

Mr. Prescott: It will be vaguely replied to, Madam Speaker.

I can confirm that we are considering some form of Government intervention in relation to those hedges if necessary.

House Building (Rendering)

9. **Mr. Collins:** What representations he has received about legislation governing the use of rendering in newly built housing; and if he will make a statement. [30629]

The Minister for London and Construction (Mr. Nick Raynsford): Apart from the hon. Gentleman's letter of 24 February to my right hon. Friend the Deputy Prime Minister on this subject, the Government have received no representations regarding legislation concerning the use of rendering to newly built houses.

Mr. Collins: The Minister will know from my letter that I have laid before the Department the concerns of my constituents living in the Helme View estate, built by Barratt Homes, in Kendal. Will he consider legislation to require the minimum specified standards of rendering set out by the manufacturers of those materials, to be used by private sector builders? Will he also consider replacing the National House-Building Council with something that is rather less of a toothless watchdog?

Mr. Raynsford: I am grateful to the hon. Gentleman for providing me with some detailed background information about the case of Helme View. On the strength of his representations, I have seen that there is some evidence that the rendering may have been put on in a way that did not comply with the specification contained in the British Board of Agrément recommendations. If that is the case, there would certainly be grounds for the home owners concerned to seek redress through the NHBC, which has provided the insurance back warranty on the scheme. We have had general discussions with the NHBC about the performance of its obligations, and I have twice met its chief executive. I am expecting a report on the progress that it is making in the review of its service to ensure that it provides effective warranties to the public.

Local Government Finance

10. **Dr. Cable:** What plans he has to reduce local authorities' reliance on central Government funding. [30630]

Ms Armstrong: We shall shortly be consulting on possible changes to the system of local government finance.

Dr. Cable: Does the Minister recall that the Government have signed the European charter of local self-government? Is she willing to tell the vast majority of councils—of all parties—which are well run, what time scale the Government now envisage to allow councils to raise their own revenue to meet local needs free of central Government capping and other centralised controls?

Ms Armstrong: We have said that we shall consult shortly. The consultation document will be going out in the next two to three weeks. Councils will then be able to respond. We shall be able to deal with the points that the hon. Gentleman has raised in that process. We then hope to bring a White Paper to the House. He will then see precisely how the Government intend to proceed.

Dr. Ladyman: When the Minister is looking into how to reduce local government reliance on central Government funding, will she also look into those ways in which local government is bailing out central Government? I am thinking of the burden of housing benefit payments on district councils. When the Conservative party passed the responsibility for such payments to local government, it promised that not a penny of that expenditure would fall on the council tax payer. In my district of Thanet, £3 million out of £15 million goes on covering the cost of housing benefit payments. Will my hon. Friend take that into consideration when considering how local government finance is to be reorganised?

Ms Armstrong: That is part of the present review of housing finance. I met the Local Government Association to discuss issues associated with that last week. It is one of the areas that we are reviewing and I look forward to reporting back on the results at some stage in the future.

Local Government

11. **Mr. Bob Russell:** If he will reduce central Government intervention in local government. [30631]

Ms Armstrong: We are committed to making local decision making less constrained by central Government and more accountable to local people. However, there will remain a need for reserve powers for Government to act if and when councils fall seriously short of what people are entitled to expect.

Mr. Russell: While I acknowledge the Minister's response, does she agree that, after 18 years of relentless attacks on local government by the former Government, Britain now has the most centralised local government system anywhere in the democratic world—even more centralised than the system that Stalin achieved in the former Soviet Union? Is it not time that the Government started to roll back central Government control and get rid of the quangos? In short, is it not time that central Government got off local government's back?

Ms Armstrong: I certainly accept and agree that we have ended up with the most centralised system in Europe. Indeed, the number of Acts that the previous Government passed to try to neuter and devalue local government was almost more than the number of Conservative representatives on the Opposition Benches at the moment. We are determined to change the situation, but we want to do so in partnership with local government. That means that we are working with local government to plan the way forward and to do that in partnership. We shall not take decisions on our own without recognising the valuable contribution that local government has to make to the way forward.

Mr. Rammell: All of us would want to see an end to crude and universal capping as soon as possible, but does the Minister agree that political consistency is necessary on those issues? While in the House the Liberals argue for extra powers, extra expenditure and extra taxation at a local level by local councils, in my constituency and, I imagine, in others they criticise the fact that council taxes are increasing to fund reasonable increases in expenditure. Do we not need some consistency on those matters and does not that problem undermine the credibility that the Liberals might otherwise have on such issues?

Ms Armstrong: I think that both Opposition parties have some difficulties in consistency in their local government policy. Of course we need consistency, but, more than anything else, if we are to get a proper democratic balance in this country, we need a rejuvenated local government. We need that rejuvenation and diversity properly to express the will of local people and to ensure that they really are in the driving seat and we get a democracy worthy of its name.

Mr. Pickles: One of the principal worries of local councils about Government intervention concerns the planning powers of the regional development agencies. There is confusion on that. The Select Committee on the Environment, Transport and the Regions was told that there were no plans to take away powers from local authorities. The Regional Development Agencies Bill originally proposed to give the agencies such planning powers, but those proposals were then withdrawn. I accept that there may have been drafting problems, but my question is wholly reasonable—what powers does the Minister believe that the RDAs should have on planning?

Ms Armstrong: I am staggered by the hon. Gentleman. Year after year, he supported measures that gave central Government greater powers of intervention in local government. He knows that the issue will be dealt with properly on the Floor of the House on Report.

Parish Councils

12. **Mr. Burns:** If he will extend the powers of the local government ombudsman to cover parish councils. [30632]

Mr. Raynsford: We have no plans to extend the powers of the local government ombudsman to cover parish councils. Individual electors can raise complaints directly at meetings of the parish council.

Mr. Burns: Why not?

Mr. Raynsford: Quite simply because, even though there are some 17,000 parish councillors and some 8,000 parish councils in England, the Department has received fewer than 10 representations suggesting such an extension.

Local Government Reform

13. **Mr. McNulty:** What progress he is making in his consultation on the reform of local government. [30633]

Ms Armstrong: On 9 February, my right hon. Friend the Deputy Prime Minister launched a wide-ranging consultation paper, "Local Democracy and Community Leadership", on modernising local government. A second paper, "Local Services Under Best Value", was published today. Further papers on the new ethical framework and on aspects of local government finance will be published shortly. Following consultation, the Government will set out their firm proposals in a White Paper this summer.

Mr. McNulty: I thank my hon. Friend for that answer. Does she agree that the apparent conversion of the right hon. Member for Richmond, Yorks (Mr. Hague) to the value of local government is far too little, far too late? No one will be convinced by Mickey Mouse conversions by the Opposition on that, the countryside or any other issue.

Ms Armstrong: We are determined to rejuvenate local government. The Conservative Government left local government demoralised and in a mess. They believed that they knew best about everything, but they had their answer on 1 May and they will receive similar answers in the future.

Mr. St. Aubyn: Does the Minister accept that there was no countryside rally or countryside march against the last Government? The reason why more than 100,000 people rallied in Hyde park last year and more than 250,000 people marched through London at the weekend is the Government's meddling attitude to rural affairs.

Ms Armstrong: The hon. Gentleman needs to learn a little history. People in the countryside are not obsessed by one issue; they want a Government who listen to them on the whole range of issues. That is precisely why I am consulting them on the future of housing opportunities in the countryside, and why we are ensuring that brown-field sites in the countryside are properly used for social housing. Moreover, we are considering transport opportunities to ensure that there is decent public transport in areas where few people have had access to it. People in the countryside are anxious—and angry—about those issues because, for the past 18 years, they have been absolutely neglected.

Mr. Soley: Has my hon. Friend seen Hammersmith and Fulham council's proposals for improving the representation of councillors and reinforcing their role, while subjecting them to closer scrutiny? In anticipation of the Local Government (Experimental Arrangements) Bill, may I ask whether that is not the way in which the Conservative party, and all parties, should encourage local authorities to develop the local democracy that will strengthen the bond between elected councillors and the electorate? Is not that where the real argument lies?

Ms Armstrong: Of course it is where the real argument lies. We want to ensure that local councils take responsibility for thinking about how they can be as responsive and as open as possible to local people. Those ideas are expressed in the Local Government (Experimental Arrangements) Bill, which has recently been considered in the House of Lords. That private Member's Bill arose from a House of Lords Select Committee; it had all-party support in the House of Lords, as well as the strong support of local government. I hope that the House of Commons will treat it seriously.

Sir Norman Fowler: It needs debate.

Ms Armstrong: It certainly needs debate and, if Opposition Members are co-operative, it will get debate. We are determined to ensure that it is debated properly. If Opposition Members agree with that, they

will ensure that the Bill gets into Committee, so that we can give local government the chance to develop its own way of working.

Dorchester Relief Road

28. **Mr. Ian Bruce:** When he will make a decision on the financing of the Dorchester relief road in Weymouth; and if he will make a statement. [30649]

The Minister of Transport (Dr. Gavin Strang): The Government's priorities for investment in local road schemes, including the Dorchester relief road, will be decided in the context of the new appraisal framework that we are developing in the trunk roads review.

Mr. Bruce: I thank the right hon. Gentleman for his non-answer. I approached the Government about the scheme, which was waiting for them on 1 May. They decided that they wanted an integrated transport solution to be proposed by Dorset county council. The council rewrote its bid and submitted it to the Government on a tight deadline, spending probably tens of thousands of pounds, but the Minister's Department did not even send it to the Treasury task force for private finance initiative bids, further delaying the scheme. What is the reason for that prevarication; for the extra money being spent by local government; and for the lack of a decision from the Government?

Dr. Strang: Surely the hon. Gentleman is aware that the Government are implementing the manifesto commitment to conduct a fundamental review of our roads programme; to decide what role roads play in an integrated transport policy; and to determine what criteria should be taken into account in choosing which roads to give priority to. In the business plan for its proposed PFI scheme, Dorset county council envisages signing the contract in 1999–2000.

Driving Test Centre, Chelmsford

29. **Mr. Burns:** If he will make a statement on the progress being made in moving the driving test centre in Beeches road, Chelmsford, to another site in the Chelmsford area. [30650]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): A planning application for the Chelmer business park, which includes plans for a purpose-built driving test centre, is due to be considered by Chelmsford borough council planning committee on 6 April. Assuming that the application is successful, building work should start this summer and driver testing operations could move there from Beeches road by the end of the year.

Mr. Burns: Many of my constituents in the Waterhouse Farm area of Chelmsford will be extremely heartened and gladdened to hear what the Minister says, and I am grateful to her. Will she keep a watching brief to ensure that there is no slippage? As she will be aware, the problem has been rolling along for at least eight years and has been the subject of an adverse report by the Parliamentary Commissioner for Administration. There was a problem earlier this year when the ownership of the land on which the centre is to be built changed hands. My constituents would appreciate it if the Minister could ensure that the deadline that she has given today is honoured.

Ms Jackson: I can well understand the hon. Gentleman's constituents' concern. The issue has indeed dragged on since 1989. I am pleased to note that, since the Labour Government came to power on 1 May, there seems to have been a move in the right direction. We want the centre to be retained at Chelmsford, but the decision rests with the local authority, and we are hopeful that planning permission will be granted.

Road Traffic Reduction

30. **Mr. Dobbin:** What guidance has been issued to local authorities under the Road Traffic Reduction Act 1997. [30652]

Mr. Prescott: Guidance to local authorities on meeting their obligations under the Road Traffic Reduction Act 1997 was issued in draft on 15 January in order to allow local authorities and other interested parties to comment on its contents.

Mr. Dobbin: Is my right hon. Friend aware of the growing concern about ill health caused by pollution from road traffic? Does he agree that the Road Traffic Reduction Act 1997 will provide an important framework for local authorities to tackle the problem of traffic congestion? I welcome the guidance that has been issued under the Act and I congratulate the Government on their support for the Road Traffic Reduction (United Kingdom Targets) Bill.

Mr. Prescott: My hon. Friend has established a reputation for campaigning hard on this matter. Air pollution from traffic is a serious problem and we hope to tackle it through our national air quality strategy and the integrated transport White Paper that we will publish shortly. The Road Traffic Reduction Act 1997 provides an important framework for local authorities to take action, and the Government are committed to tackling the harmful effects of the growth in road traffic. It is estimated that up to 24,000 people die prematurely each year because of exposure to such air pollution.

Mr. Brake: Will the Secretary of State add up the reductions contained in all the local authority plans so that we can assess the contribution that local authorities will make to reducing road traffic? Will he also introduce a national target for the Government so that local authorities do not have to take sole responsibility for reducing traffic?

Mr. Prescott: Those matters are very much in our mind and are being considered for the White Paper, which will be published in May.

Mr. Ottaway: Does the Secretary of State agree that, whatever their good intentions, local authorities can do little in practice to reduce traffic levels, and that the way forward is to encourage people on to public transport? With that in mind, will he give a warm welcome to Virgin's announcement today of a

£1.8 million order for rolling stock for the west coast main line, which demonstrates the long-term benefits of rail privatisation?

Mr. Prescott: I welcome the hon. Gentleman's conversion to the need to give public transport priority over private transport. Whether the privatised rail system will contribute to that, we wait to see, although the signs are not good. I would point out to the hon. Gentleman that, in the past 20 years, the costs of car transport have increased by 8 per cent. while the costs of public transport have increased by 30 per cent., and that that happened because the previous Government pursued a different policy.

New Roads

31. **Mr. Mullin:** How many miles of new road he has *(a)* approved and *(b)* declined to approve since he took office; and if he will make a statement. [30653]

Dr. Strang: Last July, I approved three schemes, which included 36 miles of road on new alignments. At the same time, I declined to approve 22 schemes, which would have included 85 miles of road on new alignments.

Mr. Mullin: I welcome that reply. Is the Department still under the control of the road lobby or has word reached the civil servants that the days of bigger and better roads are over and that the future lies with better public transport? I know that Ministers have grasped that point, but is my right hon. Friend satisfied that word has reached all concerned?

Dr. Strang: I assure my hon. Friend that, under this Government, the days of predict and provide are over. We recognise that we cannot build our way out of our transport problems and that is why we will publish a White Paper on an integrated transport policy in a few months' time.

Mr. Chope: Is not the Government's record, albeit short, deplorable? In 18 years, the Conservatives built or upgraded 1,300 miles of motorway and trunk road. That investment is a vital ingredient in the nation's prosperity and in regional competitiveness. Does the Minister agree that further extra taxes on motorists in the Budget before the publication of the White Paper would be unacceptable?

Dr. Strang: The hon. Gentleman is surely aware that the Government no longer regard building a new road as the first option for tackling a transport problem. We have to consider a range of options, although we will, of course, always have to build some new roads. One of the biggest problems that we inherited was the previous Government's complete failure adequately to maintain the existing roads network. That is why we have provided for such a large increase in expenditure on maintenance of our trunk roads and motorways in the next financial year.

Roads (Noise Pollution)

32. **Mr. Randall:** If he will make a statement on his Department's plans to limit noise pollution on major trunk roads. [30654]

Dr. Strang: Noise pollution is being addressed in the review of the role of trunk roads in England and is being considered with other matters in the preparation of the White Paper on integrated transport.

Mr. Randall: I thank the Minister for his reply. What assurances can he give my constituents, particularly those living in Ickenham close to the A40, about measures to alleviate the misery of noise pollution there?

Dr. Strang: The hon. Gentleman is right to focus attention on that. I know how important the issue is for many of his constituents. Under the policy of previous Governments, there has been no specific provision for tackling the problem once a road has been constructed. We are considering the matter, and we will announce our decision when we publish our White Paper on integrated transport.

Fiona Mactaggart: I am glad that the matter will be covered in the White Paper. Is there any prospect that the paper will include proposals to protect people who live near existing roads, such as the A40 and M4, that have had increasing traffic in recent years and become very noisy for people nearby? If there were to be some alleviation, it would be for the first time for many years, which would be welcome to those of us who have campaigned on the matter for a long time.

Dr. Strang: My hon. Friend is right to point up the problem. As she knows, there is an excellent chapter on the subject in the report on transport of the royal commission on environmental protection. It is an issue of growing importance for many people and we intend to address it.

A5

33. **Mr. Paterson:** What plans he has to dual the A5 north of Shrewsbury. [30655]

Dr. Strang: We are considering that proposal as part of our review of the roads programme.

Mr. Paterson: Twenty-five people have been killed between Shrewsbury and Ruabon over the past five years. The project has the full support of all the neighbouring local authorities and the Government office of the west midlands. It is the last link in the trans-European network route between Felixstowe and Holyhead that has not been dualled. When will the Minister be able to give a clear idea of when a final decision will be made?

Dr. Strang: We will take decisions on such roads in the context of our roads review. The hon. Gentleman is right, and makes a strong case for the road. New roads can save lives, and safety is a factor in this case.

Traffic-Calming Measures

34. **Mr. Bob Russell:** What action the Government are proposing to take to encourage councils to introduce further traffic-calming measures; and if he will make more financial resources available. [30656]

Dr. Strang: I recently announced the Government's intention to remove the requirement for local highway authorities to obtain the Secretary of State's consent to making 20 mph speed limits. That should encourage the creation of more 20 mph zones, particularly where children and vulnerable road users are most at risk. The Department will continue to provide local authorities with guidance on traffic-calming measures. We are currently considering what resources can be made available for 1999–2000.

Mr. Russell: I am grateful both to this Government for what they are doing on road safety—and, in fairness, to the previous Government, who pioneered traffic calming. I regard road safety as a non-party issue. However, more money is needed because road safety is in the national interest. I draw the Minister's attention to the high street scheme in my constituency, which has been funded by Government, past and present; the county council, past and present; and the borough council. It has led to a reduction of almost 50 per cent. in the number of accidents. Given that the Department's figures show that a fatal accident costs £1 million, a serious injury accident £110,000 and a slight injury accident about £10,000, the introduction of that traffic-calming system across the country would save hundreds of lives, prevent thousands of injuries and save the country money. Can we have more resources for more traffic-calming schemes?

Dr. Strang: Yes, the hon. Gentleman is right to commend so strongly the Colchester transport package, which this Government, like the previous Government, support. It contains a number of positive elements such as the provision of bus priority measures at key points and the development of cycle networks. As he rightly said, it has a strong emphasis on safety, traffic-calming measures and 20 mph zones. It is because of the merits of those schemes that I recently announced that local highway authorities will no longer have to approach the Government to create new 20 mph zones.

Ms Southworth: Will my right hon. Friend work with local authorities and public and private sector partnerships that are working to create sustainable town centres that are safe, environmentally friendly and accessible to everyone in the local community? In particular, will he give consideration to the unfair competition from out-of-town shopping centres that provide free car parking?

Dr. Strang: Yes, I agree with my hon. Friend. Most hon. Members would accept that when the former Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal (Mr. Gummer), announced that he was changing the planning legislation in relation to the development of out-of-town centres, it was a case of shutting the stable door after the horse had bolted. Far too many out-of-town centres have developed. We must now cope with that situation. Clearly, the encouragement of greater use of public transport and the promotion of an integrated transport policy are made so much harder by the development of out-of-town schemes.

Mr. Dafis: Do not reductions in the roads budget—which are reasonable enough for the purpose of discouraging unsustainable traffic growth—sometimes lead to cuts in the resources available for traffic-calming measures? That is an ironic outcome. What can the Government do to ensure that, while the roads budget may be reduced for good reasons, that other aspect of investment in roads is encouraged and enhanced?

Dr. Strang: I would be keen to examine any examples of that. We are, as the hon. Gentleman knows, very much in the business of encouraging more investment in traffic-calming measures and more emphasis on safety. However, he is right to point out that we cannot continue a policy of building more and more roads. It is important that transport packages are designed to put the emphasis on safety.

Road Fatalities (Drugs)

35. **Mr. Flynn:** What is his estimate of the numbers of road fatalities that result from the use of medicinal drugs. [30657]

Ms Glenda Jackson: No such estimate is available. A survey that my Department is conducting found medicinal drugs present in 6 per cent. of road user fatalities—only 4 per cent. in the case of drivers—but their presence does not necessarily mean that they were a factor in causing the fatality.

Mr. Flynn: The Government are to be congratulated on being the first Government to take practical steps to deal with the dangers of drug driving. As my hon. Friend knows, the trial can identify only a small number of problems involving medicinal drugs. As she is aware, 100 million prescriptions are issued every year for medicines which, if taken according to instructions, will leave drivers' reactions as impaired as if they had drunk an equivalent quantity of alcohol. Will my hon. Friend give more attention to the matter, as medicinal drugs are the major drugs that cause accidents?

Ms Jackson: I believe that my hon. Friend is confusing the incidence of drugs in road fatalities and the cause of such accidents. In our survey to date, 16 per cent. of the fatalities—drivers, passengers, pedestrians and cyclists—had evidence of an illicit drug in their bodies. The incidence for drivers was 18 per cent. Six per cent. had evidence of medicinal drugs. For drivers, the incidence was 4 per cent. Compared to a survey 10 years ago, that represents a fourfold increase in the incidence of illicit drugs, but very little change in the incidence of prescription drugs. However, road fatalities and serious

casualties overall have fallen by more than a third during those 10 years, so it is extremely difficult to judge the road safety implications of drug use.

Rev. Martin Smyth: I welcome the Minister's statement. Does she share the concern of diabetic people who feel that they are discriminated against by the new regulations coming out of Europe?

Ms Jackson: I should be extremely sorry if there were a sense of discrimination with regard to insulin-treated diabetics. Since 1991, they have been prohibited from holding licences to drive large goods vehicles and buses, and, as a consequence of the United Kingdom's implementation of the second EC driving licence directive, the prohibition extends to licences to drive lorries between 3.5 and 7.5 tonnes and minibuses with nine to 16 seats. Licences to drive cars, restricted to a maximum of three years at a time, continue to be granted to insulin-treated diabetics, subject to satisfactory health checks at each renewal. The road safety dangers associated with drivers treated with insulin have been recognised for many years—it can lead to hypoglycaemia, which in turn can result in loss of consciousness, in some cases without warning.

Fuel Duties

36. **Mr. Gray:** What assessment his Department has made of the impact of increasing fuel duties by 6 per cent. a year in real terms on road traffic levels. [30658]

Ms Glenda Jackson: The Department's national road traffic forecasts assume that fuel duties will increase by 6 per cent. per annum until 2002. Those forecasts predict that the level of road traffic will increase by 11 per cent. between 1996 and 2002.

Mr. Gray: Is the Minister aware of the disproportionately harsh effect that an increase in road fuel duties will have on rural motorists, many of whom rely exclusively on private motor cars to get about? Will she consult her right hon. Friend the Chancellor of the Exchequer to find ways of deterring the city driver—and particularly the company car driver—while safeguarding the interests of the rural motorist?

Ms Jackson: That question comes ill from a party which inflicted enormous damage on rural transport through its policies of rail privatisation and bus deregulation. In the past two decades, rail fares have risen by 75 per cent. and bus fares have risen by 60 per cent. above inflation, yet overall car costs are 6.5 per cent. below inflation. Central to this Government's policies for rural communities is the restoration of real integrated public transport in order to begin to make some sort of inroad into the isolation in many rural communities that is a direct result of the policies of the former Conservative Administration.

Mr. Baker: Given that the real cost of motoring has decreased by 6.5 per cent. since 1974, and that rail fares have increased by 75 per cent. or 78 per cent., are the Government prepared to consider in their transport White Paper not simply increasing costs for motorists but using funds to decrease costs for rail and bus users?

Ms Jackson: We are reviewing every possible lever of government to ensure that, when we produce our integrated transport policy, it will be clear to the whole country that we are taking a long-term view. This is our window of opportunity to create an integrated transport policy based on an integrated public transport system and to reduce the huge costs that this country has suffered through 18 years of neglect by the previous Administration.

Sir Norman Fowler: But my hon. Friend the Member for North Wiltshire (Mr. Gray) was asking about the position of motorists. Will the Minister acknowledge that the car is an absolute necessity for millions of people in rural areas and elsewhere? Will she acknowledge also that hundreds of thousands of people work in the motor industry in areas such as mine in the west midlands—which used to be a rather important consideration as regards industrial policy? Will the Minister recognise that there is no justification for introducing swingeing increases in motor taxation that will simply penalise many millions of ordinary people?

Ms Jackson: I repeat that the greatest damage was inflicted on the rural communities by the previous Government's policies of rail privatisation and bus deregulation. I repeat that the issue of rural communities is central to this Government's policies. The rural communities' need for a properly integrated transport policy, which is essential for regeneration in those areas that the former Conservative Government neglected for 20 years, will be central to the Government's policies.

Workplace Parking

37. **Mr. Swayne:** What assessment has been made of the cost of enforcing proposals to limit the availability of workplace parking. [30659]

Ms Glenda Jackson: The Government are currently looking at the potential costs and benefits of a levy on non-residential parking places. Administration and enforcement arrangements are of course an important element in that.

Mr. Swayne: I find that most regrettable. Does the hon. Lady agree that, given the Government's aspirations to reducing congestion, this is a daft idea that will increase congestion by 20 per cent. and load new costs on to small businesses, many of which will be rural?

Ms Jackson: No—and anything that causes the hon. Gentleman regret is music to my ears.

Rail Passenger Satisfaction Surveys

38. **Mr. Cranston:** If he will make a statement on the publication of rail passenger satisfaction surveys. [30660]

Mr. Prescott: The Government welcome the customer satisfaction surveys, which the franchising director has required to be published. They show that a significant proportion of privatised train companies are offering a worse service and an overall reduction in the standard and quality of service. That is unacceptable.

Last November, I gave the franchising director new objectives, requiring him to change his priorities. He must now put the interests of passengers first. Concerns continue to be expressed about safety and the excessive profits that are being made by individual directors as a result of the privatisation of the railways. Furthermore, the franchising director and the regulator think that their powers are inadequate. Our White Paper will address that.

Mr. Cranston: Can my right hon. Friend confirm that under the previous Government there was no obligation on many train operating companies to publish these surveys and, where they were obliged to do so under some of the contracts, they had a free choice as to what they could publish? Does he agree that such information is vital? I welcome what he has done in the past month or so to ensure that survey results are published.

Mr. Prescott: That is correct. I increased the franchising director's powers to achieve those objectives. Indeed, I made it clear to him that his primary objective is not to secure maximised profit and privatisation but to put customer satisfaction first.

Points of Order

3.30 pm

Mr. Simon Burns (West Chelmsford): On a point of order, Madam Speaker. Obviously, you are not responsible for the contents of Ministers' written answers, but, on behalf of hon. Members, I ask whether there is anything that you can do to protect hon. Members who table questions for written answer, only to have them blocked.

As you are aware, last Wednesday I tabled a question to the Department of Social Security, asking for the raw numbers on the lone parent scheme. It now turns out that those numbers are somewhat embarrassing to the Government. On Friday, to forestall my question, the Department of Social Security got the hon. Member for Gravesham (Mr. Pond) to place a planted question asking for the proportions, not the numbers, on the lone parent scheme.

Yesterday, shortly after 3.30 pm, the hon. Member for Gravesham received his answer, saying that the Secretary of State for Social Security had published a press release, which appeared on the tapes. In my answer, I was referred to that given to the hon. Member for Gravesham, but mine was not the same question as his, so I never got an answer on the raw figures. To my mind, the Government are abusing their position by failing to answer questions that are embarrassing.

Is there anything that you can do to try to stop that practice?

Madam Speaker: I can make no comment on the hon. Gentleman's first point, which is far too general and is unacceptable to me. I quite understand his frustration. He was good enough to give me the information—which is rather convoluted—that he expressed at the Dispatch Box. He is quite right that the contents of answers are not a matter for me. It is for Ministers to take responsibility for the replies that they give. The hon. Gentleman is an experienced Member of the House, and I am sure that he can find further parliamentary means of following up the matter. If hon. Members are dissatisfied with replies that they receive, they might in the first instance consult the Table Office, which is extremely helpful in these matters. I would prefer the hon. Gentleman to do just that.

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Madam Speaker.

Madam Speaker: No. There is no further point of order; I have made a ruling. I have seen the answer to the question asked by the hon. Member for West Chelmsford (Mr. Burns), and all the answers that he has received. If he consults the Table Office, he can table a question that will get the answer that he wants. That is the point that I am making. What is the further point of order?

Mr. Forth: You mentioned the Table Office, and that is helpful, but are you aware that in its efforts to be helpful, it has on occasion said to me, and, I am sure, to others, "This matter has been blocked by the Department"? It would appear that a trend is emerging, whereby Government Departments are able to place an arbitrary block on questions tabled by hon. Members, which, apparently, the Table Office has to respect. I should have thought that the Table Office was responsible to you and the House, not Government Departments. Therefore, are you satisfied that the House can be treated in that way by Government Departments?

Madam Speaker: I am satisfied because, as Speaker under the previous Government, I am well aware of the number of questions that were blocked then. I must be frank and tell the House that. In this case, a question could be tabled to elicit the information that the hon. Member for West Chelmsford requires.

Mr. Tam Dalyell (Linlithgow): This point of order has the attraction of being not at all generalised but very particular.

On the radio this morning, the Foreign Secretary said that it was his understanding—he was doubtless speaking for the Government—that the agreement reached by the United Nations went along with previous agreements, in that it allowed military action to take place under existing United Nations charter resolutions on Iraq.

Mr. Dale Campbell-Savours (Workington): Thank God for that.

Mr. Dalyell: My hon. Friend says thank God for that; some of us take a different view.

Later on the same programme, the Chinese ambassador, representing some of the permanent members of the Security Council, made it abundantly and unambiguously clear that their interpretation was diametrically opposite—that there could be no military action until the powers had gone back to the Security Council. They cannot both be right. My point of order is simply to ask you, Madam Speaker, whether you have had a request from the Foreign Office or the Law Officers to explain precisely what the legal position is in this crucial matter.

Madam Speaker: No. I have not been informed that a Minister will make a statement to the House. Foreign Affairs questions come before us next week, when the hon. Gentleman may seek to catch my eye on those matters.

Religious Discrimination and Remedies

3.36 pm

Mr. John Austin (Erith and Thamesmead): I beg to move,

That leave be given to bring in a Bill to render unlawful religious discrimination in employment and in the provision of certain types of goods, facilities and services and to make provision for appropriate enforcement; to create new offences relating to incitement to religious hatred; and for related purposes.

In a submission to the United Nations in 1995, the previous Government stated succinctly and boldly their vision of an inclusive society. The submission said:

"It is a fundamental objective of the United Kingdom Government to enable members of ethnic minorities to participate freely and fully in the economic, social and public life of the nation, with all the benefits and responsibilities which that entails, while still being able to maintain their own culture, traditions, language and values. Government action is directed towards addressing problems of discrimination and disadvantage which prevent members of ethnic minorities from fulfilling their potential as full members of British society."

The twin aims of public policy are social inclusion and participation by all in a shared civic culture, combined with cultural pluralism. The achievement of that requires issues of discrimination and disadvantage to be addressed. Racial abuse and racial harassment are a fact of life for many of our citizens. Racial harassment occurs when someone abuses or assaults someone else because of his or her colour, race, nationality, or ethnic or national origin. Incitement to racial hatred is a criminal offence, but what if the harassment, abuse or incitement is based not on one's colour, race, nationality, or ethnic or national origin, but on one's religion?

The National Secular Society and others have expressed concern that the Bill may limit freedom of speech and expression. I do not intend to make it more difficult for the religious beliefs and practices of any group to be open to critical scrutiny or rational discussion. The Bill does not intend to extend the blasphemy laws; nor would it suppress the legitimate reporting of atrocities or gross violations of human rights carried out in the name of religion. Freedom of speech and of expression, and freedom of the press and other media, are the sinews of our democracy, but they are not an absolute right without limits.

Some have argued that the existing laws are adequate to deal with the problem, but evidence published by the Runnymede Trust in its report, "Islamophobia—a challenge for us all" clearly shows that the law is inadequate to secure the objective of an inclusive and pluralist society, as set out in the previous Government's submission to the United Nations.

The Commission for Racial Equality has recommended changes in the law in respect of discrimination on grounds of religion and incitement to religious hatred. The previous Home Secretary, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), said in response to the Commission for Racial Equality:

"I have yet to be convinced that legislation could be justified. So far, there is little hard evidence of discrimination against individuals on religious rather than racial grounds, but I can assure you that the Home Office remains ready to look at any other evidence."

I hope that the new Home Secretary will examine that evidence, which is clearly stated in the Runnymede Trust's report on Islamophobia.

Since that time, various faith communities have become more concerned, particularly about the extent and nature of discrimination in this country against Muslims and the lack of legal remedies that would allow those problems to be tackled. The Runnymede report refers to the prejudice and discrimination that Muslims experience in their everyday lives and describes Islamophobia as

"an ugly word for an ugly reality"

and as a growing phenomenon.

Hatred of Islam has existed in western cultures for several centuries, but it has become more explicit, extreme and dangerous. It is an ingredient of all sections of our media, which means that many Muslims are frequently excluded from the economic, social and public life of the nation.

The Runnymede report goes further than the Bill and makes wide-ranging recommendations. The Bill addresses only the issues of discrimination in employment and the provision of goods and services, and incitement to hatred. Estimates of the Muslim population in Britain vary, but the community is reliably thought to number between 1.2 million and 1.4 million. Whatever the correct figure, for the sake of members of that community and society as a whole, we cannot afford to allow Muslims to feel isolated and excluded from society.

The argument for legislation outlawing religious discrimination is broadly the same as that for legislation outlawing racial discrimination. First, a religious discrimination law would be a powerful symbol of public policy and would convey the important message that religious identities are valued and respected throughout society.

Secondly, there must be consistency. The Fair Employment (Northern Ireland) Acts have created an anomaly: religious discrimination in employment is unlawful in one part of the United Kingdom, but not in Great Britain. A further anomaly has been thrown up by the House of Lords decision that Sikhs constitute a racial group and are entitled to protection under the Race Relations Act 1976. Similarly, Jews can rely on that Act, because, like Sikhs, they can be defined by their ethnic as well as their religious identity. No such protection is afforded to other religious groups, such as Hindus or Muslims.

Yet another anomaly has been thrown up by the Crime and Disorder Bill, which addresses racially aggravated behaviour. In a civilised society, criminal law must be operated even-handedly. An attack carried out on a Sikh or a Jew because of his religion could be classified as racially aggravated assault, but an attack on a Hindu or a Muslim could not. In employment, except in Northern Ireland, an employer is free to discriminate against an employee on the ground of religion, which is often used as a cover for racial discrimination.

The Government have always maintained that equality of opportunity in employment is economically desirable: discrimination is an inefficient business practice which results in talent being wasted, to the detriment of the public at large. Discrimination also creates alienation and frustration among those who feel that the law does not provide them with redress. My Bill would contribute in no small measure to the elimination of such alienation and frustration.

The adherents of some faiths could make a discrimination claim under the Race Relations Act 1976 on the basis of their membership of an ethnic group. Hindus might do so as Indians, or Muslims as Arabs or Pakistanis, under the indirect discrimination clauses of that Act, but a white or Afro-Caribbean British citizen who had converted to Hinduism or Islam could not. Nor could groups such as Rastafarians, who are a minority within their own racial or national group. The 1976 Act deals with indirect religious discrimination, but financial compensation is not available unless the discrimination can be shown to be intentional. I accept that defining religion is difficult, but difficulties are no argument for not acting in the interests of harmony in our society.

The Bill does not deal with the issue of blasphemy. I would prefer the current law to be rescinded rather than extended, but there is a difference between the offences of blasphemy and incitement. Blasphemy outrages people's sensibilities, whereas incitement endangers their material and physical well-being. Currently, incitement to racial hatred is an offence under the Public Order Act 1986; inciting others to hate Muslims, however, is not a crime—the 1986 Act does not deal with the stirring up of religious hatred.

It has been suggested that the Bill limits freedom of speech, but the current law acknowledges that it is legitimate, in a democratic society, to interfere with freedom of expression if the publication of threatening, abusive or insulting material may not only offend people's sensitivities, but have a direct and harmful effect on their lives. An extension of the law to cover religious groups, as well as racial or ethnic groups, would give Muslims treatment equal to that of Jews and Sikhs, and would reassure them that their interests were respected sufficiently to warrant their protection from religious hatred.

The international covenant on civil and political rights declares that

"any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited."

We are not legally bound to introduce legislation to implement the provision, but I think that it is essential if we are serious about human rights, and about building a society in which all our citizens can participate freely and fully in the economic, social and public life of the nation—with all the benefits and responsibilities that that entails—while maintaining their own culture, traditions, language and values.

Question put and agreed to.

Bill ordered to be brought in by Mr. John Austin, Mr. David Atkinson, Mr. Simon Hughes, Fiona Mactaggart, Mr. Terry Rooney and Mr. Marsha Singh.

RELIGIOUS DISCRIMINATION AND REMEDIES

Mr. John Austin accordingly presented a Bill to render unlawful religious discrimination in employment and in the provision of certain types of goods, facilities and services and to make provision for appropriate enforcement; to create new offences relating to incitement to religious hatred; and for related purposes: And the same was read the First time; and ordered to be read a Second time on Friday 3 July, and to be printed [Bill 133].

Opposition Day

[8TH ALLOTTED DAY]

ISAs, TESSAs and PEPs

Madam Speaker: I have selected the amendment in the name of the Prime Minister.

3.46 pm

Mr. Peter Lilley (Hitchin and Harpenden): I beg to move,

That this House welcomes the success of TESSAs and PEPs in extending popular saving and deplores the Government's proposal to abolish them and replace them with Individual Savings Accounts (ISAs); condemns the retrospective taxation of the most prudent savers who have accumulated more than £50,000; believes that ISAs will involve high administrative costs, especially because of the unnecessary and unfair lifetime limit on tax-free saving; and urges the Government to bring forward new proposals that would not involve retrospective taxation, would build on PEPs and TESSAs, would reduce the costs of administering the schemes and would not involve a lifetime limit on the amount that may be invested.

This is the first opportunity that we have had to debate an issue that is of great and growing concern to our constituents since the Paymaster General shook millions of people by announcing that he planned to abolish personal equity plans and tax-exempt special savings accounts. People were shaken because they could not have guessed from what Labour had said before the election just what would hit them.

Last spring, the Labour party told us—and told the British people—that it had changed. This was new Labour: the people's party. Middle Britain was safe with new Labour, and so were its savings. It was the Prime Minister—"Trust Me Tony" himself—who said:

"We want to extend the scope of PEPs and TESSAs, so the idea that the Labour party is going to take action against those is completely absurd."

Labour's manifesto reaffirmed that, stating:

"We will . . . extend the principle of Tessas and Peps to promote long-term saving."

And it was the current Chief Secretary to the Treasury who was reported by the *Investors' Chronicle* as saying:

"The party has pledged that anyone who invests in a PEP or TESSA before the general election . . . would not be penalised under a Labour Government."

The article went on to say that the Chief Secretary had reiterated Labour's promise that it would not retrospectively abolish tax incentives on PEPs or TESSAs.

"It doesn't matter what the issue is with tax,"

he said.

"People are entitled to certainty."

If that did not reflect the Chief Secretary's remarks accurately, he could have written to deny it. Actually, he did write a letter to the *Investors' Chronicle*, in which he said:

"You correctly quote me as saying, 'We support Peps and Tessas but we want to build on that.'

However the assertion in the article that 'Labour is examining proposals to abolish PEPs and TESSAs' is not true."

[Mr. Peter Lilley]

That was the height of deception. The Chief Secretary chose to deny the one assertion in the article that has since proved to be true, that Labour would abolish PEPs; but he chose not to qualify his clear assurances—which have since proved bogus—that Labour would do nothing retrospectively, that there would be no penalty for those with existing PEPs or TESSAs and that there would be no uncertainty in the tax regime.

It is the betrayal of those pledges which has caused so much fury among our constituents. That betrayal is why this debate is being held today, and why we have dragged back the Paymaster General from Guernsey. People had been reassured by Labour's pledges; now they are angry, and rightly so. We will hound the Government until they honour their pledges to savers.

People with longer memories might have known how little Labour cares for their savings. They will remember the deadly combination of socialism and inflation, which destroyed Britain's savings habit in the 1970s.

Conservative Members are proud to have rebuilt savings in the 1980s and early 1990s. We did it, first, by building up pension funds, to the point at which the United Kingdom has more money invested in pension funds than does all the rest of the European Community put together. We introduced PEPs and TESSAs, and now 3 million people have PEPs and 4.5 million people have TESSAs. Those schemes have massively extended popular saving.

We realise, of course, that more people need to save, and that many of those who already have savings need to save more. The Government would therefore have enjoyed our support if they had built on the success of our schemes. However, far from building on those schemes—building them up—the Government's proposals will mean cutting them back. Individual savings accounts will take away relief from those who have saved most prudently, giving less help, for less time, for less saving.

The only silver lining in the Government's proposals is that they have decided to open up the proposals for consultation. Ministers may rather regret that decision, because the reaction of savers, savings providers and expert advisers has been universally critical. It is not only that the plans were announced by Geoffrey Robinson; they were designed by Heath Robinson.

People's criticisms go to the heart of the Government's proposals. The best advice that Ministers could take would therefore be to listen to the thousands of small savers who are telling them, "Go back to the drawing board, and build on PEPs. In fact, do exactly what the Prime Minister and the Chief Secretary promised they would do. They should simply honour their pledges."

The public have been most infuriated by the retrospective impact of the Government's plans. My postbag is full of letters from aggrieved savers, who thought that they were safe and trusted Labour. I do not know whether the Paymaster General reads such letters, but he certainly does not reply to them. Perhaps we should forward them to him in Guernsey. Nevertheless, he will have to listen to one or two of them today.

A typical example is a letter from a pensioner in Abergavenny, who writes:

"This punitive tax proposal, in my view, breaks a contract which we established with a previous Government and it is neither just nor defensible."

A gentleman from Chester sent me a copy of his letter to the Prime Minister. He wrote:

"We have worked hard, saved and planned for our retirement on the assumption that whatever steps we have taken would be honoured by whichever party was in power at the time. We have paid our taxes and behaved as responsible citizens and now your Government—the one we were asked to trust remember—has broken the contract between the state and those people who have more than £50,000 in PEPs."

The Government said that education was to be their passion. Some teachers in Birmingham disagree. They write:

"We are retired teachers who thoroughly enjoyed our chosen profession and who, during the later years of employment, made a conscious decision to save as much as we could from our salaries through PEPs and TESSAs towards our old age. Unlike the Paymaster General, we do not have a large offshore trust, a mansion in Surrey, a residence in Godalming or a villa in Tuscany.

We are just very ordinary members of the public who welcomed the opportunity by the Conservative Government to invest for our futures. Through careful planning and by putting prudence before pleasure we have been able to save in excess of the £50,000 limit now being proposed by Mr. Robinson."

I could go on. We have all received heaps of such letters.

Even if the Government will not listen, they must realise that to withdraw tax relief from savings that people made in good faith is not only wrong, but undermines the credibility of any future system. People will fear that if ISAs are successful, that regime too, could be changed. The Government must honour their contract with people who have saved in good faith.

Even if the £50,000 lifetime limit is not applied retrospectively, it remains the biggest problem in the ISA plan. There is no need for a lifetime limit, given that the annual limit on the amount that people can invest has been reduced, but if the Paymaster General insists on a lifetime limit, £50,000 is simply too low. The Paymaster General may consider it more than enough for humble folk not used to his style of life, but it is not a huge sum.

Another saver from Peterborough wrote:

"I may have to spend the final years of my life in a nursing home where fees are approximately £20,000 per annum, so £50,000 will last just two and a half years."

The Paymaster General himself admitted in reply to my right hon. Friend the shadow Chief Secretary that £50,000 invested in equities yields an annum income of less than £1,500 after tax. The Lord Chancellor would not get many rolls of wallpaper for that.

We do not know how many hundreds of thousands of savers have already accumulated more than £50,000. The Government did not even bother to find out before launching the new scheme, but it is not just those who have already reached the limit who will be hit. We should be encouraging those with £30,000 or £40,000 to continue building up their savings, yet the Government's plans mean that after a few more years, they, too, will lose the incentive to save. Will the Government publish an estimate not just of how many people have already reached the £50,000 limit, but of how many will reach it over the next few years?

It is not just the public who oppose the scheme. The experts are virtually unanimous in giving it the thumbs down. That is not my assessment. A survey of finance directors carried out by the company of one of Labour's most prominent business supporters, Alec Reed, found that more than 70 per cent. were opposed to ISAs.

The scheme is half-baked, ill thought out, unnecessarily complex and unlikely to achieve its stated objectives—in short, very new Labour.

Criticisms come from people who are well disposed to the Government. Richard Branson condemned it as "retrospective". The *Financial Times* said that it was

"unfair . . . unattractive . . . and bureaucracy gone mad".

The Sunday Times said:

"ISAs will be the most complex instant access accounts ever."

The Consumers Association said:

"We are struggling to see the point of ISAs. We see no real advantages but a lot of problems."

The only possible justification for persisting with the reform would be if it generated more saving. The National Institute of Economic and Social Research is unequivocal about that, saying:

"The Government's proposed replacement of PEPs and TESSAs by Individual Savings Accounts would reduce the pool of savings available to finance investment in Britain."

and speculates

"that this could result in a reduction in the overall level of national wealth by as much as 4 per cent. of GDP".

ISAs could hope to attract extra savings, particularly from the less well-off, only if they offered either lower costs or better incentives, but far from reducing costs, the new rules will add to them. According to the management consultants OSI, setting up new systems to replace PEPs and TESSAs will cost nearly £1 billion. That is equivalent to an extra £30 a year for every ISA for the next five years. Running costs would also be higher than for PEPs and TESSAs because the lifetime limit is very costly to monitor, the profusion of annual limits adds to the costs and the absurd raffle will also cost money to run.

At the same time as driving up costs, the Government are reducing the tax relief in ISAs, particularly for small savers on the basic rate, whom they are supposed to attract. For such savers, relief from capital gains tax is likely to be of no importance, because they are unlikely to have capital gains greater than the £6,500 annual CGT exemption that they get outside an ISA. The tax relief that really matters to them is that on dividends.

Under the Conservatives' tax regime, for every £80 of net dividends, the fund manager could reclaim an additional £20 of tax credits. That was more than enough to cover the typical management charge. Under the ISA tax regime, the same dividends will give a credit of only £8.90. That is insufficient to cover the current costs of PEPs, let alone the higher costs of ISAs. Moreover, that tax credit will disappear after five years. I am glad to see that the Paymaster General is briefing the Chief Secretary, who was clearly unaware of the point. We know that he has been cut out of the circulation on welfare to work. He has clearly also been cut of the circulation of information on the debate that he is about to speak in.

The absurdity is that, whereas the majority of those with PEPs were basic rate taxpayers, ISAs will be attractive only to higher rate taxpayers. Does the hon. Member for Bolsover (Mr. Skinner) realise that the scheme that his Government are proposing will shut out from equity investment anyone on the basic rate of tax or paying no tax and that the scheme will be worth while only for those paying 40 per cent. tax?

Mr. Dennis Skinner (Bolsover) *rose—*

Mr. Lilley: I am glad to have the hon. Gentleman's support.

Mr. Skinner: I shall tell the right hon. Gentleman, a previous Tory Minister, what I think. The issue is marginal in the extreme. However, I remember that every pensioner in Britain—10 million of them, including some who were able to find money to put in PEPs or TESSAs—lost £20 a week because of the Tory Government's decision to change the method of calculation for the old-age pension, linking it to prices instead of wages. The result was that every one of them constantly told me about the rotten, lousy Tory Government. What the right hon. Gentleman is saying today is just a bout of hypocrisy. Why does he not get back to his chateau in France?

Mr. Lilley: As I said, I am grateful for the hon. Gentleman's support. He says that a limit of £50,000 on tax relief is trivial. It is to him. He entered the House in 1970. I have had distinguished accountants calculate the cost of purchasing the pension that he is entitled to from the House of Commons. It would cost £356,000. He is worth even more than the pension scheme of the Paymaster General, and considerably more than the Chief Secretary, who is languishing at a mere £140,000, excluding his ministerial pension.

Mr. Skinner: I never realised that it was that much. If someone has been advising me wrongly, I shall go to my hon. Friend the Economic Secretary to the Treasury, who is dealing with the mis-selling of pensions, to ensure that it is put right. I come here every day to earn my money, unlike many Tories, who, not content with their £40,000 salary as a Member of Parliament, are lining their pockets with moonlighting jobs, directorships and consultancies, picking up as much as £200,000 or £300,000 a year. Why does the right hon. Gentleman not direct his attacks on them?

Mr. Lilley: The hon. Gentleman is worth every penny, and we wish him a very happy retirement.

Mr. Barry Gardiner (Brent, North): Will the right hon. Gentleman give way?

Mr. Lilley: I am going to make some progress. I have not made an estimate of the hon. Gentleman's pension, so he will have to apply for one.

Mr. Gardiner *rose—*

Mr. Lilley: I am not giving way.

I was pointing out that there will not be any incentive in five years' time, when it is planned that the tax credits in the scheme will disappear entirely. Can the Chief Secretary or the Paymaster General put their hands on their hearts and advise any basic rate taxpayer to invest in shares via an ISA? They will not. The Paymaster General is right not to, because he is sitting next to the

[Mr. Lilley]

Economic Secretary, who is in charge of pensions mis-selling. The Paymaster General knows that, if anybody gave such advice professionally, they would be guilty of mis-selling.

Where are the 6 million extra savers whom the Prime Minister tells us will be attracted to the scheme? The Prime Minister says that he sees them queueing up in Tesco, buying their corporate bonds with their Brooke Bond and getting their share tips with their PG Tips. The truth is that they are a phantom army. They do not exist; they had to be invented to pretend that tax relief was going to be spread more widely. In fact, tax relief under the scheme is being withdrawn wholesale. The effect of the scheme will be simply to raise extra tax revenue from savers. The Government's plans amount to a savings tax, to add to their pensions tax.

Do the Government accept that, as a very minimum, they must come up with a radically redrawn plan? Will they ensure that their final version fully respects those who have saved in good faith? There must be no retrospective taxation. There must be no lifetime limit—or at least a limit much higher than £50,000. The system must be simpler and have lower costs. Can the Minister give a guarantee today that those elements will be included in the final scheme?

If there is one characteristic that is starting to define this Government, it is that they practise the opposite of what they preach. When they say one thing, one can be sure that they will do another. They said that they wanted investment for the long term, so they introduced a £5 billion-a-year tax on pension funds—the country's main source of long-term investment. They said that they were pro-business, so they have imposed a £22 billion extra tax burden on the corporate sector in this Parliament. They said that they would stamp out abuse of offshore trusts, so they put in charge of the policy a Minister who has millions salted away in an offshore tax haven. When Labour spokesmen said before the election that they would not harm PEPs and TESSAs, the alarm bells should have started sounding for small savers. Under this Government, black is white, higher tax is a boost to investment, and the abolition of PEPs and TESSAs is to be sold as an opportunity for more people to save.

Whoever had announced this misbegotten plan, it would have provoked anger, but for it to come from the Paymaster General added insult to injury. The Chancellor has extraordinary insensitivity and arrogance. It was a cheek to put the Economic Secretary, Robert Maxwell's public relations spokesmistress, in charge of pensions mis-selling. It was brazen to put the Financial Secretary, who was taken to court for failing to pay her poll tax, in charge of tax collection. But it was an insult to put the tax-dodger general, with £12 million in an offshore tax haven, in charge of taking away tax relief from middle Britain. Power has simply gone to the Government's head.

I assure the House that we will not abandon this issue until the Government recognise that their scheme is mean, costly, complex, retrospective and a breach of trust. We will defend the savers of middle Britain.

4.9 pm

The Chief Secretary to the Treasury (Mr. Alistair Darling): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"welcomes the Government's commitment, set out in the pre-Budget report, to consult on tax proposals, including the proposed ISA; believes that the ISA will extend the opportunity to save and invest and that the Government's proposals will ensure a stable and fair savings environment; commends the Government for its commitment to long-term economic stability and low inflation which is good for savers; and rejects any return to the boom and bust policies of the past which were so damaging to those on low incomes, savers and investors.".

I wondered why so many Tories were here this afternoon; I suspect that it has not much to do with small savers, or any other sort of saver. In looking at the record of the previous Tory Government, we remember what they did to all those on low incomes and those who endeavoured to save, despite the difficulties visited upon them.

The Government have been consulting over the past few months on the new individual savings account. In the pre-Budget report, my right hon. Friend the Chancellor made it clear that it is this Government's intention—unlike what happened in the past—to consult, particularly where there are tax measures with long-term consequences. It is important to get the proposals right so that they endure in the long term. For that reason, we are happy to consult as many people as possible. The consultation period ended in January, and the Government will shortly set out our conclusions as part of the Budget process.

When the right hon. Member for Hitchin and Harpenden (Mr. Lilley), the shadow Chancellor, said that this was the first opportunity the Opposition had to debate this matter, he was not quite right. It was up to the Opposition to use any of their Supply days to discuss this matter far earlier than just two weeks before the Budget.

I am sure that the House will understand that it is necessary for me to confine my remarks to some fairly general principles, rather than pre-empting anything that may be part of the Budget process. If anyone has come to the House today expecting specific announcements—or if anyone is following our proceedings elsewhere—I advise them to switch off or to leave now, because I intend to make a short series of remarks, setting out the principles that underpin the Government's approach to the savings process.

The Tory party's claim to be the friend of small savers and those on low incomes simply does not add up. The shadow Chancellor referred to pensions and the mis-selling of pensions. The House and the country will recall that more than 600,000 people have cause to regret the day the previous Government took office, as many believe that their pensions were mis-sold. People remember the previous Government's advertisements—paid for by the public—showing a man in a straitjacket breaking free from his occupational pension into which he and his employers paid, as if the very act of going private and getting a personal pension was enriching, both in the spiritual and material sense.

We remember that many were mis-sold pensions and may have lost thousands of pounds. Yet there was not a word of apology from the Tory party. The Tories were responsible for one of the biggest financial scandals this country has ever seen. They are in no position to lecture anyone on the plight of those who have suffered.

During the 1980s—to which the shadow Chancellor referred—inflation at one point hit 18 per cent. The Tory party ran economic affairs in such a way that many people who tried to save and to make provision for themselves found that what they had saved had been eaten up by inflation. The Tories are in no position whatever to talk about probity, or to lecture this or any other Government on helping those on low incomes.

Mr. John Townend (East Yorkshire): Does the Chief Secretary agree that the Government's proposal to limit to £50,000 what an ordinary saver can shelter from tax, while Ministers are sheltering millions in the Channel Islands, is the height of hypocrisy?

Mr. Darling: The Government's proposals are designed to ensure that more people have the opportunity to save than in the past. I remind the hon. Gentleman that, before the election, the right hon. Member for Hitchin and Harpenden proposed a reform to the pensions system that would have cost this country £7 billion a year at its peak—money that would have had to be provided by increased tax on the very people for whom the right hon. Gentleman says he wants to speak.

The Government have two key objectives, which are both set out in the consultation document. First, we want to develop and extend the savings culture, because that is good for individuals and for the country. More than half the population have less than £200 each in savings, which is less than half the average weekly wage, and just over a quarter have no savings at all. Indeed, 60 per cent. of those who save have less than £500 in savings.

It must be in the interests of the country and of everyone that we extend the savings principle to encourage people to save as much as they can. If we are to do so, three things are necessary. First, we have to get the right economic framework—macro-economic stability. Secondly, we must have a regulatory system that commands the confidence of individuals and industry alike—something which the Conservative party does not begin to understand. Thirdly, we must have specific measures, such as those canvassed in the consultation document, to encourage individuals to save.

The second objective is to ensure that where we are giving tax relief, it is fairly distributed. The problem is that we are spending about £1.5 billion in tax relief on PEPs and TESSAs. On present trends, by 2007 that amount would rise to more than £2 billion, which is the equivalent of 1p on the basic rate of income tax. We must ensure that that tax relief does what it is supposed to do, which is to encourage people who do not save to save in the future. There is no point in continuing to give tax relief to people who can already afford to have significant sums locked up for long periods.

Several hon. Members *rose—*

Mr. Darling: I shall give way soon to all hon. Members who are showing an interest. It is important to ensure that tax relief is focused in such a way as to help people who do not save to become savers and, once they become savers, to encourage them to continue saving. That is in their interests and those of everyone else in the country.

Several hon. Members *rose—*

Mr. Darling: First, I will give way to the hon. Member for Twickenham (Dr. Cable), but I will give way to all the other hon. Gentlemen who are trying to intervene.

Dr. Vincent Cable (Twickenham): Will the Chief Secretary confirm whether more, less or the same amount of tax relief will be available under the projected new scheme as could be available under the existing scheme?

Mr. Darling: I repeat what my right hon. Friend the Prime Minister has said. We believe that broadly the same amount of money forgone in tax relief under the present system will be forgone in tax relief under the new system. Encouraging people to save—people who do not save at the moment—is a useful application of the tax system.

Mr. Dafydd Wigley (Caernarfon): While I accept the objective of trying to broaden the scope of the schemes and to get more people in, does the Chief Secretary accept that some people decided not to go for a personal pension but to invest in PEPs and TESSAs because of the old tax regime, and it is too late for many of them to revert and get a personal pension plan? Will that not put some people in an invidious position?

Mr. Darling: I am aware that many people have taken advantage of PEPs and TESSAs with a view to providing for their pensions and elsewhere. That is one of the measures of which we are well aware, and we want to encourage people to save to complement their pensions, although I regard the future individual savings accounts and the present PEPs and TESSAs as complementary to anything an individual might be doing as regards his or her pension. We ought to encourage people to make long-term arrangements for their pension, because that is the best form of security for the future.

Several hon. Members *rose—*

Mr. Darling: I will give way to one more Conservative Member—the hon. Member for Bognor Regis and Littlehampton (Mr. Gibb), as he has been standing the longest.

Mr. Nick Gibb (Bognor Regis and Littlehampton): Given that most lower and basic rate taxpayers are unlikely to generate gains that would exceed their capital gains tax exemption every year, and given that management charges for individual savings accounts are likely to exceed the 10 per cent. tax credit paid into ISAs, what are the advantages for those taxpayers in holding their equities through an ISA?

Mr. Darling: The hon. Gentleman raises a number of matters. On management charges, he is right to highlight that, under the present PEP systems, there have been cases of people's management charges being rather more than the tax relief they were getting. The hon. Gentleman cannot be held to blame, because he was not here at the time, but the previous Government did nothing about that.

[Mr. Darling]

That is one of the reasons why we want a robust regulatory system that will ensure that people are charged fairly.

Under the existing system, many basic or lower-rate taxpayers do not have gains that exceed their personal allowance, whereas, under the new system, holders of the individual savings account will enjoy tax relief—not only the tax credit for five years of 10p, but a general tax exemption.

Mr. Gibb *indicated dissent.*

Mr. Darling: The hon. Gentleman shakes his head, but many providers and many objective observers have welcomed our proposals. [HON. MEMBERS: "Name them."] Conservative Members shout, "Name them." Let me quote from a representation that we received:

> "There is much that we welcome within the ISA . . . We agree with features such as flexibility, no minimum level of saving, reducing the restrictions on the equity element and no 'lock in' . . . they are all welcome and we consider that there has been much careful thought given to the design of the ISA".

Conservative Members sneer, but, less than a year ago, they sat on the same Benches as the person who gave the proposals such a warm welcome—the former Economic Secretary to the Treasury, Angela Knight.

Virgin has welcomed the individual savings account, and the Halifax building society said that it saw a bright future for it. ProShare, an organisation dedicated to share-based investment, said that the Government had achieved the right balance in their aim to reach investors on low income, many of whom do not currently save, as well as others on higher income. Many people have examined the consultation document and praised the Government's objective of extending the base of savers to include those people about whom the previous Government did not care one jot—the Conservatives have never bothered about people on low incomes or people of modest means.

On those key objectives, it is worth reminding the House that one of the most fundamental prerequisites of generating a savings culture is to ensure long-term economic stability and low inflation. If there is high inflation or instability, any benefits that a saver may accrue will disappear.

The House should note two interesting phenomena that occurred when the shadow Chancellor was a Treasury Minister. First, during the Lawson boom in the mid-1980s, not only were people encouraged to spend as much as they had, then to borrow and to spend again, but the amount of money that people saved was reduced—there was a negative savings ratio. Secondly, because of the Conservative Government's failure to keep control of what was happening during the late 1980s, the inflation rate rose from nearly 5 per cent. to almost 10 per cent. between 1988 and 1990—in the space of two years. Interest rates also rose dramatically, which affected mortgages and the very people whom the Conservatives pretend to support.

Unless people can plan against a stable economic background, they will not be encouraged to save. If there is instability, any benefits from saving will be eaten up. We believe that economic stability is of fundamental importance if we are to encourage people to save—they must know the background against which they will plan and save over the ensuing few years.

Mr. Julian Brazier (Canterbury): Does the right hon. Gentleman accept that, although administrative charges are important to all investors, they are particularly crucial to small investors, whom Labour has chosen to target? In devising a scheme that, by its nature, is much more expensive than existing schemes to administer, the Government have undermined their objective.

Mr. Darling: I dealt with that point when I said that one of the problems with PEPs, particularly in the early days, was the high administrative charges. The transparency that we believe to be necessary did not exist then, so many individual savers did not know how much they were paying in administrative charges. The hon. Gentleman's point would have had far more force if he had raised it during the many years when, as a Conservative Back Bencher, he supported the Conservative Government.

Fiona Mactaggart (Slough): Does my right hon. Friend agree that, whatever the charges, people will know, in a stable situation, what they are buying into, unlike in the boom and bust years of the past? Every saver will benefit from the opportunity, sneered at by the shadow Chancellor, to enter the draw and get £1,000.

Mr. Darling: My hon. Friend is right. People well remember what happened in the late 1980s: the Conservative Government managed to create an unsustainable boom which culminated in one of the deepest recessions this country has ever known. The people who lost their jobs and their homes will remember that very well.

The shadow Chancellor was a Treasury Minister throughout that period. I commend to him another excellent document, "Fiscal policy: lessons from the last economic cycle", published at the time of the pre-Budget report, which draws on the lessons to be learnt from what the Conservatives did in the late 1980s when, through their economic incompetence, they completely misread the economic signals and took all the wrong decisions, with the result that millions of people suffered a great deal.

The first precondition to encouraging people to save is to ensure that we have economic stability, and the Government are absolutely committed to that. The second necessary condition is to ensure that we have a regulatory regime that enjoys the confidence of savers and investors alike, and we have delivered that already.

Mr. Tim Loughton (East Worthing and Shoreham): I agree that good regulation is essential, so why do regulation and compliance occupy only one line on page 17 of the Green Paper?

Mr. Darling: In the consultation document, we make it clear that it is necessary to have an appropriate and robust regulatory regime. *[Interruption.]* If Opposition Members care to look, they will find many references to what we propose to do to ensure that the regime will maintain the interests of those investing in individual savings accounts and elsewhere.

The Conservative party showed scant interest in reforming and improving the regulatory system over the past 18 years, despite all the problems with pensions mis-selling, in the City and elsewhere. We, by contrast, have made clear our determination to reform the system, not only making it more robust and putting an end to the nonsense of self-regulation, which was too often more a matter of self-interest than of the public interest, but—and this is an important point—ensuring that it is at an appropriate level for the savings or investments that it is supposed to be looking after.

Mr. John Bercow (Buckingham): Will the Chief Secretary give way?

Mr. Darling: No.

We are very conscious of the fact that, in the past, the regulatory system became so expensive that the relationship between cost and benefit was completely lost. We are determined never again to return to the situation in which so much rampant mis-selling of pensions could take place.

My hon. Friend the Economic Secretary has shown what a difference a change of Government can make. Since she took up her post and the Government made it clear to the pensions industry that we would not tolerate a situation in which absolutely nothing was being done to remedy the plight of those who had been mis-sold pensions, there has been a dramatic improvement in the clear-up rate, so many people now have the reassurance that they would never have had under the Tory Government.

The third element needed to ensure that people save is to have the appropriate incentives in place. We have taken a number of steps, on which we have held consultations, that I believe will help people on low incomes. Conservative Members, when they were not shouting and bawling, tried to persuade us that they were interested in the plight of those on low incomes.

All the evidence is that one of the biggest obstacles to people on low incomes saving, especially under the current regime, is the necessity to lock up money for a considerable period. People on low incomes, who may have unexpected and unwelcome demands on their savings, have not been prepared to take that risk.

We want the system to be more accessible, with no "lock-in" period or minimum investment, partly because we want to encourage many people to save who would not dream of doing so under the current system. We want a flexible system which people feel they can use as confidently as they do banks and building societies. We also want to extend the variety of outlets from which the individual savings account can be bought, including supermarkets, friendly societies, national savings, banks and building societies. That will make it easier for people to access the individual savings account and will provide flexibility and a wide choice of tax-free products that are not available under the present system.

I thought that Conservative Members might have shown a little more practical interest in the measures that can be taken to encourage saving. However, their conduct this afternoon suggests that they are still not bothered about people on low incomes, any more than they were when they were in government.

Mr. Bercow: Given that the Chief Secretary is in listening mode, will he give a specific response to the criticisms made in the green budget published by the Institute for Fiscal Studies, which stated that the proposal for a cumulative contribution limit of £50,000 will impose substantial compliance costs, is unlikely to raise much revenue, and sits uneasily with a commitment to increase self-reliance in welfare provision?

Mr. Darling: The £50,000 limit was not meant to raise revenue. The hon. Gentleman is right, and we have made it clear that one of our objectives—and one of the reasons for a £50,000 limit—is to ensure that the amount of tax forgone is manageable. The amount of tax forgone would have to be examined, whichever Government were in power. Had the Conservatives won the election in May, they would have had to consider how tax relief was being focused. Our intention is that broadly the same amount currently spent, in terms of tax forgone, will be applied to the new scheme, but we are rebalancing it, to ensure that people who do not save now are encouraged to save in the future. That is a useful and worthwhile objective.

Mr. Kenneth Clarke (Rushcliffe): The Chief Secretary has evaded the question by speculating on what the previous Government might have done, but we were committed to PEPs and TESSAs. How does he reconcile what he has just said with the quotations put to him in which, on behalf of the Labour party, he pledged that it was not considering the abolition of PEPs and TESSAs? He also told savers that there was no threat to the continuation of the tax relief that the previous Government gave them.

Mr. Darling: I said on several occasions that we were committed to building on the principle established by PEPs and TESSAs. The individual savings account will do that. If the right hon. and learned Gentleman reads the consultation document—I know that he has a reputation for not always reading everything that is put in front of him—he will see that TESSAs will run their course. He is right to say that we will never know what the previous Government would have done had they been re-elected, but perhaps he will one day shed some light on the subject. I repeat the point, which he, as a former Chancellor, will acknowledge: every Chancellor has to keep the level of tax reliefs granted under review from one year to the next. It would be madness not to do so.

We want to ensure that the substantial amounts given in tax relief are directed to helping those people who do not currently save, but whom we want to save in the future. Helping more and more people to save is an objective of this Government, just as it was of the previous Government.

The House will understand that there is a limit to what any Treasury Minister can say only two weeks before the Budget, but I repeat the fundamental and important objectives set out in the consultation document. First, we want to extend the savings culture so that more and more people save and make provision for themselves. To achieve that, we need economic stability, the right regulatory framework, and specific measures to help people to save. That is the direction of the Government's thinking, and it has been broadly welcomed.

The second objective is to ensure that the scheme is affordable and sustainable, to give people the certainty referred to earlier. The proposals, on which we have consulted, are a useful contribution to encouraging people

[Mr. Darling]

to save. It is in the interests of everyone in this country, and of the country as a whole, that as many people save as possible. I am sure that my right hon. Friend the Chancellor of the Exchequer will have more to say about that in the not-too-distant future.

Mr. Lilley: On a point of order, Mr. Deputy Speaker. It has been suggested to me that my description of the Paymaster General as the tax-dodger general may be out of order, in which case I withdraw it unreservedly.

Mr. Deputy Speaker (Sir Alan Haselhurst): The House will be grateful for that.

4.34 pm

Mr. John MacGregor (South Norfolk): I declare an interest as a director of the London and Manchester Group, which specialises in encouraging people on low incomes to save. I make that declaration not only because it is necessary because of the Register of Members' Interests but because I believe that, on top of my lifelong interest in the issue, it has given me further insight into the problems that we are discussing. I therefore speak with considerable practical experience. I want to make a constructive contribution, but, given what the Chief Secretary said at the start of his speech, I must respond in a partisan way first.

It was outrageous for the Chief Secretary to suggest that pension mis-selling concerned only the Conservatives. We know that some took place, but many thousands, if not millions, more people benefited from personal pensions than suffered. It was a major contribution. He also ignored the fact that the major pensions scandal of the period was the work of a former Labour Member, for whom other Labour Members worked. It was outrageous that the Chief Secretary made such attacks.

The Chief Secretary accused us of having had a short period of high inflation. He forgets that under the previous Labour Government—I remember it well, because I served on every Finance Bill Committee—the average level of inflation was 15 per cent. We never in all our 18 years in government breached that average. For him to talk as though we were the party that did not understand the importance of a positive return on savings is nonsense. There was a negative return on savings throughout the time of the previous Labour Government, which was the biggest disincentive to save of all time.

For the Chief Secretary to suggest that we show no interest in low-income groups was a travesty of the speech of my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley), which was a devastating critique. We have not heard an answer to any of his criticisms. I want to turn to that now. The House agrees about the importance of savings, especially long-term savings. The key question is how to go about it. That is why it was disappointing that the Chief Secretary did not answer any of the points that were made, although I understand why.

I have four main points. The first concerns the £50,000 limit on existing PEPs and TESSAs. My right hon. Friend the Member for Hitchin and Harpenden made many criticisms on that, all of which I agree with, and some of which I want to reinforce. I agree that it is insulting that the Minister who introduced this ceiling has done well in many ways through tax avoidance, and so on. That is so well documented that I shall not repeat it.

I shall comment on the key points, starting with the retrospective nature of the proposals. The right hon. Member for Caernarfon (Mr. Wigley) put it well in his question. People who entered into PEPs—this is not so much true of TESSAs—thought that the tax regime would last. They were reassured by the Chief Secretary before the general election that it would. They invested year after year, often, as the right hon. Member for Caernarfon said, not only for short to mid-term savings but to pay for mortgages. More important, many people chose them as their form of pension, rather than taking personal pensions if they did not have occupational schemes, or as a supplement to their pensions. They now find a change in tax legislation which, in many cases, will severely reduce the benefit that they were getting from those savings. For someone who started saving in 1987, £50,000 is not a huge sum today, given the improvements in the stock markets. The first point is that the Government's proposal is retrospective legislation.

The second point is the volatility of the issue. We do not know what the position will be next year in relation to PEPs. The stock market may not continue as it is at present. Some people will find themselves unexpectedly above or below that £50,000 line, and they will do so thereafter.

Thirdly, as my right hon. Friend the Member for Hitchin and Harpenden made clear, £50,000 is not a substantial sum in terms of the income produced, particularly after retirement. It will produce nothing like what most personal pensions and certainly occupational pensions will produce. To cut the sum off at £50,000 when so many people are relying on it is the exact reverse of what the Government said that they were about—encouraging people to save for their retirement.

That leads me to my final point on the £50,000 limit. I plead with the right hon. Gentleman to think seriously about this. How will people enter into future savings schemes with tax incentives, if they see that there has been such a dramatic change in these? The right hon. Gentleman said that some parts of the ISAs are meant to be short term, but if these are fundamentally meant to be long-term saving schemes, and if the Government, who said before the election that they would not make such a move, now do so, who will believe that they or a future Government will not change again?

That is one of my most fundamental worries, linked to the retrospective aspect. I entirely agree that tax incentives are an important way of encouraging long-term savings. If we reduce the credibility of tax incentives by making this move, we will have undermined the specific long-term objective that we are all seeking to achieve. I plead with the Chief Secretary to think seriously about the limit.

The simple answer is to say that all schemes up to now should remain within the tax net in which everyone expected them to remain. As we know, TESSAs will drop out, by their very nature. Everyone knew that they entered that scheme for a five-year period. No one can complain about TESSAs dropping out, because when people entered the contract, they knew the terms.

However, PEPs are different. The Government ought to have said that, as from a given date, there will be no further opportunities to engage in TESSAs and PEPs,

but that all those who already have them should be allowed to continue with them and to come out of them when they wish to do so. That is the simple answer, which deals with all the arguments that I have advanced, but, above all, with the point that it is essential to maintain belief and credibility among the population at large that tax incentives given for long-term savings are maintained.

My second general point is that the Government are in a muddle about the relationship between ISAs and the stakeholder pension. I believe that it is important to encourage many more people, especially at a younger age, to save for their retirement. I think that that is also the Government's objective.

The House is aware of the issues—the fact that the state pension will no longer provide enough. All public opinion surveys show that the public have at last got that message, although they have not sufficiently grasped the importance of their doing something about it. We know about the problem of retirement in nursing homes. We know that people live longer. All those factors mean that we must build on the already considerable success that we have achieved, especially in relation to the rest of the European Union and most other countries, to encourage occupational and personal pensions.

We all agree that that should be the main objective. I am in total sympathy with the Government about the need to find a way of enabling those who do not have personal or occupational pensions to have them. I therefore look forward to the stakeholder pension document. I put a much higher priority on that than on the ISAs, but the Government have presented a proposal first for ISAs, which are apparently designed for the same low-income groups as the stakeholder pensions will be. I cannot see the attraction of an ISA to those lower-income groups.

Let me elaborate. I have read all the responses to the consultation document, and many of them argue that we should have a compulsory third pension—we already have a compulsory second pension. If that is the direction in which we move, and I am reluctantly beginning to come to the view that that must be done, low-income groups will not have any extra income to put into an ISA, on top of the compulsory second or third pension, however one wishes to describe it. They will move into the pension area, which some of them will find difficult enough, and they will have very little to contribute to ISAs.

Secondly, ISAs will provide only limited benefits to lower-income groups. They would do worse on equities than they would under the existing PEP regime. Supposing people put up to £1,000, as they will be allowed to do in the existing ISA, into a deposit scheme, I calculate that the benefit to an individual from going into an ISA through cash will be under £5 a year. That is not a big attraction for going into an ISA: £5 a year for five years and that is it—no more after that.

Mr. Oliver Heald (North-East Hertfordshire): Does my right hon. Friend agree that it would be wrong for someone in that income group to put the money in an ISA? It would be far better to put it in a pension, so that the money is there for the future. The Government's proposal creates a temptation that is all wrong in public policy terms.

Mr. MacGregor: I entirely agree with my hon. Friend. If the second—or third—pension is compulsory, that is what people will have to do anyway. We are setting up elaborate machinery, designed apparently for the low-income groups, which will be of little interest to them. Given the likely charges and costs, which I shall deal with later, that would probably be the wrong thing for them to do as a means of efficient saving. I would not quite call it a fraud, but it is a pretty poor prospectus—a con—for the low-income groups. The proposals for ISAs and stakeholder pensions should have been considered together. If they had been, the Government might have come to a different view.

I am all in favour of savings regimes with tax incentives for the middle and upper-income groups, for whom PEPs have largely been of benefit up to now. It is not just low-income groups who need to save for their retirement. We all know that one of the most devastatingly difficult problems to deal with is the case of people in middle-income groups who have to sell their family home to provide for nursing homes. Part of the objective is to encourage them, through PEPs and other regimes, to accumulate some liquid savings to deal with that situation when it arises, as it will for many in any age when people live so much longer.

I am strongly in favour of PEPs—indeed, as Chief Secretary, I took them through the House in the Finance Bill—but I am certainly not going out to sell the advantages of a PEP or of an ISA on the basis that it will be of great benefit to low-income groups, because that is not the case. The Government have got into a muddle.

One of the problems that have arisen from encouraging savings through occupational or other pensions is that those are available only to people with earned income. That is a strong criticism of the existing system, given that life styles are different, and people go in and out of work more frequently. The way to tackle that is for those who are not currently earning but who have some disposable income to be encouraged to put it into pension schemes with the same tax reliefs, rather than into ISAs.

Through their approach, the Government have clobbered the PEP saver. They have already clobbered pension savers through their measure on advance corporation tax in the last Budget. They are not putting in place a regime that is attractive enough to the people whom they intend to help. I hope that the forthcoming Budget does not contain any other measures to hit contributions or savings going into pension schemes. If further tax reliefs were taken away from contributions, that would be further evidence that the Government were not serious about what they claim to be their objectives, because their actions go in the opposite direction.

The last two points that I shall make are somewhat related. The first is the need to encourage the market and people out there to take up ISAs, if those are to be introduced. The second is the regulatory regime. When we were considering introducing PEPs—as I said, I took

[Mr. MacGregor]

the legislation through the House—I said regularly that we had to give incentives to the marketplace, which is the financial services industry, to encourage it to sell PEPs. I was bothered then that the scheme that we were introducing, which had a limit of £2,400, would not prove sufficiently attractive to the financial services industry to enable it to recoup the costs of selling the scheme. However, I was happy to see the scheme start, because at least there was a regime and a tax incentive on the statute book on which we could build.

That is precisely what occurred. The take-up was low in the early years. As the conditions were relieved—we allowed some investment in shares in foreign companies, and the £2,400 limit was raised effectively to £9,000—there was massive take-up both by the industry and by individual savers. The Government should give the financial services industry—I shall turn to Tesco, Marks and Spencer and so on later—some incentive so that it can make the scheme work. The more the Government criticise the financial services industry without appreciating that point, the less successful the scheme will be. I urge the Government to acknowledge the importance of that argument with regard to PEPs.

The Government are doing something quite different with ISAs. According to the conditions outlined in the consultation document, they are producing a scheme that the industry will find difficult to market at low cost. First, the product is anything but simple, so advice must be provided. Secondly, the Government are insisting that a single manager should handle all the different elements of the scheme every year. It will be extremely difficult for individual providers to monitor those elements, and there will an associated cost. Thirdly, we have the limits. The industry will not take up ISAs easily—the vast range of respondents who criticise the scheme in the consultation document make that point based on their experience.

That leads me to ask whether we can simplify the product and sell it differently. I am in favour of Virgin, Marks and Spencer and others trying to simplify the product and using their marketing skills to reach a wider clientele. However, the product will not be easy to sell. It is suggested that people from low-income groups will be able to take up ISAs at the cash till, having asked the cashier what it means and what they should do with it. That is not on. It will not happen like that—if it does, there will be massive mis-selling on a huge scale for which the Government will have to take the blame. The product as it stands will not be easy to sell, so there will be an associated cost.

That brings me to my point about the regulatory regime. I am trying to be as objective as I can, because there has been too much criticism of pension mis-selling by Labour Members who do not understand the basics. If we introduce complicated schemes such as this, we must ensure that those who take them up receive proper advice—and there is a cost attached to providing that advice. There is a cost attached to administering the scheme and a big cost attached to tracking the £50,000 limit to which I have referred already.

There is a direct contradiction between the Government's comments about the regulatory regime, and their lambasting of the industry for high costs and charges, and the purportedly low-cost scheme that they have introduced. I am in favour of the Government's attempts to reduce costs and charges—that is a highly desirable aim. However, if the Government go down that route, they must recognise that the regulatory regime will have to change. We cannot maintain the current prescriptive and difficult regulatory regime.

In the event of any so-called "misselling", this or a future Government must not be able to blame those who sold the product. We must recognise that those who buy financial products assume a certain amount of the risk—it is caveat emptor to a certain extent. If we invest in equities in an ISA, and another unit trust performs better, we cannot blame the provider of the poor-performing trust. That would be ludicrous. There is a vast difference in the performance of unit trusts in any one year, so there must be a certain amount of understanding and give and take. The only way forward is to have the simplest possible regulatory regime with a kite mark—it could be a benchmark, but I prefer a kite mark—set by the Government. Providers could then follow that kite mark without needing to worry about redress—which could be enormously expensive—if it is thought subsequently that their original selling was wrong.

I plead with the Government to appreciate that they must understand what happens in the marketplace—not in the tax avoidance industry, but at the bottom end where the low-income groups are involved—regarding selling and the regulatory regime. I know from my experience in the London and Manchester Group that encouraging people on modest incomes to save can be a labour-intensive exercise, and therefore a costly business. However, that is how we shall achieve our objectives. The scheme and the regulatory regime must be made much simpler.

I do not seek to make a partisan point: I genuinely believe that the Government have got it wrong. I believe that the scheme is wrong and that the £50,000 limit is dangerous and unfair on those who have invested to date. It is a breach of the retrospective principle. The Government must take into account the relationship between ISAs and the stakeholder pension, and recognise that ISAs will not be particularly attractive to those in the low-income group—although I favour some form of saving of that sort.

I fully understand why the Chief Secretary could not reveal today the Government's response to the consultation document. However, I hope that the Chancellor will introduce a totally different scheme in two weeks that responds to all the objections that my right hon. Friend the Member for Hitchin and Harpenden raised.

4.56 pm

Mr. Ivor Caplin (Hove): I begin by responding to the comments of the right hon. Member for South Norfolk (Mr. MacGregor). He said that PEPs had no advantages for the low-income group; I shall outline the advantages of ISAs in my speech today. Before I do that, I must express my admiration at the desperate attempt by the right hon. Member for Hitchin and Harpenden (Mr. Lilley), the shadow Chancellor, to save his job. However, I think that he failed and I am sure that he will not hold that position much longer. He made a vindictive and petty speech, in which he failed to address seriously the issues of the day.

It is interesting to witness the politics of envy: Conservative Members are envious of anyone who is successful in this country. That is quite astonishing.

I am waiting for a response from the Opposition, but there is none, as usual. The right hon. Gentleman launched a completely unnecessary attack on Ministers in a very important debate about the future of savings in this country. I welcome the fact that the right hon. Gentleman has apologised for one remark, but I think that he should reconsider many of his comments in light of today's debate.

Of all hon. Members, I am qualified to speak in this debate because—as I am sure Opposition Members know—until 1 May, I was employed by Legal and General, which is a major pension and savings provider. In 1986, when the then Chancellor, Nigel Lawson, introduced PEPs, I was in the marketing department of Legal and General. We faced the quandary of deciding what the PEPs products meant.

We looked carefully at Nigel Lawson's Budget speech in 1986. He said, for example, that

"it is the long-term ambition of this Government to make the British people a nation of share owners . . . in which more and more men and women have a direct personal stake in British business and industry."

This is not about privatisation; it is about personal equity plans. The then Chancellor continued:

"I propose . . . a radical new scheme to encourage direct investment in United Kingdom equities . . . it is specially designed to encourage smaller savers, and particularly those who may never previously have invested in equities in their lives."

His final comment on the PEPs scheme in March 1986 was:

"I am confident . . . it will bring about a dramatic extension of share ownership in Britain."—[*Official Report*, 18 March 1986; Vol. 94, c. 177-78.]

Those words, 11 years later, are wrong. What we in the marketing department discovered in 1986 was that it was not possible to put those words into action, because PEPs were not about greater share ownership. They were about allowing the better-off in society the opportunity to save in a tax-free vehicle. There would be nothing wrong with that if the Government in 1986 had been honest, but they were not because PEPs were not an attempt to bring about greater share ownership. *[Interruption.]* My hon. Friend the Member for Workington (Mr. Campbell-Savours) has just asked me whether the year was 1986. It was.

I will take the House through the PEPs issue in its entirety. Fewer than one in 100 of the poorest households in the United Kingdom have any form of tax-free share investments, whereas more than a quarter of the wealthiest do. That shows clearly that, as the right hon. Member for South Norfolk said, there is no advantage in PEPs for low-income groups. He is right. It is his Front Benchers who are getting it wrong by trying to defend PEPs and TESSAs. I looked at the pledges that the Conservative party made in its manifesto to rectify the point that the right hon. Gentleman made. Nothing in it corrects the anomaly that there is no advantage in PEPs for low-income groups.

Mr. Loughton: Is the hon. Gentleman aware that the latest Association of Private Client and Investment Managers and Stockbrokers figures show that earners down even as far as the fourth decile use PEPs extensively; that more than half the people who invest in PEPs are basic rate tax payers; and that 20 per cent. do not pay any tax? Does he agree?

Mr. Caplin: The hon. Gentleman might like to get a copy of the Institute for Financial Studies briefing paper on this, which is widely available, including in the Library. It says that 49.65 per cent. of households in the United Kingdom have no investments; that 40.27 per cent. have some investments but no PEP; that 4.62 per cent. have no investments other than a PEP; and that 5.46 per cent. have a PEP and some other investments. That does not seem to bear out the hon. Gentleman's point. Only 4.62 per cent. of households in the United Kingdom have no investments other than a PEP.

Mr. MacGregor: I should clarify what I said, and what I meant. One has to define low-income groups. If by that one means the groups to whom the company with which I am involved, London and Manchester, often appeals, and the groups to whom the £1,000 cash limit is meant to appeal, I agree with the hon. Gentleman that the low-income group is unlikely to be attracted by PEPs. There is a substantial range of income groups who did not previously invest in equities, but who have been encouraged by the PEP regime and the other ways in which we have encouraged savings.

Mr. Caplin: I do not think that I have denied that the previous Government attempted to encourage savings, and that PEPs and TESSAs are worthwhile causes, but have they encouraged many to save? They have not. I have just amplified the point that fewer than 5 per cent. of households in the United Kingdom have no investments other than a PEP. In that respect, no Government with any reasonable ambition for wider savings could sit on their hands and do nothing. That would be a travesty, but that was the proposal in the Conservative party's manifesto in 1997. Perhaps the Conservatives, like the rest of the country, knew that they would lose the election. I do not know.

The Institute for Fiscal Studies document says clearly that, on average, as the right hon. Gentleman will know, PEP holders are older and richer than non-PEP holders. In other words, the industry and the then Government aimed PEPs at people in the 50-plus age group.

Nigel Lawson said in 1986 that PEPs were about widening share ownership in the United Kingdom. The Conservatives must answer the question whether PEPs have achieved that. PEPs have not achieved their goal. Indeed, the financial research survey shows that the same type of people invest in PEPs as hold stakes in normal unit trusts. Unit trusts do not have tax incentives whereas PEPs do, yet the same type of people are investing in both. Unit trusts and PEPs are concentrated among those who are over 55.

Mr. Loughton: The hon. Gentleman's figures seem to be completely out of tally with those of the industry. Is he aware that the Association of Unit Trusts and Investment Funds has carried out a survey that suggests that 78 per cent. of unit trust holders who also have a PEP would not invest in those unit trusts if they were not "PEPable"?

Mr. Caplin: I will not bandy figures with the hon. Gentleman. I do not know where he got that survey from.

Mr. Dale Campbell-Savours (Workington): That is the same point that my hon. Friend is making.

Mr. Loughton *indicated assent.*

Mr. Caplin: Perhaps the hon. Gentleman is agreeing that only 5 per cent. of households in the United Kingdom have only PEPs.

Mr. Campbell-Savours: The overlap.

Mr. Caplin: I think that the hon. Gentleman was talking about 22 per cent. of those who have unit trusts and PEPs.

[Mr. Caplin]

I will try to make some progress, as I think that Opposition Members are getting a bit bored. *[Interruption.]* You are obviously not bored, as you keep intervening.

Mr. Deputy Speaker: Order. The hon. Gentleman must remember that he is addressing the Chair.

Mr. Caplin: Thank you, Mr. Deputy Speaker. I had not forgotten.

I shall make some points about the financial research survey carried out by NOP. I am sure that the shadow Chancellor has seen it, as he is well versed in these issues. The survey shows that 57 per cent. of adults in this country have less than £500 in any savings scheme, including PEPs, and that 85 per cent. of people in socio-economic classes D and E have less than £500 in savings or investments, so PEPs and TESSAs have not worked. They have not got the masses to save.

The question put to me by the right hon. Member for South Norfolk was whether, going up the salary scale, greater use had been made of PEPs? I am afraid that the answer is no. Those with incomes between £25,000 and £35,000 have less than £2,000 in savings or investments. The previous Government failed in their savings policy for PEPs and TESSAs.

Mr. Michael Fallon (Sevenoaks): If the hon. Gentleman's figures are true—for the sake of the argument, let us assume that they are—would he advise the same proportion of the population on low incomes to contribute to an ISA before they contribute to a stakeholder pension?

Mr. Caplin: I am grateful to the hon. Gentleman for his intervention, but I am not—and nor is he—qualified to give advice on financial products. That would be against the current regulatory regime. When one comes from the industry, one is aware of the traps when colleagues ask questions about financial services. I am surprised at the hon. Gentleman for suggesting that I should advise him on financial matters in the House of Commons. We cannot do that.

The shadow Chancellor made some disgraceful comments about the consultation process on future savings on which the Government have embarked. Opposition Members seem to have a problem with the word "consultation". For 18 years, it meant not consultation, but "This is what we shall do; we want you to sign up to it". When we say "consultation" and invite comments from the industry and all interested parties, including political parties, we mean it. In the past few weeks, I have been out and about speaking to colleagues in my old industry. People in the industry are debating vigorously the future of savings, but no one believes that the status quo, as proposed by the Conservatives in their 1997 manifesto, is a starter. People welcome the opportunity to contribute to the debate about the future of savings.

I have already owned up to having been in the industry when pensions were mis-sold in the late 1980s. I finished my career working as head of quality in Legal and General's compliance department, which was growing more quickly than the marketing department. That may have been a sign of the failure of the regulatory regime that the Tories gave us in the Financial Services Act 1986. It is now widely accepted that it has failed badly.

It would have been nice for the House to hear the person who was responsible for the mis-selling of pensions, the right hon. Member for Hitchin and Harpenden, apologise to the House today for the fact that hundreds of thousands of people were mis-sold pensions. He had the opportunity to do so today and in the Budget debate in July, but he has failed to apologise time and again. He must be judged in those terms.

The right hon. Member for South Norfolk said that the ISA is a product. In pure marketing terms, it is not a product, but a concept. It can become a product only once we have devised how it will be sold. I have attempted not to be partisan about that.

I have outlined in detail why PEPs and TESSAs have failed to extend savings. It is right that any Government should consult widely in an attempt to do that, which is what this Government have done. Ultimately, we shall have an effective and sensible product which will make savings available to the many. That must be the aim of every right hon. and hon. Member, because PEPs and TESSAs have clearly failed to do that in the past.

5.12 pm

Dr. Vincent Cable (Twickenham): May I couch my remarks primarily in terms of the Government's declared objective, which is to spread the savings culture and encourage low-income savers? That objective should be judged as laudable and sensible. I regret that the Conservative amendment makes not even a passing reference to that problem, although the right hon. Member for South Norfolk (Mr. MacGregor) made some pertinent remarks about it.

The hon. Member for Hove (Mr. Caplin) summarised very well the problem of low-income savings. The figures are reasonably well known: roughly a third of households have no financial assets and many of them are in debt. The reasons are profound and not easy to overcome. Many people simply do not have the money to save. The whole institutional structure discourages them from saving because there are relatively large returns for people with large bank deposits and smaller returns for those with small bank deposits. Those on low incomes sensibly and rationally discount saving and, unless spectacularly high returns are offered, keep such savings as they have in cash. The test of ISAs is whether they can overcome that.

Despite the Government's objectives, many of the proposals are disappointing. The right hon. Member for South Norfolk gave a good arithmetical example to illustrate the reasons for that. The logic of his arithmetic was that, under the Chancellor's newly proposed 10 per cent. income tax band, a £1,000 deposit with a 5 per cent. yield would give the saver an extra £5. If the saver falls below the 10 per cent. band, he would get nothing. The Government intend to compensate for that by some kind of bonus, but when one studies the details of the bonus, the word that comes to mind is "pathetic". They propose that 50 out of the prospective 6 million new savers be allowed to take part in a prize draw to claim £1,000. That is the kind of sum that one would get in a respectable summer village fete. It is not a large inducement to save, especially for low-income savers.

May I suggest, in a constructive spirit, how the Government might deal with that problem? One route is to adopt the Government's philosophy of rewarding

reasonably good balances. Why not take up the proposal of the Liverpool Victoria Provident Society, for example, which suggests that small savers could be rewarded with a generous entitlement to premium bonds or a large portfolio of free lottery tickets? That is an attractive proposal.

I am surprised that no one so far has mentioned the fact that the benefit system severely damages the incentive for those on low incomes to save. Many low-income families are caught in a savings trap, just as they are caught in a poverty trap when they try to work. This weekend, I dealt with a lady who is having serious problems with the Department of Social Security. The DSS was in arrears of payment and, now that it has eventually paid the several hundred pounds owing into the lady's bank account, it is trying to claw back entitlement to supplementary income support because she has a few hundred pounds' savings in her bank account. Such practice is common under the benefit system. I hope that the Government will rule that all benefits paid to low-income savers can be credited as a savings disregard. I also hope that they will make some positive suggestions, in the Budget if not today, about how the savings disregard could operate more flexibly to help low-income savers.

My main criticism is that, although the Government's intentions for low-income savers seem admirable and should be supported, the incentives are weak. Most hon. Members have received a lot of representations about the £50,000 limit. Many people in Twickenham have written to me about it. I am not referring to some abstract philosophical problem with retrospective taxation—the Conservatives have missed the point in that respect, because it is not a basic point of principle. All Governments have chiselled away retrospectively at mortgage income tax relief, for example. That is common practice. The real problem is practical: the marketing of new savings instruments is undermined once it becomes clear that the Government tamper with hindsight in returns from successful products. That is what is happening with PEPs and TESSAs.

There is also a serious administrative problem. Under the PEP scheme, many people have 10 different accounts. Will there be a centralised register so that those can all be monitored? Potentially, there could be an administrative nightmare in capturing the extent to which people exceed their lifetime ceiling. The Inland Revenue has laid off 6,000 people and is already under pressure. It simply does not have the capacity to handle such administrative problems.

It would appear from leaks in the financial press that the Government have already thought about that problem. I therefore suggest that the £50,000 cumulative limit on TESSAs and PEPs be waived. If it were waived, a lifetime ceiling would be illogical, because the Government could impose the necessary restrictions on tax relief through the annual limit. Clearing up the system in such a way would deal with many of the objections of Opposition Members.

My final point relates to the reform's implications for public expenditure. The Chief Secretary gave a clear and helpful response to my earlier intervention, but my hon. Friends and I have been trying to get to the bottom of the matter for months and have received different answers from different Ministers. On 10 December 1997, the Prime Minister said at Question Time that there would be more relief than is currently available, but on 17 December, the Chancellor told the Treasury Select Committee that he was working within a ceiling of £1.5 billion, which is quite different and implies that significant savings will result from the reform.

The correspondence that we have had with Treasury officials to clarify the matter essentially confirms what the Chief Secretary said: the existing level of tax relief will apply for the first two or three years, but there will be a flatter profile after that, which is a technical way of saying that savings will result from the scheme. That is not simply a debating point: if savings are made, those resources should go into improving the scheme.

Two major improvements—to the £50,000 retrospective limit and to bounties or incentives for low-income savers—could be made to the scheme. If the Government can reassure us on those points, we shall support the ISA scheme in principle.

5.20 pm

Ms Sally Keeble (Northampton, North): I am grateful for the chance to speak in the debate because financial services are of great importance to my constituents. I was particularly interested when the right hon. Member for Hitchin and Harpenden (Mr. Lilley) said that Conservative policy was, somehow, in the best interests of middle Britain. I represent a constituency in middle Britain, which I took from the Conservative party. The financial reality faced by my constituents bears little resemblance to that which the right hon. Gentleman described. An estimated 9,000 people in Northampton need help with debt problems. Many of my constituents have no savings, but are sold more credit than they can manage. They are living at the limit of their income and have nothing to fall back on, even if they run into small family problems. Therein lie most of their problems.

I shall consider the individual savings accounts proposal from the viewpoint of my constituents in middle Britain with incomes of about £16,000 and mortgages of about £40,000. Most of those who have provided for continuing care have done so with insurance policies. I understand the problems that the right hon. Member for South Norfolk (Mr. MacGregor) mentioned, but he described them from the provider's viewpoint. That does not gainsay the need for a vehicle to ensure that the consumer has access to good financial services and good returns on savings.

The fact that 40 per cent. of the population have no savings has been referred to often. That figure is bad enough, but the position is worse. The Consumers Association recommends that people should have three to six months' savings to fall back on. For my constituents, that means £4,000 to £8,000, yet fewer than half of all savers have savings approaching that sum. Not only are people not saving; even those with savings do not have enough to protect themselves against the proverbial rainy day.

My hon. Friend the Member for Hove (Mr. Caplin) quoted figures showing that people with children, whether couples or single people, have the lowest savings. I strongly believe that the complex problems surrounding savings and debt, as much as those surrounding benefits and work, must be solved if we are to tackle child poverty. It is not good enough to accept the fact that families with children are the most vulnerable to financial ups and downs.

As my hon. Friend the Member for Hove said, TESSAs and PEPs have failed to deal with the problem. Although they attracted huge investment from private individuals,

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those people were not necessarily new savers and certainly were not on lower incomes. That failure is especially true of PEPs: one in four of the top 10 per cent. of earners have a PEP, but fewer than one in 100 of the bottom 10 per cent. have one.

The involvement of the wider public in share ownership has increased, but has recently tailed off among the young and those on lower incomes, partly because of marketing changes and the ending of the previous Government's privatisation advertising campaigns. The real problem with TESSAs and PEPs is that, although tax breaks undoubtedly encouraged investment, tax benefits mostly went to those who were already in higher income groups, which is why the proposed saving scheme with tax advantages for low-income earners is so welcome. Individual savings accounts will benefit the many, not the few.

It is especially important that ISAs will provide access to different types of investment. Conservative Members described that as a complication; I think that it is an advantage. People on lower incomes have tended to use only certain financial services, such as bank, building society and credit union savings accounts, which carry fewer risks, but offer lower rewards. If we are serious about fuller participation in the economy, people on lower incomes must have access to the sophisticated financial products that are on the market.

The industry may find the ISA formula complex, but it is relatively simple for the consumer to understand. Another important feature is easier access; I welcome the Government's intention to make schemes available through supermarkets. I have struggled through shopping centres with small children in tow, so I know the value of one-stop shopping. Other retailers may not like the idea, but consumers, especially women with young children, increasingly hope and expect to do the bulk of their shopping, pay their bills and bank in one shop.

The quality of ISAs will depend, in part, on the quality of the supermarket from which they are available. That is no different from supermarket banking or products such as Virgin PEPs.

Mr. Loughton: How will the hon. Lady get best advice among the frozen peas and discounted yoghurt at the checkout at Tesco or Sainsburys?

Ms Keeble: I shall return to that serious point. As I said in relation to Virgin PEPs, the quality of financial services depends, to an extent, on branding. The quality of financial advice is a serious issue—it does not have to be a problem—which the Government must address in response to the consultation.

The issue of the quality of financial advice is not exclusive to PEPs and TESSAs. A number of high street banks are shutting local branches, and financial products are marketed aggressively on the radio and can be bought over the telephone. There is a wider issue: personal banking service providers must give good advice to people who are looking into financial services while buying peas and yoghurts in a supermarket. Although ISAs may be complex for the industry to manage, they will be accessible to the consumer, which is a particular advantage for those who would otherwise be locked out of the increasingly sophisticated financial services market. Moreover, as I have said, banks are closing branches, and supermarkets are likely to become increasingly the most convenient—and sometimes the only—point of access.

The possibility of individual savings accounts being offered through credit unions is an important development which is often overlooked. Credit unions have been the poor relation of financial services in Britain, but the advent of the first national credit union—organised by the bakers' union, backed by Unity Trust bank—has changed that, allowing people to deduct amounts from their payroll.

I hope that when the Government produce their final proposals for individual savings accounts, they will address two issues. I have referred to the provision of financial advice for those who buy such accounts at supermarkets. The other issue is the amount of savings that people are to be allowed to hold before being disqualified from receiving various kinds of benefit, especially if they have chosen life insurance as one of their options for individual savings accounts.

I hope that the Government will consider those two issues, for a reason in addition to those given by Opposition Members. I think that they will particularly affect women who, although they want to save, may either find it difficult to gain access to good financial services and advice or feel concerned about the impact of their savings on benefit entitlement. The figures show that those with the least savings are, overwhelmingly, single parents, only about 20 per cent. of whom have any savings at all.

Much has been made of the £50,000 limit. We used to hear a good deal about the impact on PEP mortgages, but, according to information provided in *Hansard*, if both partners in a couple exercise their full rights they can support a combined PEP mortgage of some £250,000. Whatever the financial problems of people in middle Britain, they certainly do not focus on mortgages of a quarter of a million pounds. That error of judgment may have contributed to the Conservative party's losing its hold on middle Britain.

I believe that the plans for the individual savings account are both bold and ambitious. I believe that they provide people who have so far been excluded with access to a range of modern financial services. They combine imaginative and innovative features that will attract people who have not saved money before, and, in doing so, they will help to end some of the misery of those who find that lack of money turns a family problem into a financial crisis. I think that these will be savings accounts for the many, not the few, and that they will give more people just the kind of financial independence and choice that this Labour Government are all about.

5.32 pm

Mr. Peter Viggers (Gosport): The hon. Member for Northampton, North (Ms Keeble) made a thoughtful speech. In her summing up, she referred to the need for advice to be available within the general context of savings schemes. It is interesting that she raised the question without having an answer to it, simply pointing out that it needed to be addressed by Government. I certainly agree with that. Another point that the hon. Lady made in summing up related to the effect of the level of savings on benefits, which I intend to discuss in my own short speech.

The subject of pensions and savings may seem dry to those who are young and a long way from retirement age, but I have long been interested in it. I may be the only Member of Parliament to have recently taken the trustees' examination of the Pensions Management Institute; I am also the independent chairman of a pension fund. Given that Lord Nolan puts his nose into most matters nowadays, I suppose I should add that I am not a beneficiary.

This is an issue of raw politics. It goes to the centre of the contrast between the Labour Government and the Conservative party. The Conservative party lives in the tradition of Iain Macleod, who said that it was the duty of Government to provide a framework within which each individual could save, and make himself a modest fortune in his own lifetime. In contrast, the Labour party promised in its manifesto to extend the principle of PEPs and TESSAs, which have done so much to enable many people to build up modest fortunes and look forward to retirement with confidence. There is no doubt that that undertaking to extend the principle of PEPs and TESSAs reassured savers as the election approached, and no doubt that it won votes for the Labour party. I submit that it was a misleading statement, a fraud on the saver and the electorate and a false prospectus.

A striking feature of the Labour Government's current formulation of savings policy is its lack of cohesion. As the Association of British Insurers has pointed out, the consultation paper on ISAs seems to have been written by a different hand from the consultation paper on stakeholder pensions. That is extraordinary. One would have thought that the Government's approach to savings would be within the general framework of their approach to pensions.

There are four main ways in which individuals can prepare for retirement. First, they can save for their pensions through an employment scheme, if they are fortunate enough to be in one. Secondly, they can save through a special additional scheme—the state earnings-related pension scheme, or an alternative private scheme. Thirdly, there is the basic retirement pension. Fourthly, there are personal savings.

I have attended seminars, and have studied the subject of low-cost pensions, which the Government's consultation paper is intended, in due course, to address. The expression "low-cost pensions" has become associated with stakeholder pensions. One certainty, however, is that there is no such thing as a low-cost pension. Any pension that is funded will need to be funded by an amount 15 to 18 times the amount of any required pension. People will need to save substantially if they are to save for their own pensions.

Some people will have had the benefit of saving through occupational pension schemes. Others will have relied on PEPs and TESSAs. I heard the Chief Secretary say that he had always regarded PEPs and TESSAs as complementary to pensions. Of course the Chief Secretary is economically literate. He may well regard PEPs and TESSAs as complementary to pensions, but some people do not, including a clergyman's widow who wrote to me from my constituency. She has been relying on her PEP and TESSA contributions as a significant part—perhaps a major part—of her retirement income. It is not good enough for the Government to change the rules on PEPs and TESSAs, and, effectively, to impose retrospective legislation to change the benefits that people will receive from them, when some have been looking forward to PEPs and TESSAs as the main plank of their retirement arrangements.

Attention has been drawn to the cost of the advice that people will need to take before changing their retirement plans. Legal and General carried out a survey, asking people how much they would think it reasonable to pay for advice on insurance and retirement provision. Most regarded £60—younger people said £50—as a reasonable amount to pay for advice on retirement provision. As the hon. Member for Northampton, North said, however, advice is needed, and the Government have now demanded that it be of high quality. The normal rate charged by a pensions or insurance adviser is about £150 an hour. No one can believe that it is possible for a pensions adviser to give realistic and sensible advice in 20 minutes. He cannot do so in less than two hours, given the time that it takes to appraise the position. That will cost £300 plus VAT—in other words, £335—which, incidentally, amounts to two thirds of 1 per cent. of a £50,000 fund. Those who wished to rely on PEPs, TESSAs and ISAs under a Labour Government have been badly let down.

Another issue that has not yet been raised in this debate is the implication of the savings trap, which the hon. Member for Northampton, North mentioned. The hon. Member for Bolsover (Mr. Skinner) clearly had absolutely no idea of the yield on pension funds, or, more important, of the capital sum required to provide a pension. The savings trap will have dramatic effects on savings for pensions. If savings are limited to £50,000, as they may be under ISAs, and if that sum is the sole pension provision, it will yield only £256 per month—£3,072 annually—in annuity for a 65-year-old married man, allowing for the normal 3 per cent. inflation expectation.

If someone with no other pension or savings receives a state pension of £5,083 annually, income support at the level of £330 annually, housing benefit at £2,080 annually and council tax benefit of £312 annually, his or her net annual income will be £7,805. However, if that individual has saved £50,000 in an ISA, the additional amount that he or she will receive will be only an extra £400 annually. Therefore, £50,000 which has been saved over the years will yield only four-fifths of 1 per cent.—representing a serious savings trap with which the Government must deal.

A 45-year-old man who expects to retire at 65 and has no other savings or pension would have absolutely no incentive to save for retirement unless his pension will amount to £4,132 annually, allowing for 3 per cent. inflation. Therefore, if he cannot save £65,000, he would be better off simply blowing his money and not bothering to save.

The message is quite clear: individuals who wish to prepare for their own retirement should start early and keep saving. Although individuals might well support a cap on the annual commitment to their pension or savings fund, it is not acceptable for them to have on overall cap of £50,000, as that would render such savings completely pointless. If such a scheme were to be their only method of savings, regrettably, there would be no point in their saving £50,000.

Are the Government small-minded and ignorant about those matters? No; the situation is worse than that. The Government, having won the general election by

[Mr. Peter Viggers]

reassuring holders of PEPs and TESSAs, are now ditching those individuals. The losers will be many: those who believed the Labour Government when they said that they would extend the benefits of PEPs and TESSAs. The only beneficiary of the change, should it happen, will be the Treasury, which will save £800 million annually in tax relief on PEPs and £450 million annually in tax relief on TESSAs.

5.42 pm

Mr. Ross Cranston (Dudley, North): The debate had a very unfortunate start. Nevertheless, both Labour and Opposition Members have made some valuable points. The right hon. Member for South Norfolk (Mr. MacGregor) made some valuable points on the interaction of pensions and savings vehicles, such as individual savings accounts and personal equity plans. The hon. Member for Gosport (Mr. Viggers) made some useful points on pension yields, although those who can afford to invest will rarely rely on only one vehicle.

It is useful to start such debates with some history. The right hon. Member for Hitchin and Harpenden (Mr. Lilley) began his speech with some remarks about the previous Government's policy to promote savings. Lord Lawson—in his book, "The View from No. 11"—was much more frank about the matter, making it quite clear that policy was not thought up by the Conservative party, and that he got the idea from a law passed in France in 1978. The comments of the right hon. Member for Hitchin and Harpenden were therefore partly a mis-selling of Tory innovation.

The right hon. Member for Hitchin and Harpenden mentioned promoting savings. However, as my hon. Friend the Member for Hove (Mr. Caplin) rightly said, PEPs were originally designed to widen share ownership. In his book, Lord Lawson says:

"I was always very cautious about describing PEPs as savings incentives."

He went on to admit that PEPs were intended more to widen share ownership. However, as my hon. Friend the Member for Hove said, that intention was not fully realised, as those who already had shares moved into PEPs because they were a tax-efficient means of investing.

Conservative Members have suggested that the PEPs and TESSAs savings regimes are long established and almost sacrosanct. They also mentioned retrospectivity, which I shall deal with later in my speech. Conservative Members should remember that they changed the mortgage interest relief at source regime, which affected the tax advantages gained by putting one's investment—if one considers it as such—into housing. If the introduction of ISAs represents retrospective legislation, changing the MIRAS regime certainly represented retrospective legislation.

PEPs did not take off in the early years—until 1991, fewer than 50,000 had been sold. They have been bought in large quantities in only the past five or six years—so that now, according to one estimate, there are up to 2.5 million PEPs. TESSAs were introduced only in 1991, although TESSA ownership has grown more smoothly than PEP ownership. Nevertheless, only about 4.5 million people currently have TESSA savings. We are therefore debating not schemes that have been approved over generations but recent institutional developments. Hon. Members should therefore be much more careful when mentioning retrospectivity.

Labour Members have made some important points about the extent of TESSA and PEP ownership among the public, and Conservative Members have said much about how middle Britain will be hit—although the statistics do not begin to support their comments. My hon. Friend the Member for Hove cited the 1995 British household panel survey which showed that almost 50 per cent. of households had absolutely no investments—no shares, no bank accounts, no building society accounts and no friendly society holdings—and that only 10 per cent. had PEPs. Therefore, only a very small segment of society has such investments.

The 1996 family expenditure survey showed that just over 10 per cent. of families held TESSAs. If we go further and examine the type of people who comprise that 10 per cent. of the population, a point made by Labour Members is confirmed: wealthier and older segments of the population hold such institutional savings accounts and investments. The right hon. Member for Hitchin and Harpenden talked about small savers—but they are small savers with very large incomes.

I am not as cynical as Gillian O'Connor was last week in the *Financial Times*, when she rather acerbically said that the PEPs regime had been a licence for the middle class to print money. Nevertheless, the report by Andrew Dilnot and his colleagues at the Institute of Fiscal Studies demonstrates the limited ownership of those investment vehicles.

My hon. Friend the Member for Hove cited the figures, so I shall not repeat them, but it is clear, from the percentage of households with at least one PEP, that ownership is concentrated among the richest 10 per cent. A quarter of that cohort own PEPs. We should also bear in mind distribution by age. Ownership is highest among households aged between 50 and 59.

The report reveals that TESSAs are similarly concentrated among older and richer households. Again, the highest ownership rate is among those aged between 50 and 59 and more than 70 per cent. of TESSAs are owned by households in the top 50 per cent. in terms of income.

To anyone other than the Opposition, that would raise an interesting and important issue of public policy—how to involve other segments of the population in saving. The ISA proposals are designed to address that.

Opposition Members have not addressed other disadvantages with the existing regime of PEPs and TESSAs, such as the inflexibility of the TESSA regime. The report by the Institute of Fiscal Studies demonstrates that, because of their inflexibility TESSAs are not held by the sections of the population that one would normally expect to invest in them. People in their 50s, and particularly those in their 40s, need ready access to money to meet particular contingencies and the TESSA regime is far too inflexible.

There are also disadvantages in the PEPs regime. The hon. Member for Gosport touched on the fact that PEPs do not roll over to surviving partners in the event of the death of the investor. There are also marketing problems. My right hon. Friend the Chief Secretary

mentioned that the management charges in respect of many PEPs were quite significant and in some cases outweighed the tax relief.

There are further problems. Some companies in the PEP market had to cease taking new business until they had sorted out their problems. A couple of months ago, Kevin Goldstein-Jackson wrote in his column in the *Financial Times*:

"In July 1995, I pointed out that many people had been persuaded to invest in Peps in order to 'save' tax—but the only tax they saved was that on dividend income. This was because many of them had invested sums which, had they been used to buy shares directly, would not have been subject to capital gains tax since they were within the exemption limit."

In other words, there was a mis-selling of PEPs. So there are problems in the existing system and, more important, there are grave disadvantages in terms of the coverage of current investment vehicles.

I now come to the ISA proposals which aim to increase the coverage in the general population. We want to encourage saving. Half the population hardly save at all. In 1995–96, the family expenditure survey revealed that more than a third of households had no financial assets—no bank accounts and no shares.

Mr. Loughton: The hon. Gentleman has said that for the third time.

Mr. Cranston: The hon. Gentleman does not want to hear the facts. He has never been concerned with empirical evidence, only rhetoric.

The ISA proposals are designed to get new savers involved. My right hon. Friend the Chief Secretary drew attention to the tax expenditure aspects of the current regime. In 1997–98, the figure was £1.25 billion and it would rise to £1.7 billion by 2001 under the current regime. Given the enormous tax expenditure, the idea is to distribute more widely the advantages that currently benefit a limited section of the population.

Of course, there have been criticisms from some parts of the industry. The shadow Chancellor quoted some industry reaction, but, as Gillian O'Connor said last week in the *Financial Times*,

"the industry's laments . . . suggest that they had been a nice little earner."

I would not be so cynical, but certainly some parts of the industry have been making a nice little profit from PEPs and TESSAs, and there is nothing wrong with that.

The right hon. Member for Hitchin and Harpenden quoted various criticisms. However, he omitted to mention the support for the proposals from various parts of the industry. Roger Cornick, head of marketing at Perpetual, a big provider in the PEPs market, is quoted as being

"confident that the company will still get a big slice of the ISA cake".

Mr. Loughton: And the share price fell by 10 per cent.

Mr. Cranston: If the hon. Gentleman examined the figures in the *Financial Times* more carefully, he would see that it rose again subsequently.

The industry will have to be much more flexible and innovative. At present, some parts of the fund management industry concentrate on equities. Under the ISA proposals, they will have to be more expansive in terms of the products that will fall under the tax shelter. Of course, there will be new institutions involved. My hon. Friend the Member for Northampton, North mentioned the supermarkets, some of which have made very positive comments about the possibility of promoting ISAs.

Lord Lawson explained in his book the great difficulty in the initial years with unit trust companies which were most reluctant and dragged their feet. It was only subsequently that they started to promote PEPs vigorously. ISAs will have to be sold in new ways as well as through the traditional channels. Supermarket checkouts are one possibility. Tesco described ISAs as "a smashing idea". Mr. Newton Scott, chairman of Tesco Personal Life was most complimentary. He was not especially happy with the idea of a prize draw fund, but said that, in his view, to get people on lower incomes involved it might be better to offer groceries and loyalty points, and such points have arisen in the consultation period.

Mr. Caplin: I have no interest in the matter, but is my hon. Friend also aware that Marks and Spencer has also welcomed the proposals for ISAs to attract the widest possible range of savers?

Mr. Cranston: Yes. Marks and Spencer has also been very forward looking, also in respect of the euro, unlike the Opposition.

My hon. Friend the Member for Northampton, North mentioned another advantage of ISAs, which is that a wider range of products could be developed. She mentioned deposits with credit unions, national savings products and shares in industrial and provident societies. They should all get a boost from incorporation in ISAs.

There will also be flexibility for investors, who will be able to withdraw their money when particular demands arise. As I said earlier, there is evidence that one off-putting feature of TESSAs is that because of their inflexibility those who might otherwise invest do not do so.

Conservative Members have talked about retrospectivity. They misunderstand the nature of retrospective legislation. It makes unlawful something that was lawful at the time or, in the tax context, renders a past transaction subject to tax that was not applicable at the time. At the most, one could say here that expectations have been disappointed. But I do not think that anyone who deals in the area of taxation can have any such expectations. I gave the example of MIRAS earlier. One has to expect different Chancellors to change taxation regimes. No one can proceed on the basis that regimes will remain unchanged for ever. No one could have had a legitimate expectation that the existing tax regime would remain unchanged.

Mr. Viggers: I take the hon. Gentleman's point. What is his comment on the Labour party's manifesto promise about the future of PEPs and TESSAs?

Mr. Cranston: Our manifesto made it clear that we intended to provide savings vehicles for a wider section of the population. That is what we are doing with our ISA proposals.

[Mr. Cranston]

It has been argued that increased flexibility will result in higher costs for providers than at present—up to 30 per cent. higher, according to one estimate. That demonstrates a misunderstanding of the nature of our financial services industry. Over the past 15 or 20 years, we have had increased competition and innovation. With new providers and managers coming in, I am sure that any increases in costs will be much lower than the figures that are being bandied around.

ISAs will also make the tax system more neutral, reducing the extent to which it distorts investment choices. I would have made further points about the £50,000 limit if I had had more time. Only between 10 and 15 per cent. of PEP holders would be affected by the £50,000 limit. We are talking about a relatively small number of people. My right hon. Friend the Chief Secretary took up the point about marketing. Given the past problems of pension mis-selling, we have to be cautious about the marketing of the products.

The charging regime must be more transparent than at present. That is one of the disadvantages of the PEP system. One has to go to Chase De Vere's guide to find out how much investing in a PEP will cost. There have to be controls on the operations and the administration of funds.

I congratulate the Government on the ISA proposals. I look forward to the results of the consultation exercise.

6.4 pm

Mr. Quentin Davies (Grantham and Stamford): I sincerely congratulate my right hon. Friend the shadow Chancellor on two things: his powerful and compelling speech; and—the Labour party should be grateful to him for this—his altruism in proposing the debate. A more cynical politician might have avoided talking in public about Labour's plans for ISAs and exposing all their shortcomings, perversities and absurdities to Ministers. Instead, he might have let Ministers get on with implementing their plans. When the shambles ensued, as it certainly will—when there was a collapse of tax-incentivised savings vehicles, when the individual aspirations of so many had been shattered, when the proposals had produced a great deal of justifiable resentment—the Conservatives could have made some political capital. My right hon. Friend has decided to take the high road and have a debate before legislation is introduced. We are trying to save the Government from the fate to which they are heading—taking the country with them—by having genuine parliamentary consultation. The debate has already illustrated extraordinary perversities and absurdities in the Government's proposals.

We do not have any quarrel with the objectives that the Government say that they are trying to pursue: to produce a fair scheme; to produce a system that increases savings, because one of our national handicaps is having the lowest savings ratio in the European Union; and to do something for the lower paid, helping wealth creation in the less financially privileged section of the population. We agree with all that, so we should be having a dispassionate and technical debate, deciding how best to relate objectives to means.

Mr. Caplin: Will the hon. Gentleman give way?

Mr. Davies: I am sorry, but the hon. Member for Dudley, North (Mr. Cranston) took such an awfully long time with his speech that I cannot accept any interventions. I apologise for that, because I normally enjoy the cut and thrust of debate on such occasions.

I shall deal briefly with those three objectives—fairness, aggregate savings behaviour and the position of the lower paid. The proposals cannot be fair. How can they be fair for someone who has decided to build up a PEP to repay his mortgage of more than £50,000, which is less than the average price of a house? He will suddenly find that his calculations have been thrown out, producing a gap that he had not anticipated. Given the promises that the Labour party made before the election, such a person would have had every reason to suppose that his PEP would continue under the same tax regime until his mortgage needed to be repaid. He and his family will be very badly let down. If the proposals go through, there will be a lot of miserable families. Some people will probably lose their home.

Mr. Steve Webb (Northavon): Will the hon. Gentleman give way?

Mr. Davies: I am sorry, but, for the same reason that I gave to the hon. Member for Hove (Mr. Caplin), I have to refuse.

It is not fair to bamboozle the public in such a way. We heard the Prime Minister, then the Leader of the Labour party, the Social Security Secretary and Treasury Ministers making it absolutely clear to the public that the PEP and TESSA regime was not threatened. The quotations are very well known. We now know that it has been fundamentally threatened.

Given that the tax-incentivised savings vehicle was limited on entry—one was able to have only £6,000-worth of general PEP investments, £3,000-worth of a specialised PEP a year and TESSAs were limited on entry—it is not fair to say to people that, retrospectively, the vehicle will be limited on exit as well. It is not fair to say to people that, if the result of saving has been positive and they have managed to accumulate a reasonable pot of money, tax privileges will be retrospectively withdrawn or limited to some figure about which they did not know in advance. That is clearly the very reverse of fair.

I shall deal with what I think that the Paymaster General will say about fairness. He will say, "Oh, but we are withdrawing tax privileges from the rich who have accumulated £50,000, and the poor, who have not got anywhere near that sum, will continue to enjoy them." If that is being done in the name of traditional socialist egalitarianism, it is thoroughly perverse. It is one of the most foolish perversities in a whole string of such perversities in this debate. If one wants to go in for socialist egalitarianism and clobber the rich, one should put up marginal tax rates—although that would be very bad and destructive for everyone, including those who are less well off, since it would threaten their jobs and the country's prosperity.

Most extraordinarily, however, the Labour Government are proposing to say to the rich that, if they spend their higher income, the tax regime will not be changed and they can go on enjoying exactly the same standard of living, but if they save their higher income, they will be worse off. The Government will clobber such people and ensure that they suffer if they save. The change will impact only on people who save on higher incomes or who are better off—not on those who spend that higher income. That cannot make the beginnings of sense and certainly cannot be justified on the grounds either of economic rationality or of fairness.

What about the impact on savings as a whole? How can such a proposal possibly increase aggregate saving? Let us just think about that for one second; it is clear that Treasury Ministers have not begun to think seriously about it. After all, on their own admission, they are proposing to reduce tax credits for such saving. On universal admission, due to the greater administrative complexity of ISAs, which will force managers to keep an account for every contribution in every year, administrative costs will greatly increase.

If the returns are reduced and the costs are increased, there will be a double negative impact on the net return to savers. Clearly, therefore, the attractions of the scheme as compared with its predecessors will significantly reduce. If human beings are rational, there will be less saving, not more. That is the only possible conclusion; it follows as surely as night follows day.

The negative impact on savings behaviour will be compounded by the fact that those who have already saved £50,000 in their PEPs will have no tax-driven incentive to save any more than they otherwise would. So, the section of the population which has the highest propensity to save—those on the highest incomes—will save less. One does not know by how much, but it will undoubtedly be less. If the aggregate return of saving for such people is reduced, the aggregate savings flow will fall. The proposal's effect on aggregate savings will undoubtedly be negative.

Let us look at those who are low paid—people whose interests the Government claim to have at heart. Will the proposal help them? Such people cannot get many of the benefits of ISAs. Nor could they in predecessor regimes; nothing has changed. In practice, such people will not benefit from capital gains tax relief because they are unlikely to have capital gains exceeding the £6,000 annual personal allowance—or whatever it is now. I think that it is £6,500.

Equally, low-paid people will not get higher tax relief because, by definition, they do not pay higher tax. All that they will get is relief on the basic rate of tax. We have demonstrated in this debate that, from any view, management charges will exceed that benefit, which itself is being reduced due to the reduction in tax relief on ISAs over the next five years.

For those on smaller incomes, the financial benefit of taking part in the new savings vehicle will be less than it was when they contributed to PEPs. The opposite effect of the one for which the Government hope will come about. There will be less saving, not more, by the less well off. The Conservatives are genuinely concerned about that, regardless of whether the Labour party is.

Ms Keeble: Will the hon. Gentleman give way?

Mr. Davies: I cannot take an intervention due to lack of time. I hope that the hon. Lady will forgive me. She and her hon. Friend the Member for Dudley, North had plenty of time to make their points.

There is another sinister discriminatory aspect of the proposal, which I fear will impact particularly seriously on those who are on lower incomes. As we know, the proposal is that anybody can save up to a maximum of £1,000 a year in cash, £1,000 in insurance products and £3,000 a year in equities. That is a very artificial portfolio balance, which may be totally inappropriate in certain circumstances.

For example, when the equity market is particularly high, it might be thoroughly irresponsible to put such a high proportion of savings in equities. Indeed, no independent financial adviser worth his salt would dream of advising his client to do so. For the wealthier savers who have an ISA—if any do—as part of a wider portfolio, such constraints are not very great. The balance of portfolio which they desire to achieve can be achieved elsewhere, outside the ISA regime.

People who will not have savings outside an ISA because they hardly have any savings at all—the people about whom the Government claim to be concerned, and whom the ISA regime purports to encourage to save—will not have the ability to obtain a portfolio balance outside the ISA regime. The portfolio balance forced on them inside the ISA regime may be extremely damaging. Poor people might be bamboozled into going for the product, and find that the apparent tax advantages are more than outweighed by management fees. On top of that, they might find that they are forced by regulation to put a disproportionate part of their savings into equities, which might prove to be a disaster at a certain stage in the market. They might find themselves exposed to losing a large part of their savings. That must be an exceedingly bad deal for the low paid.

Ms Keeble: Will the hon. Gentleman give way?

Mr. Davies: I am about to bring my remarks to an end. I am sure that the hon. Lady's colleagues will have an opportunity to make whatever points they can—if they can—in answer to my criticism of the Government's proposal.

I shall put one final point to Labour Members. The tragedy for the low paid is that it is not worth their while saving at all. They will merely find that they have deprived themselves of future income. In the event of loss of employment or some disaster, or when they reach retirement age, they will have deprived themselves of access to means-tested welfare benefits. Therefore, the return from their savings will be negative. They might find that they have sacrificed consumption by putting money away, and then do not qualify on retirement for income support, housing benefit, council tax relief and all the things enjoyed by the family next door, which has never bothered to save.

[Mr. Davies]

It is the cheating of the poor by this particularly pernicious system that the Government should be addressing if they seriously want to do something for the lower paid, and if they seriously want to change the culture of this country in favour of greater saving. That requires either a much more radical and fundamental welfare reform programme than I believe the Government have the courage to begin to contemplate, or some form of socialist compulsion. We shall see, as the months go by, which of those courses the Government take.

6.18 pm

Mr. Barry Gardiner (Brent, North): Why do the Government give tax relief? It is to achieve a particular policy objective. In plain language, when the Government give people a handout, they do so to encourage them to do something. The point of the handout, and that is exactly what it is in the case of PEPs and TESSAs, is to encourage people to save.

"Although the scheme will be open to everyone, it is specially designed to encourage smaller savers, and particularly those who may never previously have invested in equities in their lives."—[*Official Report*, 18 March 1986; Vol. 112, c. 178.]

Mr. Bercow: Speed it up a bit.

Mr. Gardiner: I am taking my speech at the rate at which I think it is possible for the hon. Gentleman to comprehend it.

"I now want to extend savings incentives to the mass of ordinary tax-paying savers—and potential savers".—[*Official Report*, 20 March 1990; Vol. 169, c. 1024.]

That was said in the Budget statement on 20 March 1990 about the introduction of TESSAs.

How effective has that handout been? We have heard that 50 per cent. of adults—broadly the poorest 50 per cent.—have virtually no savings at all. They do not invest in PEPs and TESSAs, but they do pay for them. It is the tax taken from that poorest 50 per cent. of our community that still goes to contribute to the tax relief from which the richer 50 per cent. presently benefit. It is because of that that this handout must be justified to those who pay for it without benefiting from it.

We have been told today that £50,000 is not a huge sum. We have been told also—by the hon. Member for Gosport (Mr. Viggers)—that unless a person was able to save at least £65,000, there would be no point in saving at all. They might as well blow it, because the yield would be so small. I wonder whether the hon. Gentleman considers whether his words gave great comfort to those who have not yet accumulated £50,000 in their PEPs. There is little comfort here for the struggling pensioner who was mentioned, who put his faith in the then Government's PEPs scheme if, unless he accumulates £65,000, there is no point in accumulating anything at all.

The shadow Chancellor, the right hon. Member for Hitchin and Harpenden (Mr. Lilley), stated that after the replacement of PEPs with ISAs, people would "lose the incentive to save." How does that statement stand up? Either there is a benefit from saving or there is not. If there is, and no one in the Chamber today has suggested otherwise, it seems clear that by the time one has accumulated £50,000 of tax-free savings, one has worked out the value of that activity; one does not require an additional handout to convince one further. Money spent in this way is doubtless much appreciated by the recipient, but it is unjustifiable to the neighbour, who pays for it without benefiting from it.

The shadow Chancellor, in a carefully crafted speech, enticed my hon. Friend the Member for Bolsover (Mr. Skinner) to bite and then closed the trap on him. The right hon. Gentleman said that a fund of £356,000 would be required to produce my hon. Friend's pension—about £20,000 per annum. He refused to take an intervention from me at that time, when I would have informed, or reminded, him that the new stock exchange regulations to force companies to disclose the pension arrangements for their directors have revealed—I see some Opposition Members blanching—many more interesting cases than that of my hon. Friend.

Let us take the example revealed in the annual report of the Bass brewing and leisure group, which states that one director—Sir Ian Prosser—has a pension which, at 30 September 1997, is valued at £304,300. That is not the fund—it is the pension which he will take each and every year in retirement. Even the shadow Chancellor might accept that in the light of such a pension, my hon. Friend the Member for Bolsover may be entitled to his paltry £20,000.

Unlike the shadow Chancellor, I do not want to get into the politics of envy. The director of Bass may well deserve his £304,000 a year pension. However, the remarks of the right hon. Gentleman were significant in that they were a reversal of what the Conservatives have traditionally echoed in this Chamber over past years. The politics of envy have never been quite so clearly stated as they were by the right hon. Gentleman this afternoon.

The hon. Member for Grantham and Stamford (Mr. Davies) talked of penalising people who have saved because they will not get tax relief on their savings in excess of £50,000. However, no penalising is going on. It is a change in the tax regime so that taxpayers' money is spent where it is most effective and most needed—in persuading the 50 per cent. of the population who presently are unconvinced of the benefits of saving.

Mr. Caplin *rose—*

Hon. Members: Oh!

Mr. Caplin: At least I am taking an interest in the subject—unlike Opposition Members, particularly some who have just walked into the Chamber. Has my hon. Friend had time to consider the figures I mentioned in respect of the lack of people who have PEPs? I referred to a figure of less than 5 per cent. Will he address that point?

Mr. Gardiner: My hon. Friend is entirely right. The figures that he gave were most revealing in that only 4.7 per cent. of people have a PEP and no other form of saving. He also laid before the House his qualifications, as someone previously employed in an insurance company. Although it is many years ago, my qualification as an associate of the Chartered Insurance Institute gives me some reason to stand in this Chamber this afternoon.

When the hon. Member for Grantham and Stamford talked about penalising, the critical fact that he failed to mention was that the legislation is not retrospective.

Nothing that was lawful would be unlawful and nothing that was unlawful would be lawful as a result of the proposed measures.

The right hon. Member for South Norfolk (Mr. MacGregor) talked about the way in which people who have not got great incomes but are of modest means, go about saving. They do so piecemeal and in dribs and drabs. Indeed, the whole foundation of the old Prudential insurance company was based on that policy—the fact that it was difficult to get people to save. We know the old image of "the man from the Pru", who knocked on the door to pick up the weekly premium—the odd five shillings—from the householder. I would be reticent to refer to my right hon. Friend the Chief Secretary as the modern day "man from the Pru", but in setting up ISAs we are seeking a contemporary equivalent of just that.

The ISA would enable people to bring together a range of savings—stocks, shares, cash, national savings, life insurance—and to do so in dribs and drabs, in small weekly amounts. That is the way in which people are able to save—over a period of years—and how they have learnt to save in the past.

At the same time, the great majority of TESSA and PEP investments could be carried forward into the tax-favoured environment of the ISA. For most people, the ISA will be the natural home where their savings and investments of the past few years can lodge to their benefit for the future. It is simply not the case that the Government are trying to penalise people who have saved hard and planned for their retirement. There has been no more telling remark this afternoon than that of my hon. Friend the Member for Dudley, North (Mr. Cranston), who said that if there were ever a case of people's planning for their futures being thrown up in the air by the Government, it was when the previous Government changed the MIRAS tax relief system to their financial detriment.

In conclusion, in the past eight and more years since TESSAs and PEPs were introduced, the schemes have significantly failed to find acceptance throughout society. The people who have benefited from them are those whom one would expect to benefit—people who have traditionally saved and planned pensions and who take advantage of whatever scheme is available. I do not believe that any hon. Member thinks that the schemes have succeeded in the original intention as stated in the extracts from *Hansard* that I quoted—the intention in those Budget statements that the benefits of tax-free savings would be extended down to the most disadvantaged in our community.

6.35 pm

Mr. Michael Fallon (Sevenoaks): All I can say about the speech of the hon. Member for Brent, North (Mr. Gardiner) is that the hon. Gentleman is clearly one of the few hon. Members who speak faster than they think. We now have a Paymaster General whose tax is sheltered and whose reply to the debate has had to be sheltered by the sort of filibuster that we just heard.

The Government's proposals are dishonest, ill thought out, technically defective and hypocritical. I shall begin with the dishonesty. This scheme is mis-selling in every sense. The individual savings account is designed not to encourage new saving, but to cut the cost to the Treasury of existing saving. Before the election, the Government claimed that they wanted to extend the scope of PEPs and TESSAs. Even the consultative document that they published concealed their true purpose. That was forced out first in the debate in another place two weeks ago, when the Government spokesman, Lord McIntosh, came clean about PEPs and TESSAs, saying:

"We must consider the ultimate effect to the revenue of a system which relies only on annual limits . . . I want to make clear that capping is an essential part of any tax-free savings package."—[*Official Report, House of Lords*, 11 February 1998; Vol. 585, c. 1220-21.]

That statement flatly contradicts the Prime Minister's assurance before the election and that given by the Chief Secretary after the election, that existing savers would not be affected. I hope that Ministers will now apologise for deliberately misleading the public. Of course, they will not do so—expecting contrition from this Government is like expecting openness from the Paymaster General.

The whole ISA scheme is ill thought out. As my right hon. Friend the Member for South Norfolk (Mr. MacGregor) and my hon. Friends the Members for Gosport (Mr. Viggers) and for Grantham and Stamford (Mr. Davies) said, there is nothing long term about encouraging instant access accounts at supermarket checkouts. There is nothing sound about offering a monthly flutter as a way of building lifetime savings. The Government now admit that the £50,000 limit would yield only £1,420 a year. That will not pay for long-term care or support PEP-based mortgages and it will certainly not help to provide the sort of pension that, as my hon. Friend the Member for Gosport so neatly illustrated and my right hon. Friend the Chief Secretary—[HON. MEMBERS: "Who?"] I mean the former Chief Secretary, who pointed out that the scheme is wholly inconsistent with the stakeholder pension that the Government are simultaneously proposing.

The scheme is flawed in conception and deeply flawed in detail. I cannot recall a Treasury proposal that has had such universally bad press—*[Interruption.]* Let me quote it. The Consumers Association has described the scheme as

"fundamentally flawed, and . . . a considerable risk to consumers."

The Association of Investment Trust Companies said that the ISA proposals

"will do very little to encourage those on modest incomes to save."

The Independent Financial Advisers Association said that the scheme was

"little more than a tax efficient Christmas club."

The Association of British Insurers believed that it was "potentially anti-competitive". It said:

"Complexity, and hence cost, is a major worry."

The National Association of Pension Funds said that the proposals were

"tackling the problem from the wrong end."

Even the Treasury's spokesman in the other place attacked the scheme. The hapless Lord McIntosh criticised the consultation paper for not proposing a proper regulatory framework. He said that such a framework

"receives almost no mention in the document . . . That is certainly a defect."—[*Official Report, House of Lords*, 11 February 1998; Vol. 585, c. 1223.]

All the practitioners regard ISAs as unworkable. As the Association of Private Client Investment Managers and Stockbrokers—led by the former Conservative Economic

[Mr. Michael Fallon]

Secretary to the Treasury, whom the Chief Secretary prayed in aid—highlighted, the proposals will be an administrative nightmare. The association said:

"For the system to work, ISA providers will have to provide the following information at the end of each tax year during which they have provided an ISA:—

ISA assets transferred in or out.

ISAs which have been closed.

ISAs which have been made void.

Investor details.

Where an ISA has been transferred, the provider to whom it was transferred.

Where a transfer has been received, the provider to whom it was received.

Where an ISA has been closed, the date of closure.

Net investment made during the tax year . . . We cannot emphasise too strongly the difficulty and so the associated cost of administering"

this system. In case the Chief Secretary is still tempted to claim that Angela Knight is in favour of the scheme, I should point out that she proposes—her views are set out in black and white—that

"the tax regime for all the existing PEPs and TESSAs should be honoured".

ISAs are unfair, technically defective, administratively complex and will be very expensive for the providers to operate. We are entitled to ask, therefore, who dreamt up this scheme, which brings us to the architect of ISAs, the Paymaster—or taxmaster—General. He launched the scheme in his usual, careless, blustering style. In the foreword to the consultative document, he opined:

"Everyone should have the opportunity to save in a tax-favoured environment".

He wrote that in happier times, of course, before the storm broke over his head. Perhaps he wrote it in one of his two large country mansions—perhaps those words were inscribed in his Park lane penthouse, in his apartments in Cannes, or even in his unselfconsciously named "Villa Muchio". His words would show nerve enough, but he then had the gall to attack those who currently hold PEPs as

"well-off people who have done extremely well out of the accounts".

Not as extremely well as he has done with his £12 million offshore—all of it sheltered from tax.

The plan is this: those who have scrimped and saved their PEPs over 10 years will now be penalised. The tax man will rob them retrospectively of anything over £50,000. The Paymaster General, however, will still pay nothing on his £12 million—no income tax, no capital gains tax, no inheritance tax. That is true hypocrisy.

As we have learnt, when the hon. Gentleman is caught out, he blusters. One ISA conference was told that the £50,000 limit would stay, whereas the next was told that it could be changed. Finally, he blamed his officials. In meetings with representatives of the savings and investment industries, he revealed that

"he was not fully briefed on the widespread appeal of Peps among all taxpayers.

He allegedly said that he was given out-of-date information and was wrongly advised that Peps were still the domain of higher-rate taxpayers."

This is a true Labour saga: a broken promise that was dishonestly concealed; an ill-thought-out scheme that is technically defective; a measure ridiculed by the industry that is supposed to provide it. For the 3 million people who hold PEPs, for the 4.5 million people who hold TESSAs, this is a serious breach of faith that will undermine confidence in Government savings.

The Government have one way out, which is an unusual one for the Paymaster General—he can come clean. He can admit that he has bungled. He can admit that he tried to deceive existing savers. He can take away his ludicrous scheme and rethink it in the fortnight that remains before the Budget.

6.45 pm

The Paymaster General (Mr. Geoffrey Robinson): We welcome this opportunity to discuss the ISA proposals, which have been put out to consultation. Indeed, consultation ended on 31 January—clearly, the Opposition have only just caught up with that fact, but we welcome them none the less to the debate. We wish that they had had something more substantive to say, on which we could further consult, but the pettiness and irrelevance of what they said were no better exemplified than in the speech of the hon. Member for Sevenoaks (Mr. Fallon).

It is left to us to consider the representations that we have received—they have been many, varied and all of considerable interest, as we intended when we put out the scheme to consultation. The former Conservative Government refused to consult—they did not adhere to that process—which is why they got things very wrong.

No hon. Member can expect me or my right hon. Friend the Chief Secretary to the Treasury to pre-empt what the Chancellor will say in the Budget. I welcome the hon. Member for Sevenoaks to his position as shadow spokesman—I think that this is the first time that he has spoken from the Front Bench, at least since I have been in government—but I was surprised that he did not quote in full the words of Angela Knight, who is not unknown to Conservative Front Benchers. I should put the record straight, as he seems incapable of reading what she said. She stated:

"There is much that we welcome within the ISA and APCIMS"—

which, as the hon. Gentleman read out, stands for the Association of Private Client Investment Managers and Stockbrokers—

"endorse the policy of attracting more people to save. We also agree with features such as the flexibility, no minimum level of saving, reducing restrictions on the equity element and no 'lock-in'".

Those are precisely the points that the hon. Member for Sevenoaks and others, including the hon. Member for Grantham and Stamford (Mr. Davies), tried to refute. Angela Knight continued by saying that those aspects

"are all welcome and we consider that there has been much careful thought given to the design of the ISA."

She speaks with much experience and authority in these matters, to which she clearly gave much thought.

That does not mean that we shall not also listen carefully to other representations that we received, although those we heard today from the Opposition will not rank highly in our consideration. The Virgin organisation, for example—which has driven down costs on various sorts of savings and investments—said:

"Undoubtedly ISAs are good news. They will bring more savers into the market."

Fidelity, one of the biggest product providers in the financial services industry, said:

"We welcome the new scheme . . . this was the big breakthrough in investment."

The Halifax said:

"Halifax sees a bright future for the ISA."

The Prudential said:

"We welcome the Government's aim of promoting saving, in particular for people with modest incomes . . . we welcome making ISAs as accessible as possible."

Those quotations are worth reading because they show clearly that, while we were open to consultation, we thought carefully about the document that we issued as the basis for that consultation.

Mr. Fallon: Will the Paymaster General give way?

Mr. Robinson: I shall give way in a moment, although I did not interrupt the hon. Gentleman in his speech. In all that he said, he made no attempt to discuss any of the points raised in the debate. I do not say that he acted discourteously, as he had other, less relevant, things to say.

The shadow Chancellor told us that he, personally, by some Herculean endeavour, had rebuilt savings in the 1980s. What happened in the 1980s is a sorry story. When he was in the Treasury in various guises, from 1986 to 1990—a full five-year period—we had a negative savings ratio in the household sector. The figure was –0.3 per cent. in 1986; –1.9 per cent. in 1987; –2.8 per cent. in 1988; –2.7 per cent. in 1989; and –0.4 per cent. in 1990.

Mr. Fallon *rose—*

Mr. Andrew Tyrie (Chichester) *rose—*

Mr. Robinson: I shall give way, but not to the hon. Member for Chichester (Mr. Tyrie) who was not here during the debate. Johnnies-come-lately do not get in; he should know that by now.

Mr. Fallon: Of all the organisations that the Paymaster General cited as giving some support to the Government's proposal, can he name one that says that the £50,000 limit should stay?

Mr. Robinson: We have held consultations with all of them. I do not know why the hon. Gentleman is smirking, as if he had said something terribly clever. If the previous Government had gone out to consultation, as we have, they would not have got into the frightful muddle that I shall talk about in a moment when the right hon. Member for South Norfolk (Mr. MacGregor) first launched PEPs.

Mr. Loughton: Will the Paymaster General give way?

Mr. Robinson: I will, because I know that the hon. Gentleman was here throughout the debate and did not get the chance to make his own speech.

Mr. Loughton: I am very grateful to the Paymaster General, but when he is quoting from authorities in the City, he should give the whole quotation. Richard Branson, to give the whole sentence, said:

"The £50,000 limit also sends the wrong signal to potential savers—it says that rules can be changed retrospectively."

Fidelity said of the £5,000 annual limit that it

"represents a 53% reduction in the total tax-privileged investment . . . it removes an incentive for"—

Mr. Deputy Speaker (Mr. Michael Lord): Order. That is far too long for an intervention.

Mr. Robinson: I had hoped that the hon. Gentleman, who is not usually short of words, would have something to say for himself, rather than reading. It was clearly a waste of time for me to give way.

I was dealing with the shadow Chancellor, who was so proud of his record in the 1980s; in fact, it was a terrible record on savings, as he well knows. It is worth recalling that stability is the key to economic growth and to savings. When he was in the Treasury, interest rates were at 10 per cent. and inflation at 5 per cent. in 1988. Interest rates peaked at 15 per cent. and inflation at nearly 10 per cent. in 1990. That did not promote growth or stability or encourage savings. That is why we had negative savings rates in the last five years of the 1980s. That is not a record to be proud of.

The right hon. Member for South Norfolk, a former Chief Secretary, made a good contribution to the debate, but he did not tell us that the pension fund of which he is a director was fined £545,000 for mis-selling. He courteously informed me that he would have to leave before the end of the debate, but I wish that he was here to hear this, because he might have been able to tell us something about why, in that context, he recommended a light regulatory touch for the new system. We shall ensure that no such problems happen again, and we are consulting to that effect.

The right hon. Member for South Norfolk mentioned the problems that the Conservative Government had with the introduction of PEPs, and the number of goes that they needed to clear it up. They had a go when they introduced them in 1987; a go in 1988; and another go in 1989. They had to keep trying to simplify the rules and get rid of the anomalies, for the simple reason that they did not consult beforehand.

The right hon. Gentleman also mentioned kitemarking or benchmarking products, with a view to bringing down the costs of administration. That is a matter to which both Government and Opposition Members have alluded in a serious vein, and we are consulting on it. We are attracted by the concept, but we tend to favour benchmarking rather than kitemarking, as the latter might imply that the Government were totally committed to a given product. The hon. Member for Gosport (Mr. Viggers) spoke about that. It is a matter of interest, and my right hon. Friend the Chancellor will consider it in the Budget process.

My hon. Friend the Member for Hove (Mr. Caplin) spoke with the background of much personal and professional experience. He pointed out exactly what had gone wrong in the mis-selling of pensions, and he is keen that we should not follow in the misbegotten, badly thought out footsteps of our predecessors.

The hon. Member for Twickenham (Dr. Cable) made a serious contribution and we hope that, when my right hon. Friend the Chancellor has decided on his proposals, we shall be able to secure his support in the Lobby on the new savings proposals. He was especially concerned, as

[Mr. Robinson]

were the hon. Member for Grantham and Stamford and some of my right hon. and hon. Friends, about the savings disregard and the problems of those on benefit.

The problems go much wider than that, and it is ironic in the extreme that they should be raised by Conservative Members, who have a record second to none in living memory on means-tested benefits that cut right against the principle of people being able to work and save; working and saving is clearly the logical order of events.

I agree with my hon. Friend the Member for Northampton, North (Ms Keeble) that there are considerable advantages in the idea of a one-stop account. I hope that those will be contained in the decisions that my right hon. Friend the Chancellor will make. Opposition Members attempted some ill-founded irony about how retailers could deal with those accounts, but the fact is that many retailers have already moved into financial products and are doing well and giving advice. The exact arrangements are a matter for them, but when companies such as Tesco, Safeway, Marks and Spencer and others—

Mr. Gerald Howarth (Aldershot): Will the Paymaster General give way?

Mr. Robinson: No. The hon. Gentleman was not here during the debate and I have no intention of giving way to him, as I have very little time left and I want to make some more points.

Mr. Howarth: On a point of order, Mr. Deputy Speaker. The Paymaster General said that I was not here during the debate. I was here for the opening speeches, after which I attended a Defence Export Services Organisation symposium with the Minister for Defence Procurement. I will not be told that I have not participated in this debate.

Mr. Deputy Speaker: Order. That is not a point of order for the Chair. It is for the Minister himself to decide whether to give way.

Mr. Robinson: I am sure that the hon. Gentleman was spending his time very well with my noble Friend, but he was not here, so it is better for me to reply to those who spoke in the debate and attended it throughout.

The hon. Member for Gosport made several points, as did my hon. Friend the Member for Dudley, North (Mr. Cranston), who speaks with great erudition on these matters. He is one of the biggest contributors to Committees on finance-related Bills. I hope that he will participate in more this year. His remark about Lord Lawson's purpose in introducing PEPs was one of the most perceptive of the debate. My hon. Friend is a keen observer of such matters and realises the motivation behind the introduction of PEPs. Lord Lawson introduced them not as an incentive to save or to increase aggregate savings, as has been claimed, but as a way to spread share ownership. That is a welcome objective, but it has nothing to do with savings.

The main issue is stability. We have acted on tax credits and on advance corporation tax. We have introduced a deficit reduction plan and a code of fiscal stability. We have reintroduced the golden rule. Which of those measures, if any, do the Opposition support, or would they repeal them? They should come clean. Would they repeal the provisions of the Bank of England Bill? Would they return to the imputation system of corporation tax? Would they reintroduce advance corporation tax or tax credits? All those measures are intended to have long-term effects, and they will generate savings.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 142, Noes 329.*

*[This Division was incorrectly recorded. See Col. 962]

Division No. 187] **[7 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Dafis, Cynog
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Forsythe, Clifford
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Major, Rt Hon John
Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Ruffley, David
St Aubyn, Nick

Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walker, Cecil
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Wigley, Rt Hon Dafydd
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Whittingdale and Mr. John M. Taylor.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Byers, Stephen
Cable, Dr Vincent
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Chapman, Ben *(Wirral S)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kidney, David
Lawrence, Ms Jackie
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rammell, Bill
Raynsford, Nick
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin

Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Speller, John
Squire, Ms Rachel
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverhton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Graham Allen and
Mr. John McFall.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the Government's commitment, set out in the pre-Budget report, to consult on tax proposals, including the proposed ISA; believes that the ISA will extend the opportunity to save and invest and that the Government's proposals will ensure a stable and fair savings environment; commends the Government for its commitment to long-term economic stability and low inflation which is good for savers; and rejects any return to the boom and bust policies of the past which were so damaging to those on low incomes, savers and investors.

Listening to the Countryside

Mr. Deputy Speaker (Mr. Michael Lord): We now come to the debate on listening to the countryside. I have to inform the House that Madam Speaker has selected the amendment in the name of the Prime Minister.

7.14 pm

Mr. Michael Jack (Fylde): I beg to move,

That this House recognises the concern of those marching in London on 1st March that the voice of the countryside should be listened to by all politicians but regrets the attempts by non-attending Agriculture Ministers to undermine the credentials of the march with claims of it being hijacked by political and overseas interests; calls upon Her Majesty's Government, in acknowledging that a viable agricultural industry lies at the heart of a successful rural economy, to recognise properly the fears and concerns of farmers over dramatically falling farm incomes, rising levels of food imports, the continued imposition of the beef ban, the introduction of the Minimum Wage, the Working Time Directive and Agenda 2000, by now making a clear statement of how it proposes to address these concerns; deplores the threat to life in rural Britain resulting from a revenue support grant settlement which has removed resources from rural local authorities; and calls upon the Government not only to strengthen the protection for the countryside while encouraging the renewal of towns and cities, but also to respect the patterns and fabric of rural life by removing the threat to land owners of a statutory right of access.

I move this motion as the spokesman of the true party of the countryside in the House. *[Interruption.]* The guffaws of Labour Members are typical of people who have not done their homework.

Mr. Hilton Dawson (Lancaster and Wyre): Can the right hon. Gentleman, my parliamentary neighbour, explain why his party is regarded as the true party of the countryside when, in all their 18 years in government, they did nothing to resolve the problem of the moss roads, which so afflict both my rural constituents and his?

Mr. Jack: When the hon. Gentleman and I join forces perhaps something will be done on that. I am grateful to him because he usually leads with his chin. I will take advantage of that by noting that Professor John Curtice of Strathclyde university, using data from the 1991 census to classify seats as rural on the basis of the number of people directly involved with agricultural production, classifies 54 of the 100 most rural seats as Conservative and 21 as Liberal; in third place comes the Labour party with 15, there are nine for the nationalists and one other. That conclusively shows that when it comes to the real rural voice of the United Kingdom, it is the Conservatives who speak for rural Britain.

The first thing that our motion does is to recognise the significance of Sunday's march. The first thing that the Government's amendment does is to ignore the march and its clear message. Its message was that every hon. Member should listen to the voice of the countryside. Our motion recognises the importance of that listening exercise; the Government's amendment does not.

Let us spend a moment considering the amendment. It is a slap in the face for the voice of the countryside, which was heard in London. More than 280,000 people came to a dignified, positive demonstration to speak on behalf of the countryside. I and many of my right hon. and hon. Friends were proud to walk with our constituents and help their voice to be heard. There is nothing about

listening in the Government amendment. Most of it condemns the previous Administration. Has it not dawned on Labour Members that, in 18 years, in spite of some things that we may have done that upset some people some of the time, we never provoked a reaction that filled London's streets like the country people did on Sunday? Let that be a lesson to the Labour party.

We recognised the need to do more for the people of the countryside. That is why, in 1995, we published a countryside White Paper, the first such document since 1945. We published a follow-up in 1996 to say what we had done. It included initiatives on matters such as rural transport and housing. The Government amendment says that they have policies for the reform of the common agricultural policy. I did not know that the Government were the Commission in disguise; perhaps we have discovered something new. The Community is responsible for that policy.

If the Government have ideas for successful sustainable agriculture, why did the Select Committee on Agriculture, which consists of seven Labour Members, three Conservatives and one Liberal, say in its recent report on Agenda 2000 that the Government should produce

"a comprehensive and clear vision of the future for UK agriculture"?

Only today, the same Select Committee, dominated by Labour Members, pointed out that it was the same lack of strategy and forward planning which had contributed to the problems of the beef industry. It states:

"We concede that valuable time and money that could have been spent on restructuring the industry has been wasted for lack of a clear Government long-term strategy which would have assisted farmers to recognise the need for change."

On two counts, the Select Committee condemns the Government's approach to the future of agriculture.

Several hon. Members *rose—*

Mr. Jack: It is hardly surprising to discover the Government's priorities. The Prime Minister dropped agriculture as a priority for one of the presidency priorities, about which he boasted so much.

Mr. Paddy Tipping (Sherwood): The right hon. Gentleman spoke about the BSE crisis. Will he acknowledge that this Government are to spend £70 million on introducing a cattle traceability scheme? What did his Government do? Nothing.

Mr. Jack: With respect to the hon. Member for Sherwood (Mr. Tipping), when we were in government we promised that, on its introduction, such a scheme would be free to farmers in terms of its establishment costs. His right hon. Friend decided only later to join that party.

The motion refers to the minimum wage. I shall return to that, as it poses a serious threat to agricultural employment for temporary and casual people.

Mr. Gordon Prentice (Pendle): Is it not the case that the Agricultural Wages Board, which survived despite the attempted abolition in 1994, gives a minimum wage of £4.12 and an average—

Mr. Ian Bruce (South Dorset): No, it does not.

Mr. Prentice: The hon. Gentleman contradicts me from a sedentary position. I have the figures. The minimum rate is £4.12, and the actual rate is £4.69 per hour. How can the right hon. Gentleman speak of minimum wages devastating the agricultural industry, when the wages board is protecting minimum wages in that industry?

Mr. Jack: I shall deal with that when I come to the fruit industry later in my speech.

It would be interesting to hear from the Minister of Agriculture, Fisheries and Food whether he can give the House an assurance, when he talks about rural prosperity, that he has made a Budget submission to the Chancellor, asking him to ensure that no one in the countryside will be worse off as a result of the up-coming Budget. I expect that he will be unable to do that.

The march on Sunday was described in a recent magazine article in these words:

"But the march is also about ordinary people coming from communities across Britain coming together to show their concern about the future and help to raise awareness throughout the country of the vital role that farming and the wider rural community plays."

It is a great pity that the right hon. Member for Copeland (Dr. Cunningham), his Minister of State, the hon. Member for Birmingham, Perry Barr (Mr. Rooker) and others on the Front Bench spent so much time rubbishing the march as having been hijacked by politicos and the American gun lobby—points that the organisers of the march forcefully rebutted. The right hon. Gentleman may not have realised that the words that I quoted, which welcomed the march, were those of the Prime Minister. It will not have done the right hon. Gentleman's career any good to have departed from the Prime Minister's line on the march.

The only Minister who seemed to get it right was the Minister for the Environment, who was brave enough to turn up and be counted. We can draw our own conclusions. We see a Government divided on the question of the countryside, as witnessed by their attitude to the march.

The march illustrated how out of touch with the countryside the Government have become in nine short months. In a panic response to the force of argument deployed by Conservative Members and others speaking for the countryside, the Deputy Prime Minister tried to convince us that, all of a sudden, his free-for-all on the green belt had come to and end. My hon. Friend the Member for South Suffolk (Mr. Yeo) soon rumbled that, by pointing out that in that announcement there was no evidence that any of the controversial housing developments in the green belt had been stopped.

Mr. Ronnie Campbell (Blyth Valley): I thank the right hon. Gentleman for giving way. I cast my mind back to the hundreds of thousands of miners and their families who came down in the Tory Government years when we fought for our communities and to save our pits. The Tory Government did not take a blind bit of notice, and the former President of the Board of Trade, who led the great march on Sunday, put one finger up to us. Where was the Tories' support when we were trying to save our communities in those days?

Mr. Jack: I am flattered that the hon. Gentleman still calls me the Minister.

Mr. Campbell: Shadow Minister.

Mr. Jack: I remind the hon. Gentleman that the Government are in charge and will be replying to the debate tonight.

[Mr. Jack]

A farming concession followed on the Deputy Prime Minister's announcement.

Mr. Campbell: On a point of order, Mr. Deputy Speaker. I asked the right hon. Gentleman a question and I have not got the answer yet. I and the mining communities are entitled to an answer. When they came down—

Mr. Deputy Speaker: Order. *[Interruption.]* Order. The House must calm down a little. It is for hon. Members on the Front Bench to answer questions as they see fit.

Mr. Jack: If this was a debate about mining, perhaps we could debate the hon. Gentleman's point, but it is a debate about the countryside. *[Interruption.]* It is typical of Labour Members, who want to raise everything other than the countryside. They are deeply embarrassed about their miserable record, as I am teasing out in front of the House.

Mr. Campbell: Hypocrite!

Mr. Deputy Speaker: Order. The hon. Gentleman should not use words like that, and I must ask him to withdraw that word. *[Interruption.]* The hon. Gentleman is an experienced—

Mr. Campbell: I will not withdraw the word hypocrites, Mr. Deputy Speaker, because that is what the Tories are.

Hon. Members: Withdraw.

Mr. Deputy Speaker: I remind the hon. Gentleman, as an experienced Member of the House, that the debate is about the countryside. I understand his feelings, but he must withdraw the word hypocrite. I ask him to do that.

Mr. Campbell: I am sorry, Mr. Deputy Speaker, I will not withdraw it. They are nothing but hypocrites. I remember the miners fighting for their communities in the countryside, and they got nothing.

Mr. Deputy Speaker: I have given the hon. Gentleman every chance to withdraw the word hypocrite.

Mr. Campbell: I will not withdraw.

Mr. Deputy Speaker: In that case, I must ask the hon. Gentleman to leave the House for the remainder of the sitting.

Mr. Jack: Before that interruption, I was pointing out to the Minister of Agriculture that he was second in line with a concession to the voice of the countryside. It is remarkable that the right hon. Gentleman has told us on umpteen occasions in the past few months that there was no new money for agriculture. He said that the cupboards were bare. We pointed out that money was there. Suddenly, in the week running up to the march, we find new money coming out to deal with the higher charges for the Meat Hygiene Service and the cattle passport scheme. Is it not remarkable how, under a whiff of grapeshot coming in the direction of MAFF, the Minister panics and finds £70 million?

The Minister tried to put about the myth that the Government were giving money to farmers. They were not. All that he had decided to do was not to charge them for those schemes. It is about time that he acknowledged that fact, which we have pointed out.

Not to be outdone in the rush to concessions, the Minister for the Environment produced his much-delayed consultation document on the so-called right to roam. The document is a mailed fist in a velvet glove. Paragraph 5 of the introduction tells us:

"If we could be certain of achieving our objectives entirely by voluntary means, there would be no need to legislate at all".

So much for the spin that it would be voluntary—there is an implicit threat of legislation. Who is the judge and jury? None other than the Minister.

Mr. Barry Sheerman (Huddersfield) *rose—*

Mr. Jack: I think that we have had enough interruptions from Labour Members for the time being. The House wants to hear our message on behalf of the countryside, because last Sunday Labour Members were too frightened to turn up and march with country people and, more important, to listen to what they had to say.

The Government have pledged to protect village schools. However, when we examine the fine print, we find that the closure decisions will be called in for further consideration. There is no guarantee whatsoever that no rural schools will close in future. The question regarding the Department for Education and Employment's proposal to stop parish councils nominating governors of rural schools remains unanswered. I must conclude that this rag, tag and bobtail collection of piecemeal policy concessions does not add up to a comprehensive policy for the countryside. People were crying out on Sunday to hear that policy from the Government, but they were met with silence.

I suppose that is not surprising when we consider the true priorities of the Minister of Agriculture. Rather than concentrating on the countryside, the wallpaper fetish from which this Government are suffering has really taken hold in the Ministry of Agriculture. *The Guardian* revealed this week that the Minister has spent £2.3 million on his office move. Did that move have anything to do with the priorities and problems of farming? No, it took place because the Minister needed new accommodation to

"send a strong signal that the department should have a new aim, focus and objectives."

What are the Government's new aims, focus and objectives? If their main aim is not looking after farmers in their present plight, I do not know what their priority is. We also discover that the Minister spent £10,409 on an antique reproduction desk—he cannot recognise the real thing when he sees it, so he must buy a reproduction. I suppose that that is typically new Labour.

The Minister of Agriculture, Fisheries and Food (Dr. John Cunningham): Before the right hon. Gentleman digs himself into a bigger hole of myth and inaccuracy, I shall tell him one or two truths. *The Guardian* revealed nothing: all that information was published in the MAFF bulletin in January this year. That is my first point.

Secondly, the accurate figures for the cost of transferring the headquarters of MAFF, not just my office, to Nobel house—and I remind the House that the previous Government took the lease on that property; it was already a MAFF building—were provided in answer to a parliamentary question from the hon. Member for Totnes (Mr. Steen) last month. Incidentally, that information was also given to the Agriculture Select Committee. If the right hon. Gentleman checked the facts in *Hansard*, rather than the inaccuracies in *The Guardian*, he might be worth listening to.

Mr. Jack: That reveals that nobody reads the MAFF bulletin. I would be wary if I were in the Minister's boots. My hon. Friend the Member for Mid-Worcestershire (Mr. Luff), the Chairman of the Agriculture Select Committee, told *The Guardian*:

"We were told £930,000, you have got figures saying £2.3 million. We are very concerned and we will be investigating."

My hon. Friend would not have said that if he was not sure of his facts.

Mr. Peter Luff (Mid-Worcestershire): This is a matter of considerable importance to the House. *The Guardian* obtained those figures under the access to information code. MAFF did not deny those figures until the Minister came to the Dispatch Box tonight. My right hon. Friend may wish to know that the Select Committee is writing to MAFF seeking clarification of how the discrepancy between the figures is accounted for.

Mr. Jack: That answer will be very interesting. I had thought that the Minister had installed a naff kitchen, but it turns out to be a Neff kitchen.

That is typical of what has been happening in MAFF. Irrespective of the Minister's denials, the authoritative article in *The Guardian* shows where the Ministry's priorities lie—and they are not with farming issues and the countryside. The Select Committee summed up the situation currently facing farming in its report on Agenda 2000, which states:

"UK farmers are experiencing a uniquely difficult time, with structural problems compounded by the strength of sterling. It is unusual for all sectors of farming to be confronting sharply reduced incomes simultaneously. So it is understandable if many farmers are concerned about radical change."

It is sad that the Minister has not responded humanely to what the farmers have said. Those who attended the annual general meeting of the National Farmers Union heard one of the most chilling addresses ever made to a farming audience. The Minister talked about partnership at the start of his speech and then lectured farmers saying, "You will do this and that". In no sense did he appear to share the current burden in agriculture.

Two columns of figures published by MAFF highlight the seriousness of the income situation facing farming. It has been said that times improved for agriculture in 1992–93. Compared with an average net farm income at 100 per farm between 1989–90 and 1991–92, the index shows that net farm income for the dairy sector stood at 116 in 1992–93. However, the provisional figure in that sector for 1997–98 is 60—which is a 50 per cent. fall. Net farm income for cattle and sheep in less favoured areas was 129, but it is projected to be 80—a fall of 38 per cent. There will be a fall of 7½ per cent. in projected net income for cattle and sheep in the lowlands. There is a level picture for cereals. General cropping will be down 12 per cent., pigs and poultry will be down 40 per cent., and mixed farming will be down 48 per cent.

Those chilling statistics reveal that if farm incomes had accumulated over a series of good years—as was said in a recent Adjournment debate—any accumulated surpluses will be used up by the end of this year.

Mr. Mike Hall (Weaver Vale): Will the right hon. Gentleman give way?

Mr. Jack: Agriculture will truly face a frightening financial crisis to which the Minister has provided no solutions so far.

Mr. Hall: Will the right hon. Gentleman give way?

Mr. Jack: I pointed out to the Minister some time ago that there were opportunities for the Government.

Mr. Hall *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The right hon. Gentleman is not giving way.

Mr. Jack: I pointed out some time ago that there were things that the Government could do. The Opposition highlighted the fact that hill farmers needed help. The Minister provided a sort of increase in funds, but he botched that as well. As a result of his announcement in December, hill farmers will receive not £65 million but £57 million. The sum total of the Minister's assistance for agriculture to date is plus £21 million.

The Minister has often challenged us to say where the money would come from to deal with the question of agrimonetary compensation, for example. I remind the Minister that the Treasury has confirmed that there was a surplus in the European Agricultural Guidance and Guarantee Fund in 1996. That resulted in Britain's achieving a higher Fontainebleau rebate which assisted the Government in terms of the Chancellor's Budget statement. I hope that the Minister will confirm that that same fund is under-spent for the calendar year 1997. In which case, will he be prepared to go to the Chancellor, in light of the figures that I have put before the House, and ask for at least some compensation for our farmers? That could be done within the bounds of public expenditure. After all, we did not ask the Government to adopt our plans, but they have adopted them. I have pointed out from where money could come to assist our hard-pressed farmers.

Dr. John Cunningham: How much?

Mr. Jack: The Minister is aware of the figures. If he has done his homework, he will be able to put before the House the detail that it requires and, once and for all, answer the questions that I have asked. Underspends on United Kingdom Community-funded agricultural schemes could enable him to recycle to the areas that are hardest pressed.

Dr. Cunningham: How much?

Mr. Jack: The Minister asks me questions. He is supposed to give answers. I have done my homework. I know that the EAGGF fund is underspent.

Dr. Cunningham: Since, as always, the right hon. Gentleman never fails to demand more public

[Dr. Cunningham]

expenditure, more taxpayers' money, let me remind him and the House that £86 of every £100 of agrimonetary compensation comes from Her Majesty's Treasury. How much more public expenditure is he demanding?

Mr. Jack: If that is an example of the Minister's preparation, he has not listened to what I have said. I said that I wanted him to use the underspend, which would enhance our rebate, to give money back to farmers, within public expenditure guidelines. That is not more public expenditure. The guideline for agriculture is 41.8 becu. The spend is 40.374 becu. He should have known those facts. If I can get them, why could not he?

On a serious point—*[Laughter.]* The guffaws of laughter to questions that affect the very fabric of rural life in this country clearly show that the Minister's priorities really are his wallpaper and his plants, and not the needs of the countryside in the United Kingdom.

I should like the Minister, if he will be kind enough, to tell the House what will happen at the end of this year when the freeze on the livestock and arable area payments ends. Those payments are worth some £400 million to United Kingdom agriculture and farming. Farmers would like to know what the situation is.

The Minister has shown scant regard for the effect of his policies on rural communities. I quote from a survey undertaken in west Wales by the NFU, as reported in the *Farmers Guardian* of 20 February. The area is represented by Labour Members of Parliament, who claim to speak for the countryside. The report says:

"Trade down 50 per cent, staff being laid off, debts still unsettled 12 months on, veterinary practitioners surviving largely on cat and dog treatments and even a vicar praying hard that the depression within the farming industry would not turn into a wave of suicides."

Those are the real issues that face farming and countryside communities. The Minister must address those fears and concerns when he replies.

Mr. Lembit Öpik (Montgomeryshire): I thank the right hon. Gentleman for giving way at last.

Is the right hon. Gentleman saying in all honesty that his former Administration take absolutely no responsibility for the crisis in the countryside in mid-Wales?

Mr. Jack: I said earlier that we take some responsibility for the need to improve. That is why we produced two White Papers on the countryside.

I have put before the House the Labour Government's record of neglect on the countryside. I gave information on incomes in farming, and its knock-on effects on the rural community. When one considers all the other things that are going on as far as the countryside is concerned, it is hardly surprising that the countryside feels under siege: no early lifting of the beef ban in sight; the ending of the Rural Development Commission; the beef on the bone ban; the efforts to ban green-top milk; an assault on country sports; the reference to the Monopolies and Mergers Commission of the milk industry; the Krebes report, leaving large parts of the countryside vulnerable to tuberculosis from badgers; and a raft of Labour private Members' Bills on pigs and poultry, which would leave our industry seriously disadvantaged compared with our European competitors.

It is no wonder that country people cry out to be listened to, but not, it seems, by the Government. The listening will be done by Opposition Members. I beg to support our motion.

7.44 pm

The Minister of Agriculture, Fisheries and Food (Dr. John Cunningham): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"condemns the previous administration for its persistent neglect of the countryside over the past eighteen years which resulted in rural unemployment and deprivation and the collapse of the rural transport system; and congratulates the Government on its emphatic commitment to comprehensive countryside policies, to reform of the Common Agricultural Policy, to successful, sustainable United Kingdom agriculture, and on its vision for a countryside that is strong, fair and modern, with a programme for social justice, inclusiveness, welfare reform, improving services, the national minimum wage, education and skills which will ensure prosperity for all in rural areas as well as in the towns.".

It is an easy task to deal with the rag bag of a motion that stands in the name of the Leader of the Opposition, particularly since it is as incoherent as it is inaccurate. After the long, boring and convoluted speech of the right hon. Member for Fylde (Mr. Jack), the task should not take too long. The Opposition motion refers to the need to recognise concerns over farm incomes, yet it opposes the minimum wage. In fact, farm incomes fell consistently throughout the period in which the Conservative Government were in office. The Opposition motion refers to concerns about the Agenda 2000 proposals, which the National Farmers Union, the Country Landowners Association and the Government support. The motion talks of rising levels of food imports. It is pretty easy to dismiss that, too, because they were lower in 1997 than in 1996. It talks of the need to strengthen protection for the countryside and the fabric of rural life, which Tory policies disastrously undermined over 18 years and left in tatters.

On access to the countryside, the Government have listened and responded to the dialogue and a request for a voluntary approach. The Opposition motion contains no new proposals for a better future for agriculture or for rural communities. It is devoid of coherence and content. As *The Scotsman* asked on 7 April last year, speaking of the Tories,

"Do their plans for the future of farming really matter when we know perfectly well what they have done in the past 18 years or even the past year?"

That simple quote says it all about the failure of the Tories' stewardship of the countryside.

Mr. Geoffrey Clifton-Brown (Cotswold): The motion asks the Government to consider properly the fears and concerns of farmers over falling incomes. If the Minister doubts those fears and concerns, he has only to look at the tragic case, detailed on "Panorama" last night, of a farmer who committed suicide. Will the Minister now tell the House that there will be a proper green pound compensation scheme for our farmers, which every other Government in Europe have given to theirs? Our farmers have to compete with those farmers in the same marketplace.

Dr. Cunningham: The latter part of the hon. Gentleman's statement is not only inaccurate but untrue.

In case he has not noticed or does not understand, virtually all the agrimonetary compensation available to beef and livestock farmers has already been given to them.

The Opposition's motion represents another attempt by the Conservatives to deny their past: their record of taking rural communities for granted for almost two decades; their disastrous record of betrayal of millions of people in the countryside, which culminated in swings to new Labour in rural areas every bit as powerful as they were in the urban areas. That is why Labour has so many Members of Parliament representing rural communities, and they are doing it well.

The right hon. Member for Fylde struggled to find a Scottish academic who had produced a paper saying that the Tories represent rural areas. They do not represent a single seat in Scotland, so that is stretching credibility just a little bit. Nor do they represent any constituency, urban or rural, in Wales.

Since last May, the Labour party has had more Members in rural constituencies than the Tories and the Liberal party put together.

Mr. Paul Tyler (North Cornwall): May I draw to the Minister's attention the fact that, like Scotland and Wales, Cornwall is now a Tory-free zone?

Mr. Charles Kennedy (Ross, Skye and Inverness, West): And the list goes on.

Mr. Tyler: We shall do the infilling later.

I invite the Minister to ignore Conservative Members' absurd amnesia and deal with the concerns of those who really represent rural areas—the farming unions and all those concerned with the future of the countryside. The Agriculture Committee's report, which was published today and which Labour Members support, makes it clear that long-term problems face the farming community. Will the Minister ignore the ridiculous speech that we have just heard?

Dr. Cunningham: I shall do my best to satisfy the hon. Gentleman, although I am sure that I shall not succeed totally. I warmly welcome the Agriculture Committee's report, which is an important and constructive contribution to the debate about the problems in the beef industry. I congratulate the hon. Member for Mid-Worcestershire (Mr. Luff) and his colleagues on the Committee—of all parties—on their serious piece of work.

As I was saying, last May people in rural areas put their trust in Labour—for the first time, in many cases. They did so because they felt betrayed by successive Tory Governments, and we all know why: bus deregulation has meant no public transport for many communities. The closure of rural schools—450 closed in just over a decade—has torn the heart out of rural communities. Health care is inadequate and inaccessible: many of my constituents in rural west Cumbria cannot gain access to a national health service dentist as a result of Conservative policies. Low pay is a chronic problem in rural communities. Even recognising that, the Conservatives tried to abolish the agricultural wages board—in the teeth of the opposition of farmers, incidentally. They left us and the farmers with the tragic consequences of BSE and the beef crisis.

The list of Tory failures is almost endless. Rural parishes were destroyed: 75 per cent. were left with no daily bus service; 82 per cent. were left with no food-only shop; 70 per cent. were left with no general store; 43 per cent. were left with no post office—and the Conservatives tried to privatise that, too. In addition, 93 per cent. were left with no public nursery provision; and 91 per cent. were left with no access to day care, banks or building societies. That is the Tory party's record. What a legacy, yet they have the gall—the brass neck—to table such a motion.

Mr. John Hayes (South Holland and The Deepings) *rose—*

Mr. Chris Ruane (Vale of Clwyd) *rose—*

Dr. Cunningham: I give way to my hon. Friend.

Mr. Ruane: Would my right hon. Friend consider adding to that list Alar in the apple industry, anthrax in the pig industry, botulism in the food processing industry, salmonella in the chicken industry, listeria in the dairy industry, E. coli in the meat industry and BSE in the beef industry?

Dr. Cunningham: As I said, the list is almost endless.

As the Agriculture Committee points out in its good and constructive report, the previous Government bequeathed an "unenviable inheritance" to this Government on BSE. In short, the previous Government presided over the worst crisis in British agriculture this century, destroying beef farming and loading colossal costs on to taxpayers, culminating in the tragedy of new variant CJD. It is an appalling record.

The election of a Labour Government last May signalled a clear break with the past right across Britain. That is as true in rural areas as it is in towns and cities. The Labour party is effectively—indeed, formidably—represented in rural areas and I am proud to have represented a rural constituency in west Cumbria for almost 28 years.

Mr. Nigel Evans (Ribble Valley): I do not know whether the right hon. Gentleman is proud to be the Minister of Agriculture, Fisheries and Food. Mrs. Wright, whose family farm is in Salmesbury in my constituency, telephoned me today and wanted to know the answer to two questions. First, what is the Minister's response to last night's "Panorama" programme? Secondly, does the Minister fully appreciate the number of hours that farmers put in every day, seven days a week, to make a small return? The Minister heard what my right hon. Friend the Member for Fylde (Mr. Jack) said about the returns that farmers get. Will he answer both those questions, please?

Dr. Cunningham: My response to the "Panorama" programme is that I was in it and gave my response at the time. On the second question, the hon. Gentleman can tell his constituent that I am well aware of how hard-working and industrious farmers are.

Mr. Evans: My constituent does not think so.

Dr. Cunningham: The hon. Gentleman had better tell his constituent that I have represented people like her for

[Dr. Cunningham]

much longer than he has. I represent many, many farmers in west Cumbria. Nothing changed under Tory policies for hill farmers with incomes in the lowest decile of farm incomes.

Mr. Evans: Will the Minister visit my constituency?

Dr. Cunningham: No, I shall not promise to visit the hon. Gentleman's constituency.

Rural people voted for our policies, which are putting more money into health care in rural areas and, for the first time, making allowances for the extra costs of emergency ambulance care in rural areas. They voted for our new deal, which the Conservative party opposes. That is bringing quality jobs and training to young people. Pilot schemes of that £3.5 billion initiative in counties such as Cumbria and Cornwall are already showing the potential for benefiting rural as well as urban areas. Those same people voted for a Government who would understand the need throughout the country for regional development agencies that could understand different regions' unique needs.

The difficulties in British farming and the concerns for the future felt by people in rural areas are the result not of 10 brief months of the new Labour Government but of 18 years of failure by the Tory party in office.

Action for Communities in Rural England said of the Conservative record:

"Our main perception is one of neglect."

The NFU and the Country Landowners Association also complained about Conservative neglect of their interests. The Conservative party's attempts to proclaim itself as the party of the countryside just do not wash. It should credit the public with a longer memory of its record in government, although we all understand why it wishes to forget that record.

Mr. Ian Bruce: Will the Minister give way?

Dr. Cunningham: No, not for the moment.

Farm incomes have been in long-term decline for more than two decades, apart from the brief period between 1992 and 1996. The situation then changed temporarily only because sterling's weakness gave British farmers bigger rises in income than those in any other European country. Naturally, European farmers then complained that the playing field had been tilted too far in Britain's favour.

We have already promised more essential help for farmers who need it most—certainly more than the Tory Government were prepared to plan for or provide. The package of measures that I announced in December, which was targeted at livestock farmers who have particular disadvantages, was worth an extra £85 million. The measures that I announced last week were worth £70 million to the same sector. A further £9 million, which is not new money but money that has been recycled from a scheme under which some farmers were paid too much and others too little, will go principally to suckler cow farms.

We are working consistently to lift the beef ban. Indeed, the scheme is being considered today and tomorrow in the Standing Veterinary Committee in Brussels. We are working constructively with our European partners, the member states and the institutions of the European Union, within which Britain is no longer reviled and mistrusted as it was when the Conservative party was in power.

Mr. Tim Collins (Westmorland and Lonsdale) *rose—*

Dr. Cunningham: I give way to my constituency neighbour.

Mr. Collins: The right hon. Gentleman has mentioned the income of hill farmers several times. Many hill farmers in his constituency and in mine are on incomes of much less than £10,000 a year. How can he justify spending more than £10,000 on a desk?

Dr. Cunningham: I am sorry that I took the hon. Gentleman seriously. I did not spend £10,000 on a desk, let alone more than £10,000. The hon. Gentleman should look at the figures. I shall not be sidetracked, but if the hon. Gentleman wants to read something accurate in *The Guardian*, he should read today's editorial, and not refer repeatedly to yesterday's misleading and inaccurate article. I regret inviting that particular journalist into the Ministry and taking him through—*[Interruption.]* I want to be open about what is going on.

Mr. Jack: What about the £2.3 million?

Dr. Cunningham: There is no such expenditure figure. We are reorganising the Ministry, because the previous Government left it in a shambles. Many buildings used by the Ministry are decrepit, dilapidated and under-utilised. *[Interruption.]* As my hon. Friend the Minister of State says from a sedentary position, others are unsafe.

Today, I decided to bring our civil servants into the centre of London from places such as Tolworth, where the previous Administration left them, and to dispose of surplus sites and assets. The taxpayer will see a substantial profit from that exercise.

Mr. Charles Kennedy: I am anxious to hear more about the possible internal reorganisation of MAFF, the Department of the Environment, Transport and the Regions and other Departments, because that is slightly more significant in the long term than the cost of office furniture. The rueful smile crossing the right hon. Gentleman's face has perhaps given me the answer before he has said anything. Can he put further flesh on the bones of weekend press reports, and tell us the time scale for reaching any decisions?

Dr. Cunningham: I cannot provide more flesh off the bone, let alone on the bone.

The Prime Minister asked me to do several things at the Ministry of Agriculture, Fisheries and Food, one of which was to set up the Food Standards Agency. We are making good progress, and the White Paper has been exceptionally well received. We are reorganising, redirecting and slimming down the Ministry—many civil servants will leave as a result—and giving it a new open culture, but the Prime Minister will make the final decisions.

The right hon. Member for Huntingdon (Mr. Major) is smiling benignly at me. He rarely does so, but he is welcome to continue, for a while at least. The right hon. Gentleman knows that decisions about changes to Ministries and the machinery of government in Whitehall are for Prime Ministers, not individual Ministers. I have noted what the Select Committee on Agriculture and the Country Landowners Association have said on the subject, but no decisions have been taken. I will not be tempted any further on that issue.

Mr. Christopher Gill (Ludlow): Will the right hon. Gentleman give way?

Dr. Cunningham: No, I want to deal with the nonsense that we heard from the right hon. Member for Fylde.

The prudent control of public expenditure is a Government commitment. Every time the right hon. Gentleman comes to the Dispatch Box, he demands more support and public expenditure, but never puts a figure on it or says where the money should come from. He is almost always misleading, as he was today. The right hon. Gentleman knows this well, but the record should be set straight: the Conservative Government never once in 18 years recycled money from European budgetary contributions back into Ministries—MAFF or any Ministry. His argument is a complete fraud.

The Conservative party never once paid agrimonetary compensation when in office, probably because the previous Prime Minister, as a former Chancellor of the Exchequer, knew that £86 out of every £100 would have to come from the Exchequer.

Mr. John Bercow (Buckingham): Will the right hon. Gentleman give way?

Dr. Cunningham: No, not on that point.

Let us hear no more of those fraudulent arguments. The right hon. Member for Fylde knows, as we do, that easy, no-cost money from Brussels is not available to the Government or to farmers.

Mr. Jack: My figures are based on Treasury figures. Is the right hon. Gentleman saying that the Economic Secretary's answer about the £400 million that the Chancellor gave away in his July Budget is wrong, and that underspend on the EAGGF did not help to provide that £400 million?

Dr. Cunningham: Not at all; I am saying something completely different. If the right hon. Gentleman does not understand, he clearly has a problem with understanding what goes on in the Treasury and in Brussels.

The Government have provided an extra £447 million for shire counties to raise school standards and to repair school buildings which were neglected under the previous Administration; £900 million of capital receipts is being released for new homes in urban and rural areas; and an extra £1.5 billion has been made available for the national health service in all areas of the country. Work opportunities for young people are being created through the biggest welfare-to-work programme in history, and pathfinder schemes are already operating in rural areas in Cornwall and Cumbria; £300 million has been provided for child care, and pilot programmes have been set up in rural as well as urban areas. Rural transport needs are being examined by my right hon. Friend the Deputy Prime Minister and his ministerial team—I am delighted to welcome my hon. Friend the Member for Hampstead and Highgate (Ms Jackson) to the Front Bench this evening—as part of the Government's integrated transport strategy. A rate relief scheme will give sole post offices and general stores in small rural villages 50 per cent. off their rates bills.

We have released a consultation paper on access that balances the needs of landowners—*[Interruption.]*

Mr. Deputy Speaker: Order. The House must come to order. There is far too much noise in the Chamber.

Dr. Cunningham: I think, Mr. Deputy Speaker, that some Conservative Members have spent too much time recently in the vicinity of hunting horns.

Last week's announcement about the green belt will help to protect the countryside, as will the extension of the green belt that has been agreed since the Government were elected. We have found extra resources for hill and livestock farmers as well as the additional £70 million in costs which we removed last week. *[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Member for South Dorset (Mr. Bruce) must be quiet. I demand silence.

Dr. Cunningham: Farmers will begin to receive those payments next week.

Yesterday, I visited the Alnwick district in the constituency of the right hon. Member for Berwick-upon-Tweed (Mr. Beith).

Mr. James Gray (North Wiltshire): Did the right hon. Gentleman have lunch with the Duke of Northumberland?

Dr. Cunningham: I met the Duke, and he was a welcoming and generous host.

I was greeted warmly by the leader of the council—who, incidentally, was not a Labour party councillor—and was astonished when he announced to the gathering of farmers, farmers' wives and other people from rural communities that, in the history of the district council and in the past 18 years, in one of the most rural parts of one of the most rural counties in England, no Conservative agriculture Minister had shown his face.

That is indicative of the Conservative party's betrayal of rural areas. It is a record which we and the country roundly condemn. It is a record which we shall erase, while demonstrating that we are genuinely committed to all the people of this country.

8.10 pm

Mr. Charles Kennedy (Ross, Skye and Inverness, West): At the end of his speech, the Minister made a point in passing. The Government—and the Liberal Democrats, for that matter—rightly point to the 18 years that preceded the events of last May, and it is fanciful nonsense to suppose that the British public are so thick that they imagine that all the problems of the countryside began on the stroke of midnight on 2 May. The truth is, however, that ever since the days of "dig for victory" during the second world war, thanks to social, economic and

[Mr. Charles Kennedy]

technological changes, the country has seen almost the reverse of the industrial revolution. That is behind many of the problems of the countryside as much as specific policy controversies, or the shortcomings of Administrations of one hue or another.

One hundred years ago, people were moving from the country into the city—into conurbations—in search of work. Now, owing to technology, greater social mobility and increased disposable income, more and more people are moving to the country, taking with them pressures that are attitudinal as well as infrastructural. I feel that, given the seriousness of the subject, it is worthy of a slightly greater sense of perspective in regard to time than has been allowed for by the Conservative party.

The right hon. Member for Fylde (Mr. Jack) produced a selective series of statistics showing how well his party was doing, on the basis of a sample of 100 rural seats. It would be interesting to be given the same statistics on the basis of a sample of 200 seats. We would then find that Labour and the Liberal Democrats handsomely outnumber the Conservatives in terms of rural representatives. I empathise with the right hon. Gentleman, however. For four years, I was something called the president of my party, and I always took the view that the difference between the leader and the president was this: when the party won a by-election on a sensational swing, my right hon. Friend the Member for Yeovil (Mr. Ashdown) would be seen on "Newsnight" saying what a great breakthrough it had been, but when a by-election was lost—and the candidate's deposit with it—the president would be seen on "Newsnight" telling Jeremy Paxman that, in fact, the lost deposit was a very encouraging base on which to build for the future. I felt that there was a hint of that in the opening analysis of the right hon. Member for Fylde.

Mr. Ian Bruce: I was elected by only 77 votes; the Liberals were pushed into third place by the Labour party. I congratulate the Minister, who, in 10 months, has converted my local farmers from being very anti-me and the Conservative Government to being totally against him. Surely the hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) does not support that lot, who have made such a disastrous job of the past 10 months.

Mr. Kennedy: My colleagues and I are immensely encouraged by that tale. If the farmers began by hating the hon. Gentleman and now hate the Government as well, that must mean that we are set for another appearance on "Newsnight" by my right hon. Friend the Member for Yeovil. What a great day for us that will be.

It is interesting that the Conservatives entitled the debate "Listening to the Countryside". Listening is a faculty that we did not associate with them during their period in office. As my hon. Friend the Member for North Cornwall (Mr. Tyler) pointed out, if we were concerned about the Conservatives' faculties in general, we would be concerned not just about their capacity to hear, but about their capacity to remember even recent history in this context.

I do not think that the amazing scenes in London on Sunday—in which a number of us were very pleased to participate—should be interpreted by the Conservatives as an overwhelming endorsement of all that they stand for. I think that they should be interpreted as a rainbow coalition of contradictory viewpoints sending a common signal. There was a general concern for the countryside as a whole. The march was disparaged in some ministerial quarters, although not in others. I have to say that, for once, I agreed with the Minister for the Environment. I felt that he was entirely right, as Minister for the Environment, to turn up and to make it clear that he disagreed with one of the central tenets of the march. I consider that not an inconsistent position, but a perfectly sensible one. *[Interruption.]* I am interested by the running commentary that I am hearing from Conservative Members.

The march achieved one thing apart from the tremendous image that it presented. It led to a raft of policy statements during the week. If the threat, or the approach, of the march could achieve that, let us hope that its aftermath will achieve even more.

I note that the Under-Secretary of State for Wales, the hon. Member for Bridgend (Mr. Griffiths)—the Welsh agriculture Minister—looked as rueful as the Minister himself over departmental reorganisations. I do not refer only to the original reorganisations applying to the Minister's Department—the Food Standards Agency and all the rest. I am thinking of changes elsewhere in Government that are being implemented under—I fear—the none-too-sensitive hand of the Deputy Prime Minister, affecting both the structure and the funding of the Rural Development Commission and its absorption into the regional development agencies.

I should have thought that, if the Government are having something of a turf war in Whitehall on what kind of rural-agricultural agency may yet emerge, they would take a fresh look at their own legislation. They might ask themselves whether it would make more sense, if such an agency is established, not to subsume the RDC in the original RDAs—where many of us feel that the voice of rural Britain will not be heard sufficiently—but to merge it with the Countryside Commission and make it answerable to a rural and agricultural Ministry. I think that that would be a much more sensitive approach than the approach that we might see if the agency ends up in the Deputy Prime Minister's super-glorified Department.

Dr. John Cunningham: The budget of the Rural Development Commission will be ring-fenced within RDAs, and at least one member of the agency will be given specific responsibility for rural areas and rural enterprise. As for the wider argument, the important thing is to get the decisions right if there is to be any reorganisation in Whitehall. Turf wars usually result in people not getting things right. In politics, it is important not to engage in a turf war in the first place.

Mr. Kennedy: I do not think that that last comment was directed at me. I hope that those at whom it was directed will read it in *Hansard*, and will act accordingly. Liberal Democrats are always willing to act as a useful conduit for the Minister to engage in megaphone diplomacy with some of his ministerial colleagues.

Mr. David Curry (Skipton and Ripon): Is the hon. Gentleman aware—given the intervention by the Minister of Agriculture—that, in the Standing Committee debating the Regional Development Agencies Bill, the Government

specifically rejected the idea of giving one person in the regional development agencies a mandate to deal specifically with rural issues? The Government are, therefore, doing exactly the opposite of what the Minister said in this debate that they wanted to do. Does the hon. Gentleman agree that the sensible thing would be if the entire membership of the agencies were mandated to keep an eye specifically on rural interests? Would he also be interested to know that the Government plan to incorporate the rump of the Rural Development Commission into the Countryside Commission—unless the Government's fundamental spending review cuts all the commission's remaining money, as is entirely possible?

Mr. Kennedy: I thank the right hon. Gentleman for that intervention. I think that it was T. S. Eliot who wrote:

"In a minute there is time for decisions and revisions,

Which a minute will reverse."

It may well prove to be the case that the confusion on the issue that we saw spilling out in column inches from different bits of the Government over the weekend has not yet been fully clarified.

Regardless of whether there is to be ring fencing of funding or only one person designated to deal with countryside matters, the fact is that one person would not be sufficient to deal with them. Although the RDC's impact on the rural areas that it covers—in the north of England and Cornwall, for example—is very important, the totality of its budget compared with those that will be available to RDAs will be sufficiently small—significant though those funds will be for the areas that they cover—that ring fencing will not act as a sufficient safeguard. I should prefer wider consideration to be given to the matter.

In a very good letter in today's *The Daily Telegraph*, Lord Barber of Tewkesbury said that—of all people—the late Nicholas Ridley, who may not have had the greatest credentials in countryside matters, had a blueprint ready to go as far back as 1987 to deal with those matters. It might be worth revisiting that blueprint to discover whether it is applicable to current circumstances.

Mr. Luff: May I be clear about the hon. Gentleman's comments? Is he suggesting that Liberal Democrat party policy is now to support the creation of a Department of rural affairs, along the lines suggested by the Agriculture Select Committee in its first report, which was endorsed in an early-day motion signed by 60 Labour Members?

Mr. Kennedy: No; we shall have to wait and examine the Government's proposals. I am trying to say that if the Government are examining the matter—as the Minister, in his interventions, has clearly confirmed that they are—they will have to consider the implications of other bits of legislation that are being passed in parallel with that Bill.

Ministers will have to consider two issues. First, if a post were created at Cabinet level, they would have to determine how to prevent it from being regarded as a rural ghetto for all rural issues, allowing other Ministers completely to switch their attention from the rural implications of their policies. If that were to happen, it would be a setback rather than a step forward. Secondly, Ministers will have to deal with the extremely vexed issue of planning, and decide who will responsible for it. The planning issue will have to be examined very carefully.

Many of the issues that have been raised in this debate, as detailed in the Conservatives' motion and in the Government's amendment, show that—as the Minister knows that we have argued—there is now an overwhelming case for a royal commission to examine countryside issues.

The flashpoint for recent concerns—leading to last summer's protest in Hyde park, and to this weekend's events—may have been the Wild Mammals (Hunting with Dogs) Bill, and perhaps the post-Dunblane gun legislation. Those were rightly regarded as free-vote issues in the House and divided all parties. If there is to be a royal commission, surely it is sensible that it should encompass not only the types of issue that I mentioned earlier, but those more recent issues, and determine—as it looks as though that private Member's Bill will die a death on Friday—whether we can find a way forward.

Mr. Gray: Is the hon. Gentleman interested to note that the hon. Member for Worcester (Mr. Foster) has not been in the Chamber for any part of this debate?

Mr. Kennedy: The hon. Gentleman makes his point. We may hear in Friday's debate why the hon. Member for Worcester (Mr. Foster) has not attended.

Liberal Democrat Members commend the idea of a royal commission to examine overall countryside concerns. A commission could also examine the other issues that have been raised in this debate, the first of which is the catastrophic situation vis-a-vis farm incomes.

A couple of weeks ago, hon. Members may have heard on "Farming Today" a representative of Barclays bank say that farmers are perhaps in for a better year. However, in the recent edition of *Farmers Weekly*, another representative of Barclays pointed out that, in the most extreme cases, farm incomes would fall from £47,500, in 1996, to only £2,485 this year. That exceeds the traditional picture of farming in which one or two good years help to compensate for one or two bad years. That peak and trough will be disastrous not only for farmers, but for the rural economy.

The position of farmers was well summed up by a very entertaining barrister who spoke, a couple of weeks ago, at the National Farmers Union's annual dinner in London. He said that he spoke to a wholesaler in Yorkshire, who said that farm incomes were now so bad that even the blighters who did not pay had stopped ordering. *[Laughter.]* That was a graphic illustration of just how bad things have become.

We must undoubtedly deal with the issue of farm incomes. Equally, there is no doubt that the continuing unjust ban on British beef is contributing significantly not only to depressed morale, but to depressed income and depressed opportunities to enhance income. In his reply, perhaps the Minister will reflect on reports in today's *Evening Standard* that the Department has issued further clarification to inspectors on policing the ban, and that meat inspectors are being encouraged to act as agents provocateurs in many respects. If that is not the case, we would like clarification of the matter—which has been well spelt out in the *Evening Standard*, with attendant supporting quotes.

[Mr. Kennedy]

The Minister of Agriculture currently holds the presidency of the Council of Agriculture Ministers. The Government have also placed great emphasis on reforming the common agricultural policy. The emphasis on that reform has undoubtedly changed significantly since the beginning of year—reflecting, we believe, Germany's upcoming elections, in September, and the fact that Chancellor Kohl does not want to open up that Pandora's box in immense detail, especially after this weekend's election results, which he will have to consider.

One wonders, therefore, whether the Government are not putting the cart before the horse. Last night on "Panorama", the Minister was at pains to stress the need to get away from the subsidy regime and to restructure the policy. Reform is part of a bigger debate. However, surely it is better not to restructure on a United Kingdom-wide basis until we know what shape and form Agenda 2000 will take; it may cause even more dislocation.

Dr. Cunningham: The hon. Gentleman is making an important point. Surely we can all see that the policies that have been pursued for the past couple of decades have not well served farmers, let alone consumers or the environment. There is an overwhelming case for change; the question is how and to what time scale we shall manage that change. The hon. Gentleman was, of course, right to say that one of the first proposals that we shall see from the Fischler package of reform will be on restructuring the beef sector throughout Europe. He was right also to say that we must insist that the brunt of the burden of restructuring the beef sector does not continue to be borne by British beef farmers—as it has been for the past three or four years—but is shared equally across the European Union.

Mr. Kennedy: I thank the Minister for that response. I tell him constructively that, if that attitude were being expressed more strongly by him and the Ministry—

Dr. Cunningham: It is.

Mr. Kennedy: As the Minister well knows, politics—he has been in this business a long time; a lot, lot longer than I—is about perceptions as much as anything else. The current perception outside the House is that such restructuring is not the Government's priority. Farming sectors will be more reassured if he and his colleagues take more opportunities to emphasise that that is the Government's priority. Hon. Members who represent those sectors would be significantly assisted in our jobs, when dealing with local farmers, if they were to do so.

On the CAP reform, given the general consensus that there should be greater emphasis on environmentalism, if we allow the baby to be thrown out with the bath water, there will not be sufficient personnel on the land to carry out the husbandry that will be essential to the environmental protection enhancement that we all support. If we allow it to go wrong, it will also defeat Europe's stated objectives.

On the right to roam, I welcome the fact that, last week, the Government opted for local voluntary agreements, although there is a different legal and traditional framework in Scotland which works rather well, albeit in a rather piecemeal fashion. There is no reason why it should not be extended south of the border, although it might be helpful to remove the continuing uncertainty. As for the squeeze on local authority funding, the worry is not that the landlords will create problems, but that local authorities are likely to say, "Let us sit back and do nothing for 18 months or two years. We know that there will be legislation at a later date that will allow us to proceed from a statutory position rather than have to make the time and effort to deploy personnel to negotiate local voluntary agreements".

In respect of the local authorities, our principal disagreement with the Government remains, and it impacts on the countryside as much as on everything else. By accepting the rather arbitrary Conservative spending limitations which, in the unlikely event that the Tories had won the election, the previous Chancellor would have broken on day one—of that there can be no realistic doubt—

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Kennedy: No. I am concluding my remarks. The Government are making it almost impossible to meet the laudable objectives that would unite a considerable body of opinion in different parties in the House in respect of countryside concerns and the rural environment. Although the Government have taken some initial positive steps, they clearly have a long way to go, largely because they are hamstrung by an item of their own making—accepting their predecessors' artificial constraints and sticking to them unrealistically. Due to that and other disagreements of principle with the Government, we shall not support them tonight. Nor shall we be giving our endorsement—*[Interruption.]* It takes a particular acumen to know when both parties are wrong.

As I was saying, our disagreement with the Government is on principle, but we disagree with the Conservatives because we are not prepared to be unprincipled, as their amendment is tonight.

8.31 pm

Mr. Colin Pickthall (West Lancashire): I represent a large rural constituency and I am also the patron of Country Guardian, of which the hon. Member for Ribble Valley (Mr. Evans) is president. It is an organisation which exists to prevent country-loving landowners from putting wind turbines all over choice upland areas.

It is interesting that the Conservatives—the "true party of the countryside"—have not been able to muster a dozen Back Benchers to attend their own debate. That shows how much interest they have in the countryside. Only eight Conservative Back Benchers are present in the Chamber.

A few weeks ago, my hon. Friend the Member for Forest of Dean (Mrs. Organ) initiated a debate on rural poverty that was well attended by Labour and Liberal Democrat Members. For the Conservatives, there was a brief appearance by the right hon. Member for Kensington and Chelsea (Mr. Clark), who made a short speech about his rural constituents and then left. The only Back-Bench Member present was the hon. Member for Totnes (Mr. Steen). The Conservative Whip wound up the debate as no Front-Bench representative was present. That was

emblematic of the Conservatives' true concern for the countryside. They have no interest whatever in rural poverty, isolation in the countryside or the regeneration of the rural economy. They are interested only in the continuation of blood sports, which are opposed by 57 per cent. of rural dwellers, the preservation of privileged enclaves in the countryside and, most seriously, the creation of a false division between town and country.

Mr. Alan Clark (Kensington and Chelsea): First, the hon. Gentleman is completely wrong to say that I attended the debate only briefly. I was present for virtually the entire debate. If the hon. Gentleman was there, he will have heard what I said. Secondly, I made none of the points that he identified with the Conservative party. I said exactly the reverse and many of his colleagues praised my speech. I do not know whether or not the hon. Gentleman was in the Chamber throughout, but if he reads *Hansard* he will see that I am correct.

Mr. Pickthall: I do not remember the right hon. Gentleman's speech being praised by my colleagues, but I remember him leaving shortly after making his speech.

The Tories and the Countryside Alliance seem to assume that the United Kingdom is made up of rolling countryside occupied by real British people—a squirearchy served by cheerfully toiling peasants, farmers and hunters—and opposed by huge urban conurbations such as Greater Manchester—full of alien masses that are eager to burst out and swamp merry England. They do not address the reality of much of Britain—the complex interpenetration of rural areas, market towns, large villages, suburbs and, of course, larger towns and cities. They consider urban dwellers visiting the countryside or seeking to live there to be alien interlopers, but feel that it is perfectly natural for rural dwellers to penetrate urban areas for work, services or leisure activities.

It is airily forgotten by many Conservatives that the industrial, commercial and tax base of our economy is largely urban and that if it were the collective will to end all agricultural subsidies, each taxpayer would save £4 a week and most farmers would be bankrupt. They forget that a child in a rural school costs the taxpayer in Lancashire, for example, four times as much as a child in an urban school and that does not include school transport. They forget that without urban links all rural rail services would cease and that local authority transport subsidies are almost all that keep rural services going.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Pickthall: No. I am trying to be brief, as many of my hon. Friends are waiting to speak.

It is forgotten that the opponents of overdevelopment in the countryside—of whom I am emphatically one—are not just those who come from 10 generations of green wellies and Barbours. They are often urban escapees, whose first priority, having grabbed a chunk of rural Britain, is to pull up the drawbridge so that other townies cannot get anywhere near them.

The underlying presumption by my right hon. Friend the Secretary of State for the Environment, Transport and the Regions that the health and prosperity of the countryside is inextricably bound up with the health and prosperity of urban areas is exactly right. The right hon. Member for Skipton and Ripon (Mr. Curry) has expressed the same view on several occasions, and I agreed with him each time.

I recite all that, not to attack the countryside in which I live, but to assert the need for balance as opposed to the recent drive to create enmity and rivalry. Town and country should forge alliances against their common problems, as is the case in many shires, although some of those alliances have been badly damaged by the creation of unitary authorities.

The stirring up of hatred by the Countryside Alliance and the killing wing of the Conservative party is extremely dangerous and threatens every rational attempt to address the genuine needs of the countryside.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Pickthall: No. The Conservative motion begins by recognising the concern of those marching on London, and that is fair enough. It then attacks falling farm incomes, rising food imports, the beef ban—which was achieved by the Conservatives—the minimum wage, the working time directive, Agenda 2000, the rate support grant settlement and the right of access to the countryside. It makes not one mention of hunting. Yet Robin Hanbury-Tenison, a well known hyphen and chief executive of the Countryside Alliance said in a press release yesterday:

> "Yesterday's march demonstrated . . . the concerns of rural people. Fears for the future of hunting and field sports, and deep concern at the problems facing livestock farmers were undoubtedly the issues that brought the majority of the crowd to London."

He goes on:

> "Yesterday's march could not have happened without hunting."

So why is there no mention of it in the Conservative motion? Could it be that it has finally sunk into the brain of the Leader of the Opposition that more than 70 per cent. of the population support the Bill proposed by my hon. Friend the Member for Worcester (Mr. Foster)? If they decided to march through London, they would take about a week to march past Nelson's column.

The central concern of the countryside is the difficulty faced by many farmers. After a number of good years, they are having a bad year, largely as a result of the level of the pound, but also because of the problems with beef. It is worth reiterating that no other sector of the economy has had so much subsidy or compensation in hard times. My hon. Friend the Member for Blyth Valley (Mr. Campbell) has had to leave the Chamber because of his feelings about mines. Many of us share those feelings.

We are constantly told that the Government are doing nothing for farmers. The Government were right to remove the cost burden of cattle identification and meat hygiene inspection, but they should expect no thanks for that—and they got none from the right hon. Member for Fylde (Mr. Jack). Rather, they should expect further demands.

I did not notice many banners on Sunday attacking supermarket buying policies, which can have as debilitating an effect on farming as BSE. Safeway in my constituency recently announced that it was ceasing to buy locally grown produce. Farmers have rightly complained that lower prices for their meat are not reflected in lower prices on supermarket shelves. I saw no banners saying, "Growers against the Government",

[Mr. Pickthall]

although they are having a hard time, too. I represent many growers. There is more to agriculture than beef, although one would not think so listening to the Conservatives. As my hon. Friend the Member for Birmingham, Perry Barr (Mr. Rooker) once memorably said, he is not just the Minister for meat.

The National Farmers Union bravely addressed the long-term structural problems of agriculture in its document, "Options for Change" a couple of years ago. The NFU and the Government agree on the need for common agricultural policy reform and the steady removal of subsidy and quotas. We should be working on that agenda, not one designed to provoke the majority in this country to say, "A plague on farmers and on the countryside."

The Government should look closely at the labelling of foodstuffs so that the consumer can choose British meat—and other products—with confidence. We should also examine the distribution of beef cattle compensation. It is logical that there should be much greater compensation for a pedigree beef animal than for a finished dairy cow.

My right hon. Friend the Deputy Prime Minister has effectively addressed my concerns about building development in the countryside and the need to protect the green belt in particular. However, I urge him not to have a blanket policy on urban brown-field sites. We must not forget that towns need open spaces, too. The ending of predict and provide and the policy to take more planning decisions regionally represent an important breakthrough, marking a major change from the previous Government's attitude to planning in the countryside, which all too often was just to let it rip.

Governments cannot achieve the same services, leisure facilities, transport systems and choice of occupation for people in rural areas as are available for those in urban areas, contrary to what the Country Landowners Association foolishly asserted in the handout that it sent us today. Similarly, it is not possible to achieve for people in urban areas the benefits of clean air, open landscapes and small, quiet communities enjoyed by most people in rural areas. Government, local and national, must ensure that each is available to the other as easily as possible without damaging either. Public transport systems through rural areas provide a crucial means of achieving that. Government policy is moving in the right direction on that.

It is disturbing that a vociferous minority, purporting to represent rural areas, is seeking to brand the towns as predatory and privileged and to keep townspeople out of large chunks of the countryside if possible. Most people in rural areas feel no antagonism towards the towns. If anything, they feel sympathy, sometimes even pity. Most of my rural constituents have not been impressed by the motives of many involved in Sunday's demonstration, sympathetic though they are to the concerns of farmers and some of the other groups represented on the march.

When the Countryside Alliance shouts, "Listen to us"—not, "Please listen to us"—they really mean, "Don't listen to anyone else." The Conservatives—devastated at the election result in rural and urban areas—are desperately seeking to claw back support in what they have always regarded as their heartlands. If they cannot do that, they have no hope of ever forming a Government again. In the process, they are trying to obliterate from the public memory 18 years in which they presided over the devastation of rural areas such as mine in matters ranging from housing, transport and schools to BSE. They should remember that the march on Sunday may not have been the tip of the iceberg, but the whole of it and that the ship of state, to stretch the image, spotted it a while ago and has sailed on by.

8.45 pm

Mrs. Caroline Spelman (Meriden): I am glad to have the opportunity to contribute to the debate. I am concerned from the speech of the hon. Member for West Lancashire (Mr. Pickthall) that we are being treated to a selective interpretation of what happened on Sunday. The great thing about Sunday's march was that it brought together such a wide range of interests—a patchwork of people with different concerns for the countryside. We have to be careful about selective interpretation. The Conservative party was careful not to abuse the request from the Countryside Alliance to keep the march apolitical. We tried our best to respect that.

I owe it to those of my constituents who participated in the march to use this opportunity to articulate their concerns in Parliament. I feel strongly that the Government amendment seriously misses the mark. At no point during 18 years of Conservative agricultural policy did more than 250,000 people find it necessary to descend en masse on the capital to express their fears for the future.

One had only to ask those taking part to discover the causes that brought them to London. Like me, many of them had sat at the back of the hall during the Minister of Agriculture, Fisheries and Food's address to the National Farmers Union annual general meeting. They became increasingly disappointed, then annoyed, by what they had to listen to. He did not uphold new Labour's promises of partnership. I was appalled by the mismatch between his statement on page one that

"the Government seeks a partnership with everyone involved in agriculture"

and the use of the word "we" shortly afterwards referring only to the Government. In most of what followed, he consistently used the word "you" to refer to the industry in phrases such as, "the challenge to you" and "yours is the choice".

Partnership requires co-operation and communication between two or more parties.

Mrs. Anne McGuire (Stirling): Will the hon. Lady explain what partnership the previous Administration were involved in when they closed their eyes in the hope that BSE would go away between 1988 and 1996? What communication was there between the then Minister of Agriculture, Fisheries and Food and the farmers?

Mrs. Spelman: Practical partnership when facing a food scare established by the scientific community means listening to the advice of the scientific community and following it. The previous Government undertook that.

In contrast, when the present Government were presented with scientific options, they selected one without consultation.

Mrs. McGuire: Will the hon. Lady give way again?

Mrs. Spelman: Not again. I should like to proceed. I think that I have described the professional partnership between the Government and scientific bodies adequately.

The greatest offence in that speech was the Minister's separation of the industry from the Government, again using the word "you", saying:

"Farmers need to be good business people."

Apart from stating the blindingly obvious, he was rather patronisingly suggesting that they are not good business people. The successful rationalisation and modernisation—a response to world market forces in agriculture—that has been achieved in this country is a tribute to the good business management of the majority of farmers.

The Minister's speech was full of hand-washing phrases designed to exonerate the new Government from blame for the farming crisis. Hiding behind Conservative spending plans or suggesting that farmers should have set more money aside in good times is an inadequate response to the crisis facing the countryside.

The farmer who built the beacon in my constituency on Thursday is not untypical. He has had to sell his farmhouse. Formerly, he and his brother farmed together and hired labour. His brother had to find a job in landscape gardening; they no longer hire labour. That is a typical example of the real crisis faced today. That was why he was so keen to have the beacon built on his land: as a statement of his practical experience.

Mr. David Drew (Stroud): Is the hon. Lady aware of the Conservatives on North Yorkshire county council who have made known their intention to sell their farm estate? As the farm estate is the way in which most people without means come on to the land, does she agree that those Conservative county councillors deserve condemnation?

Mrs. Spelman: I am wisely advised by my right hon. Friend the Member for Skipton and Ripon (Mr. Curry), who has a better understanding of that part of Britain, that the council has to make such a move because the local government financial settlement, under a Labour Government, put the council in the financial position of having to realise an asset.

Why would the NFU, an organisation which has been commended by Labour, go to the lengths of producing slogans such as "Keep Britain Farming" and putting them on trailers and standing them over motorways if there were not a real threat? An empty threat would simply bring that organisation's reputation into disrepute.

The Government cannot wash their hands of the impact of their economic policies since they came to power. Allowing the Bank of England to raise interest rates has resulted in five separate rises since 1 May. It is to the immense frustration of farmers that the political instrument that the Minister has at his disposal under the common agricultural policy to compensate for such currency fluctuations just lies motionless on his table. It may be possible in the short term to "tough out" such times of strong currency, but do the Government envisage the pound weakening in the short term? Is it not rather more likely that Britain's position outside European monetary union—*[Interruption.]* I am not making a comment on that stance. We must think about the consequences of the policy. It will attract speculation on our currency, result in a strong pound and aggravate the difficulties faced by agriculture. The instrument that could do something about that lies unutilised on the Minister's table.

It is not possible for the Government to wash their hands of the deepening crisis and ignore the way in which their policies have aggravated the situation for the beef industry. The Government's decision to impose a ban on beef on the bone was riddled with inconsistency. We find that the guiding principle of the new Food Standards Agency will be to give consumers the right information and allow them the freedom to decide. Yet precisely the opposite is true of the ban on beef on the bone. That is why the decision has attracted ridicule in the wider population—urban and rural. The nannying stance of deciding for others in the case of minimal risk is what has so irritated consumers.

The march sought not only to call the Government to account for such decisions but to draw attention to what is ahead. At the NFU annual general meeting, we saw a little of the Minister gazing into the future. I am concerned by the inexperience and naivety of his perspective on the future of British agriculture. He said that he

"wants to see changes . . . so that British farmers can take full advantage of growing world markets".

Although we all aspire to a reduction in agricultural support and want a reduction in protectionism in agriculture, it is unrealistic to think that British agriculture can survive on its own with reduced support in a market where competing countries would not hesitate to capitalise on a disadvantaged competitor.

A reduction in agricultural subsidy is a sincerely held objective among Conservative Members and has been progressively achieved in GATT rounds, but any comparative advantage that Britain enjoys with its relatively large farming structures pales into insignificance alongside the economies of scale of the prairies of the mid west, the plantations of South America and the low-wage farming of the far east. The new Government's policy direction of unilateral disarmament, particularly in relation to sectors that are experiencing an abnormal crisis, is irresponsible.

The Minister has been challenged on numerous occasions in the Chamber over his commitment to the beef industry. It was pointed out to him that, in Agenda 2000, there is a Commission intention to reduce the size of the beef sector in Europe by 30 per cent. It was put to him that the current situation in British farming and the inadequate support given to the beef sector in order that it might stabilise its position could result in the entire 30 per cent. reduction occurring in this country. Yet we have been given no adequate answer.

Mr. Hayes: Does my hon. Friend appreciate that, when the Minister was asked in the Select Committee on Agriculture whether he had a vision, a view, a projection for the amount of production or the number of producers in the British beef industry, he was sadly lacking?

[Mr. Hayes]

That lack of strategic vision, of targets, was pointed out in the Select Committee's reports on beef and on Agenda 2000—by all Committee members, not just Opposition Members.

Mrs. Spelman: Consequently, the Select Committee, which has a majority of Labour Members, concludes its report on the beef industry by saying that the UK beef industry

"could become too enfeebled to restructure itself rationally".

That is the very point that I have been making. With inadequate help, Britain will unilaterally disarm an otherwise profitable, competent and professionally run sector, which is handicapped by the Government's handling of it.

Mr. Peter Bradley (The Wrekin): Are the hon. Lady and her colleagues aware that farming, deep though its crisis is, involves and employs a relatively small proportion of people who live in the countryside? Whether or not farming was in crisis, 56 per cent. of people in rural parishes would still be left without a shop of any kind, 45 per cent. without a post office, 53 per cent. without a school, 84 per cent. without a general practitioner and 86 per cent. without a rural bus service. What has she to say to people in rural constituencies such as mine and hers whom she and her colleagues continue to ignore—even though they have called for this debate?

Mrs. Spelman: We do not ignore the ancillary industries serving agriculture. At my surgeries, I have repeatedly received delegations from farmers and from ancillary industries. The crisis in farming has knock-on consequences for a far wider group of people than the hon. Gentleman would imply. Only last week, I learnt that Massey Ferguson—a well-known tractor producer outside Coventry, offering jobs to a large number of the population of the surrounding conurbation—has been forced to adopt a three-day week. That is an example of the way in which the difficulties in the agricultural sector knock on to a wider range of industries.

The countryside is in crisis because the country is governed by an Administration who do not really understand its ways and presume, with the audacity of a new Government, to know better than country people how they should maintain our rural heritage. The Government are not prepared to fight for the needs of the countryside and, in a curious modern double-speak, claim a vision of the countryside which is strong, fair and modern while presiding over its demise. That is why people marched on Sunday—to demonstrate their solidarity with the many ancient rural traditions under threat.

The small concessions and selective back-tracking are no substitute for forward vision. Blaming a past Administration is a feeble attempt to duck responsibility. In opposition, we call the new Government to account. In so doing, we keep alive the hopes of the countryside protesters, who have no confidence that the Government will fight their corner.

8.59 pm

Mr. Paddy Tipping (Sherwood): I am pleased to speak in this important and topical debate. I spend a lot of time listening to the voices of the countryside, and it is important to recognise first that there are different voices in the countryside. Countryside people are not a homogenous mass, and anyone who has had a meal around a farm kitchen table will recognise that.

I regularly speak to and arrange events with a range of countryside organisations—the Country Landowners Association, the National Farmers Union, the Council for the Protection of Rural England, the Countryside Commission, the Rural Development Commission, the National Trust, parish councils, the Council for National Parks, the Youth Hostels Association and the Ramblers Association. Let me make it clear to the House that I am a vice-president of the Ramblers Association.

Last weekend, I was tree planting and looking at erosion where people had been walking. The weekend before that, I was with the National Trust, looking at its positive policies in the High Peak. Not long ago, I spent a day on a hill farm, talking about the real problems that farmers have. Only yesterday, I was talking with people about traffic-calming measures and the powers of parish councils in rural areas.

Given all that, to be accused of not listening to the voice of the countryside, or of not understanding the delicate balances that exist there, is, to put it mildly, rather irritating. It is important to recognise that Labour Members representing county seats make up more countryside Members of Parliament than the Tories and Liberal Democrats put together.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Tipping: No, I will not give way. The hon. Gentleman will make his own speech, if he has the opportunity.

I am backed by a fine group of parish, county and district local councillors, who look after the needs of the rural community.

I watched the countryside march with great interest. What surprised me was that I was not certain under what banner those people were marching. I am extremely grateful to the chief executive of the Countryside Alliance for telling me what the march was about. In a press release on 2 March, he said that the march

"could not have happened without hunting. More than 70 percent of the coaches and trains bringing people to London were organised by the hunting community."

That is not top of the agenda in the countryside that I know and love. There are important issues, hard questions and difficult decisions about priorities that must be made in the countryside, and it will take time to put them right.

What is my countryside agenda, and that of the people in Nottinghamshire to whom I speak? First, let us be straight—farmers face real problems. British farmers are the most efficient in Europe, but they face problems. Farm incomes have fallen, and we must contrast what is happening now and in the past year with previous years. We must be open—there is no point in having discussions with farmers unless we are open and honest. We must say that there is no pot of gold in Brussels. The story spread by Opposition Members about £985 million being made available is nonsense. The British taxpayer would have to contribute to 70 per cent. of the cost. It is all about priorities, and farm interests have had priority with this new Government. Let us not dismiss the fact that £85 million was made available before Christmas for the

most disadvantaged farmers. Let us welcome the fact that £70 million will be made available for a cattle traceability scheme and let us remember that the Conservative party presided over the bovine spongiform encephalopathy crisis, but did not produce a computer scheme like that, which will help.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Tipping: No, I will not.

New and extra money has been made available to farmers, on top of existing Tory spending plans. We must also remember that reform of the common agricultural policy is on the agenda. Enlargement will happen, and we shall have to move from a system in which we support production to one that is different. I hope that we shall work with our partners in Europe at the centre of Europe, using our voice wisely to bring in more money and investment, and to create jobs and investment in the rural economy. Also, I hope that we shall move towards a green premium, whereby we can lift the landscape and enhance the environment.

Farm incomes have fallen in recent years, and I am delighted that we have recognised that and are consulting and talking carefully to such bodies as the NFU about an early retirement scheme. Those are not easy issues and they will require a Government who look to the future, not the past, who believe that the countryside is for all our people and not merely for the landowners and who are prepared to take tough and hard decisions to drive reform through.

Progress is being made on lifting the environment. I was delighted that one of the first steps taken by the new Government was to put a moratorium on the sale of Forestry Commission land. Under the previous Government, a piece of land the size of the Isle of Wight was sold off, with no access to the public, whether the environment was rural or urban. I am also delighted that since the Government came to power, the Secretary of State for the Environment, Transport and the Regions has given no new consents for opencasting on green-field sites. That is widely recognised and welcomed throughout the countryside.

We have taken steps to ensure that we protect the green belt. I welcome the statement by the Secretary of State only last week, that 60 per cent. of new housing will be built on recycled sites, and his statement on sequential planning permissions—the end of predict and provide. Those are important steps forward. I look to the Budget for fiscal measures to reinforce that programme.

On a more critical note, there are real problems in the east midlands. Under the previous Government, 32 per cent. of houses were built on recycled sites. If I put that another way, under that Government, two out of every three houses were built in green-field areas. There are problems in my county of Nottinghamshire, where the previous Government endorsed a structure plan that provided 67,000 new houses. I must praise councils such as Gedling borough council, which is struggling to find a way through the Conservative Government's mess. I know that it welcomes the policy changes announced by the Secretary of State.

People in Nottinghamshire welcome the fact that this Government have put extra money into education. Nottinghamshire schools have an extra £12.2 million to spend next year as opposed to this. For the first time, there is new and extra money—2 per cent.—to develop new initiatives. The people welcome the new deal.

Mr. Hayes *rose—*

Mr. Tipping: I can tell the hon. Gentleman that last Friday the *Newark Advertiser*, a rural newspaper, welcomed the new deal, saying that it was by no means an inner-city policy. It welcomed the initiatives that we have taken.

One thing that filled me with enormous pleasure last week was the publication of our consultation paper, "Access to the open countryside in England and Wales". The principle of greater access is not negotiable. We want to ensure that access by the millennium—what a way to celebrate the millennium, with the right to walk over open countryside. We shall ensure that that promise is delivered. Landowners have been given a chance, and now it is up to them to respond. If they do not, legislation will follow.

I know that the countryside is not a museum—it has always changed, and it will always change. Our policy must be to ensure that that change is properly managed. I believe that we can achieve that. We shall consult and we shall listen. We are not ignorant of and arrogant about the countryside. Unlike the Conservative party, we are not full of pride and prejudice about it—we have sense, and we shall have sensitivity. We shall deliver. I am confident that, under the Labour Government, the countryside will be a place for all our people.

9.10 pm

Mr. Anthony Steen (Totnes): I agree with much of what the hon. Member for Sherwood (Mr. Tipping) said, but I am not sure that I am a vice-president of the Ramblers Association.

Mr. Tipping: A very good and honoured supporter.

Mr. Steen: I know that I am something important in it. I am also involved with the Open Spaces Society and the Dartmoor Preservation Association. I cannot list as many great deeds as the hon. Gentleman did, but I have some interest in and experience of the countryside, and I want to share with the House what I believe to be some of the threats to the landscape and the continuation of the rural way of life.

All hon. Members will recognise that agriculture plays a central role in the rural economy. The rundown of a farm has a knock-on effect. For example, when I first went to South Hams in 1983, a father, his son and six workers used to repair tractors in the little village of East Allington. Now, only the father and son do that, as the demand is not the same. The rundown of agriculture also affects local builders, who do not have as much work, as well as mechanics, temporary milkers and the village shop. The importance of the crisis in agriculture is that it threatens not only the farmers but the whole rural way of life in Britain.

The decline in agricultural support will result in what has happened in third-world countries—the agricultural worker will move from rural to urban areas. Although the rural way of life currently provides an enormous amount of employment, if it is not supported, rural areas will

[Mr. Steen]

become run down, and the workers will find jobs only in the towns and cities, which is the very thing that we do not want to happen in this country.

Mr. Dawson: I entirely accept the hon. Gentleman's point about the regrettable movement of young people from rural areas to the towns. Was not that exacerbated, however, by the policies of the previous Government, which led to the reduction in the availability of affordable accommodation? Young people who have grown up and now work in rural areas can no longer afford to live there. Should not we address that issue as a matter of some urgency?

Mr. Steen: The problem about making a speech in the House is that one can end up debating each point. I do not want to outstay my welcome, but I will answer that point. One can go on building affordable housing association or council accommodation in the countryside, but one has then to find jobs. Without a buoyant agricultural community to supply the jobs, it is no good building houses.

There is a great movement of people into my area from the north, on retirement, which pushes up the house prices. One cannot build a wall and stop them moving around. That is a problem of market forces.

I want to deal with the more serious problem of urbanisation and suburbanisation of the countryside. The drift from major cities to rural areas is well documented. The number of Members of Parliament representing Liverpool and Birmingham has seriously declined. In 1965, Liverpool had about nine Members, and it now has five, while in Birmingham the figure has decreased from about 11 to eight.

The drift is away from the inner cities and urban areas to the rural areas, because that is where people want to live. Should we deal with that by building new satellite towns around the principal conurbations, or should we infill the villages and hamlets? In my part of south Devon, we have done both, with the result that the countryside between the conurbations is getting narrower and narrower.

The Labour Government, not following the Conservative lead, have increased the number of houses that are to be built in Devon by 2011 from 90,000 to 95,000. The problem is where we are to build all those houses. The Liberal Democrat councils in South Hams and Torbay are simply lying down and accepting the Government's figure, but in my view they should fight the Government and say that they cannot accommodate 95,000 more houses. We shall end up with a continuous run of housing from Plymouth to Exeter. The whole of the A38 will be one urban sprawl, as I forecast in 1983. Unless we stop the growth, we shall get one large urban sprawl throughout the county. How are the Government to stop that happening?

A more significant problem is how the Government are to help to preserve the countryside; that is the subject of this debate. The major factor to be considered about the countryside is the landscape and the view. *[Laughter.]* One of the first steps that the Government could take is to introduce a new planning policy guidance whereby the view has to be taken into consideration. At present, people can build anything where they like, because the view is of no consequence. The Government may say that we could have done that, but I am saying that they can do it now.

Mr. Hayes: Labour Members may laugh, but my hon. Friend makes an important point. He is saying—I hope that he will accept my clarification—that aesthetic concerns are important both in planning terms and in terms of people's perception of the environment around them. That is a matter not only of what they do, but of what they are. The fear of radical change—of the transformation of customs; culture; and the traditions of whole communities—motivated Sunday's march more than any other factor. Of course it was about hunting, but, more than that, it was about the fear of such radical change.

Mr. Steen: I am very grateful to my hon. Friend for that helpful elucidation. In fact, I was saying that in current planning law one cannot consider the damaging effects of development on the view and the landscape. The planners say that the view is not a consideration when an application for development is approved. The Government could look at that.

Mr. Peter Bradley: Will the hon. Gentleman give way?

Mr. Steen: Yes, provided that it is not another clarification of what I am saying.

Mr. Bradley: Does the hon. Gentleman acknowledge that, just as there are additional planning protections for conservation areas in towns, there are numerous designations—not least areas of outstanding natural beauty—that afford such protection in the countryside? Is he really saying that if people in the countryside do not have jobs, they do not need homes, and if they do not have homes, they do not need buses, but a view would be helpful?

Mr. Steen: We need someone to explain the hon. Gentleman's point. The serious question is how we can build 4.5 million houses in Britain without damaging the countryside. One of the factors that should be taken into account when planning applications and structure plans are considered is the effect that those developments will have on the landscape and the view in the area. We do not want to see the British countryside rapidly changed and destroyed.

At present, we have a two-way movement of people. We have the rundown of British agriculture and the movement of rural workers to the towns, and we have a movement from the urban areas to the countryside by, usually, young married couples who want to have their children taught in rural areas and to experience the rural way of life. People are being levered from the towns to the countryside to find a better quality of life for themselves and their children, while country dwellers are forced—by the decline in agriculture—from the villages into towns to find work.

The Government must support the agricultural sector, and so slow down the migration from the country to the towns. They must also make the cities more attractive places in which to live, to stop the reverse process. I draw

the House's attention to an excellent book that I wrote about 10 years ago, called "Plums", in which I suggested that publicly owned vacant land should be auctioned and that derelict land in the inner city should be used first before the rural landscape is changed.

The Government can take action on some of the issues that I have mentioned. The landscape must be protected by changes in planning law, and farming must be supported, as it is in other European countries, so that the rural economy is anchored and safe. Our principal cities must be given an injection of new life, because we have been talking about the inner cities for the 24 years that I have been in the House and they remain as bad as ever. Housing need on green-field sites must be approached with caution, with new settlements being considered preferable to creeping urbanisation of existing market towns and villages. I hope that I have been helpful to the House, which has listened carefully to what I have said.

9.22 pm

Mr. David Hanson (Delyn): I am grateful for the opportunity to contribute to the debate, because I represent a large rural area in north Wales and have done so since 1992. It is an area with a large farming community, many small villages and many problems with transport, access to rural services and other matters. We also have a fox hunt—the Flint and Denbigh hunt—as well as a Labour majority of 13,000.

I am pleased to see so many of my hon. Friends who also represent rural areas present for the debate. Labour Members represent many of the rural areas of this country, and I must point out to Conservative Members that not a single tree, bush, fence, hedge or cow in Wales or Scotland is represented by a Conservative Member of Parliament.

Mr. Hayes: Will the hon. Gentleman give way?

Mr. Hanson: No, time is pressing. It is a caricature of the debate to claim that there is a difference between town and country. My hon. Friend the Member for West Lancashire (Mr. Pickthall) put his finger on it when he said that we are interdependent. All of us have an interest in rural areas and all of us have an interest in the success and prosperity of those areas. All of us eat the food produced by rural areas and use the leisure facilities available in rural areas. All of us have a stake in the future of rural areas and many of us who live in cities and towns pay through our taxes for the success and development of rural areas. We all need such success. The caricature of town versus country exemplified by Sunday's march is unproductive and unhelpful.

I hope that Sunday's march helps us to focus not only on those who want preserve fox hunting, of whom I am not one, or members of the Conservative party, of whom I am not one, but on the real issues of rural Britain and the positive things that can be done. In the spirit of cross-party co-operation, I welcome some of what the previous Government did. I welcome their White Papers on rural England, the working countryside for Wales and rural Scotland. I just wish that they had done something about those issues, rather than simply producing White Papers.

I welcome the Liberal Democrat amendment, which recognises that things did not get bad in the countryside only after 1 May. I remind the House of bus deregulation in 1985. In Wales, 33 million bus journeys a year have been lost in rural areas since 1985. In one small village in my constituency, Trelawnyd, people cannot get to the dentist, doctor or the shops because bus deregulation has robbed it of its lifeline. We have also seen the sale of housing association homes and the failure of the previous Government to promote low-cost home ownership. The previous Government allowed more green-belt building than this Government intend to. They reduced the number of properties available for rent and the number that councils could build for rent.

Crime is also a factor in rural areas, such as mine in north Wales, with the closure of local police stations. Crime rose by 80 per cent. under the Conservative Government, while police numbers fell in my area. My hon. Friend the Member for Sherwood (Mr. Tipping) mentioned the sell-off of Forestry Commission land. In Wales, under Conservative rule, 229 woodlands were sold—4,500 hectares of land. Only 18 have had access agreements put to them.

Those were the actions of the previous Government. There were proposals that we managed to stop, such as the abolition of the wages board, the sell-off of rural post offices and, through local councils, the closure of local schools. The previous Government's record was not addressed by Conservative Members, but the House should address it—and that is before we touch on BSE or the 17 per cent. drop in farm incomes in Wales between 1981 and 1991, or the loss of local businesses, pubs and shops. It is also before we touch on the fact that, after 18 years of Conservative rule, many rural areas such as mine cannot get NHS dentists. People have a 25-mile drive to the local major district general hospital. The Conservatives would do well to recognise and address that inheritance, as well as the issues that we are discussing today.

Mr. David Taylor (North-West Leicestershire): They should apologise.

Mr. Hanson: My hon. Friend mentions apologising. I think that the Conservatives owe my rural constituents an apology for the misery that they put them through. In the short time remaining, I should like some discussion of how to address those issues—not only fox hunting and the others mentioned by Conservative Members.

There are three broad objectives: economic renewal, protection and enhancement of the environment, and social renewal.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Hanson: I have not got time.

I do not mind whether the issues are addressed by a rural Minister directly or by Ministers in each Department with a rural responsibility, but they need to be addressed. On economic renewal, we need to consider an overall economic strategy, both in Wales and in each region, to include rural areas.

I hope that we will examine information technology: bringing the city and information to rural areas through IT. I accept that the new deal will create many jobs for people such as my constituents in rural areas. I hope that we examine—I am sure the Government are doing

[Mr. Hanson]

so—diversification to help with falling farm employment and incomes. I hope that the Government will look at helping small firms to establish themselves in rural areas.

Next year, there will be a minimum wage in rural areas, something which I am very proud of. That will help to support the economic regeneration of areas that are traditionally low paid, especially in parts of Wales. I welcome the rate relief that has been given to local shops and businesses in rural areas. This Government have done it. I hope that we will reform the common agricultural policy to shift the balance of wealth and power from the larger farmer, to ensure that the small farmers, who are in most need, have the income and support that they need. I welcome the Government's announcement of £12 million extra to be given to Wales and farming incomes this year, in connection with the charges for specified risk material and the cattle tracing scheme.

On the protection and enhancement of rural areas, I should like to know how many of the people who went on the march on Sunday have been responsible for removing hedgerows and destroying the rural areas that they purport to represent. Reform of the common agricultural policy is important in that respect. The Government will take steps to protect flora and fauna, strengthen areas of outstanding natural beauty and establish a green belt for the first time in Wales.

A further issue that we need to discuss is a third party right of appeal on planning applications, so that local community councils can tackle developers.

In the context of social renewal, we must examine transport issues. I am pleased to see that the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), is winding up the debate. Transport is crucial to rural areas.

I appreciate the Government's initiative on rural schools, so that such schools cannot be closed without ministerial approval.

Thanks to the Government's capital receipts programme and the input from local authorities into new social building and improvements in local villages, a village in my constituency has for the first time had central heating put into the small council accommodation in the area.

I welcome the extension of the social exclusion unit to include rural areas. I hope also that we can look imaginatively at the use of lottery money to improve village halls and be proactive about the investment in village halls. Perhaps we could examine the issue of matching funds to make it easier for local communities in rural areas to have access to lottery money.

The Opposition motion is too simplistic. It focuses on countryside issues, ignoring the failure of the Conservative Government over the past 18 years to tackle those issues. I know that my Government have a constructive approach to rural areas, and I will be pleased to support them in the Lobby tonight.

9.32 pm

Mr. Christopher Gill (Ludlow): In a wide-ranging debate, we have heard hon. Members on both sides claiming to support the countryside, but, when one listens to the speeches, it is apparent that the perception and understanding on the two sides are quite different.

That was demonstrated by the hon. Member for Sherwood (Mr. Tipping), who said that his approach was not the result of ignorance or arrogance. He went on to say that the right to roam on other people's land is not negotiable. That will strike many of those who have listened to the debate not as ignorant or arrogant, but as intolerant, as is the Labour party's commitment to abolish the right of other people to hunt on their own land. We have seen no great enlightenment among Labour Members, but rather a digging in and reinforcement of an intolerant attitude.

I appreciate that the job of agriculture Ministers is always difficult. I thought that the fisheries Minister was to wind up the debate, and I would have said that no job was more difficult than his. I do not want to open up the European debate, but it is clear that not least among the difficulties of agriculture Ministers is the fact that they have responsibility without necessarily having the authority to do what needs to be done. In his opening remarks, the Minister of Agriculture spent much time criticising the record of the previous Administration. Let me say to him and to others on the Front Bench: you will be judged by your record.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman should not be saying anything of the kind.

Mr. Gill: I beg the House's pardon. Right hon. and hon. Members opposite will be judged by their record.

Many of us regret the non-attendance of agriculture Ministers at the countryside march on Sunday. It was a missed opportunity to listen to what the countryside had to say—more to the point, Ministers would have been able to hear what country people had to say because it was a good-natured, peaceable demonstration. It was not a howling mob. Ministers could have conversed with the people on that march, and doubtless they would have learnt something.

Mr. Dawson: On a point of order, Mr. Deputy Speaker. Will the hon. Gentleman note that certain Labour Members attended the march on Sunday?

Mr. Deputy Speaker: That is simply not a point of order for the Chair.

Mr. Gill: It was a peaceable demonstration by responsible people whose livelihoods and way of life is under threat.

Mr. Gray: With reference to the spurious point of order from the hon. Member for Lancaster and Wyre (Mr. Dawson), is it not interesting to note that the only Minister to attend the march on Sunday is notable by his absence from this debate? He has not even turned up.

Mr. Gill: I think that the House will draw its own conclusions.

Ministers cannot dismiss the significance of Sunday's march, and they certainly cannot ignore the fact that 300,000 people sent but one message. That single message was, "Please listen to us".

In this debate, we have heard some predictable responses to the recognisable problems in the countryside. It was suggested that a royal commission should be

established, that there should be a Minister for rural affairs and that possibly the Ministry should be reorganised. Is the House really saying that it does not know what the problems are? Surely the problems of the countryside are all too plain. The electorate in this country expects its politicians, particularly the Government and Ministers, to provide answers to those questions.

That job cannot be sub-contracted to a review or a task force. In nine months, the Government have appointed no fewer than 140 such bodies. The urgency of the problems in the countryside does not permit the establishment of bodies to investigate such matters: we do not need a theoretical examination by intellectuals who cannot tell wheat from barley. We need to listen to people in the countryside who do the job—they are the experts.

The problems have been identified already. There is high dependency on agriculture in the countryside. The difficulties currently facing agriculture are exemplified by one of my constituents who produces 1,400 cattle per year at a cost of 112p per kilo and who is currently selling them at 97p per kilo. Another problem is the high dependency on the motor vehicle in the countryside. The House will be watching to see what the Chancellor does in his Budget, because we are aware of the devastating effect that an increase in vehicle excise and fuel duties would have on transport in rural areas.

The threat to community hospitals is implicit in the ending of the general practitioner fundholding system. [HON. MEMBERS: "Rubbish."] Oh yes. I invite Labour Members to come to my constituency where they will see how fundholding doctors, working closely in conjunction with a community hospital, have transformed that hospital, which now provides a much greater range and quality of services than ever before.

In the few seconds that remain, I must mention the totally inadequate SSAs for sparsely populated rural areas, where economies of scale do not apply. Those areas have high transport costs and, as the Minister said, low wages. This year, we shall face record increases in the council tax. Shropshire county council's precept will be 14 per cent. up on last year, before we even consider the district council precept. The Government must take responsibility. Many of the solutions to the problems identified tonight are in their own hands. A measure of the Government will be whether they address those very real and obvious problems.

9.39 pm

Mr. Tim Yeo (South Suffolk): We have had an exceptionally interesting debate which has reflected the depth of concern about the countryside—a concern which is particularly shared by hon. Members on the Opposition Benches.

The debate has exposed the Government's continuing lack of understanding of rural issues. The Minister of Agriculture, Fisheries and Food showed no sign at any stage during his 26-minute speech that he had listened to a single concern of the 280,000 people who marched on Sunday. That is not, perhaps, surprising, as he did not have the courtesy to turn up and meet them. Let me point out to him that the mandatory rate relief for small shops, to which he referred, was introduced by the Conservative Government.

The truth is that, on the countryside, the Labour Government have moved from denial, through panic into confusion. A month ago, they denied that there was a problem. A week ago, they panicked about the extent of public hostility. Today, they are in a state of total confusion about what to do and who should do it.

On Saturday, we saw the extraordinary spectacle—it would have been bizarre had it not been disgraceful—of an agriculture Minister publicly smearing the march, just when his colleague, the Minister for the Environment, was announcing that he would take part in it. Open warfare has broken out between the Department of the Environment, Transport and the Regions, and the Ministry of Agriculture, Fisheries and Food about who is in charge of countryside policy. Will it be the Minister of Agriculture, who preferred to remain in the comfort and security of his expensive new office rather than meet the 280,000 representatives of the countryside? Or will it be the Secretary of State for the Environment, Transport and the Regions, who, uncharacteristically, is hiding in the corner—the Minister who picked the pockets of local authorities in rural areas to reward his friends in the towns; who, in 10 short months, has destroyed the principle of the green belt, which has protected the environment around our cities for half a century?

The losers in the battle between the Departments will be those who live and work in the countryside. It is a battle which should never have started. The countryside needs not a new Minister or Department but a new policy.

Having heard the hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy), who has not had the courtesy to return to the debate, I am of the view that not only the Government but the Liberal Democrats need a new policy. The hon. Gentleman expressed concern about the Rural Development Commission, but, only a week ago, in the Standing Committee, two of his colleagues voted to approve clause 39 of the Regional Development Agencies Bill, which gives the Government the power to abolish the Rural Development Commission. It was a familiar example of the Liberal Democrats pointing in both directions at the same time.

The hon. Member for West Lancashire (Mr. Pickthall) joined Labour's attempts to impugn the motives of Sunday's marchers, but, as my hon. Friend the Member for Meriden (Mrs. Spelman), rightly pointed out, at no time in the 18 years of the previous Government did 280,000 people protesting about Government policy on the countryside descend on the capital city.

The hon. Member for Sherwood (Mr. Tipping) was at least honest enough to admit that farmers face real problems, but he would have done himself more credit had he also recognised that those problems are among the reasons why the marchers came to London last Sunday.

The Government still have an opportunity this evening to regain a shred of credibility and to show that they want to make amends. I welcome the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Hampstead and Highgate (Ms Jackson) to the Front Bench. It is revealing that, for all the Government's claimed expertise in rural matters, and for all the countryside seats which they have now won, the person who is fielded to wind up a debate entitled "Listening to the Countryside" is a London Member and the Minister for Transport in London. I hope that in her winding-up speech, she will announce changes of policy in three key areas. None of those changes would cost a penny of public money, none would need legislation and each would herald the possibility of a more sympathetic attitude towards rural communities.

[Mr. Tim Yeo]

The first change concerns the way in which the cash is distributed to local authorities. This year, the Government carried out a funding fiddle. They took £94 million off the standard spending assessments for rural authorities and switched it into towns. None of the eight changes made by the Government to the standard spending assessment formula has helped shire England. The Government took £8 million from Oxfordshire, £8 million from Norfolk and £10 million from Hampshire.

This week, the Prime Minister wrote in *Country Life* of his concerns about rural crime. Those were fine words, but, as so often under new Labour, they were just words and they were not matched by deeds. In rural Lincolnshire, the standard spending assessment for the police authority has been cut in cash terms. The same applies to Wiltshire and many other counties. What a contrast with the police authorities in urban areas, which are getting an increase in their standard spending assessment. Yet again, that is the clearest possible proof that when it comes to allocating public money, the Government always favour urban Britain.

The second change of policy that is needed concerns planning. Last Monday, the Secretary of State for the Environment announced a partial climbdown. He appeared to overrule his junior Minister, the hon. Member for Greenwich and Woolwich (Mr. Raynsford), who had described any increase in the target for building more new homes on previously developed sites as a "recipe for disaster". We welcomed those greener noises from the Secretary of State, but we listened in vain for a hint that he would rethink his recent decisions to approve up to 10,000 homes on the green belt in Hertfordshire and 2,500 homes on the green belt in Newcastle, and approve industrial development of 150 acres of farmland in the west midlands. We listened in vain for a hint that he would not insist on inflicting an extra 13,000 new homes in the West Sussex countryside.

The Secretary of State talked of a sequential and phased approach to the development of all sites, but when will that approach be incorporated into planning policy guidance? In a written answer in yesterday's *Hansard* at column *429*, the Minister for London and Construction explained that that idea is merely for consultation at this stage. Until planning policy guidance notes are altered, nothing has changed and the green fields are just as much at risk as they were before. The Minister's fine words are not matched by deeds.

What about the county structure plans? When will the new approach apply to them? Counties such as Hampshire were dragooned into accepting an extra 10,000 houses for their structure plan. Will Hampshire, Devonshire, Cheshire and Gloucestershire have a chance to think again before their structure plans are adopted? That problem was rightly highlighted by my hon. Friend the Member for Totnes (Mr. Steen).

The third policy that should be changed is the right to roam—another example of Government confusion. Months of delay occurred while Ministers argued about whether to implement their promises. Finally last week, a document was published, which was portrayed as evidence of the Government's conversion to the voluntary approach, which the Conservative party has always supported and which has opened up 250,000 acres of land for access since 1990. However, during questions about the documents launched, the Minister for the Environment was reported as saying that he saw legislation as inevitable. As my hon. Friend the Member for Ludlow (Mr. Gill) pointed out, that threat should be withdrawn today.

I hope that all hon. Members will study the wording of the Government's amendment, which claims that the Government want

"prosperity for all in rural areas".

Yet the Government have just taken powers in the Regional Development Agencies Bill to wind up the Rural Development Commission. The amendment claims that the Government are concerned about rural transport, but their planned huge increase in petrol tax will clobber every rural motorist. The amendment also claims that the Government want "comprehensive countryside policies", yet they refuse to continue to publish an annual update of the countryside White Paper, the first ever comprehensive review of countryside policy.

Dr. John Cunningham: The Conservative Government did not do that.

Mr. Yeo: Yes we did, and the Minister should know it. If the right hon. Gentleman aspires to be the countryside Minister, he should do his homework.

The amendment claims that the Government believe in inclusiveness, but lovers of traditional country sports are not just being excluded; Labour Members are supporting a Bill that will criminalise them. The Government's actions contradict the fine words in their amendment. The debate gave the Government the chance to show that they understand why 280,000 people gave up their Sunday to march on London, and that they are willing to listen to the anxieties of the marchers and millions of other country dwellers. That chance was missed by the Minister, but I hope that it will be seized by the Under-Secretary.

If the Government agree to our motion, the marchers really will have something to cheer about. I commend the motion to the House.

9.51 pm

The Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): In his opening remarks, the right hon. Member for Fylde (Mr. Jack) dubbed the debate one in which the true voice of the countryside would be heard. The Country Landowners Association may not agree. In January 1995, it stated:

"For too long there has been a lack of political focus on Britain's rural areas."

In January 1995, the National Farmers Union stated:

"Many parts of the countryside are seriously affected by unemployment, under-employment, a narrow range of job opportunities and low average wage levels."

In July 1994, the Rural Development Commission stated:

"Declining rural services threaten village life."

In November 1994, *Countryside 2000*, the country life magazine, stated:

"Protecting the countryside is something that we did well traditionally. Sadly the 1980s was a disastrous decade in this respect, thanks to the new spirit of laissez-faire that afflicted planning."

Speaking on the Conservative Government's rural record in January 1995, Action for Communities in Rural England stated:

"Our main perception is one of neglect."

On 10 October 1996, the National Farmers Union Council passed a vote of no confidence in the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), declaring that it had

"no confidence in the Minister's representation of the interests of the UK and its agricultural industry in the EU."

The Opposition are noted for their lack of policies, direction and principles. Tonight's debate showed their sheer opportunism. The Conservative Government would not have wanted to abolish the agriculture wages councils if they had been genuinely concerned for the rural economy and the countryside. The Conservative Government deregulated bus services and privatised the railways, leaving 75 per cent. of parishes with no daily bus service, 79 per cent. with no community minibus or social car scheme, and 93 per cent. with no rail service at any time. They also closed 450 village schools, constantly threatened rural post offices with privatisation, built 60 per cent. of new houses on green-field sites, and closed village shops, hospitals and dental surgeries.

We are dealing with 18 years of Conservative neglect, but, during their lamentable contributions, Conservative Members did not have the courtesy to apologise to the people of this country for the damage that their Government caused. I have not even touched on the relaxation of regulations which led to the introduction of BSE not only into the British beef herd, but into the human food chain. The previous Government were responsible for that disgraceful occurrence, which has had an appalling effect on the countryside and its economy.

My right hon. Friend the Minister of Agriculture, my hon. Friends the Members for West Lancashire (Mr. Pickthall), for Sherwood (Mr. Tipping) and for Delyn (Mr. Hanson), and the hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) dealt with the serious issues that face people in rural areas.

Several themes have recurred tonight. My hon. Friends the Members for West Lancashire and for Delyn pointed out that the Conservatives' policy was clearly "town versus country". That is not our policy. We are clear about the fact that town needs country and country needs town. *[Interruption.]*

Mr. Deputy Speaker: Order. Hon. Members should listen to the Minister, who is winding up an important debate.

Ms Jackson: Thank you, Mr. Deputy Speaker, but it is too late to ask Conservative Members to listen. If their own leader cannot point out to them that their arrogance and unwillingness to listen lost them the last election so resoundingly, there is nothing that anyone can do. Regrettably, their ignorance is bliss for no one in this country.

The peroration of the hon. Member for South Suffolk (Mr. Yeo) matched the opening speech of his right hon. Friend the Member for Fylde (Mr. Jack) in its lack of any understanding of the real difficulties that their Government created for those living in rural areas. The hon. Gentleman castigated the present Government for their local government finance settlement, particularly in a rural context. For the first time in four years, increased funds have been provided for services delivered by a shire district. This Government have done that. We have treated all local authorities, whether rural or urban, fairly and consistently.

The pattern of gainers and losers in rural and urban areas is mixed. There are gainers and losers in both types of area. That confirms yet again that the present Government govern for all the people. We are not interested in creating artificial divisions between town and country.

Many grievous allegations were made about the Government's policy. I shall touch on only a few that we have heard, perhaps on both sides of the House but certainly from Opposition Members. A recurring Opposition allegation—

Mr. Owen Paterson (North Shropshire): Will the Minister give way?

Ms Jackson: No.

A recurring Opposition allegation related to building on green-belt land.

Mr. Paterson *rose—*

Ms Jackson: I said no. That is another example of Opposition Members' inability to listen.

As my right hon. Friend the Secretary of State made clear in a statement to the House only a few days ago, we have abandoned the old predict and provide policy with regard to house building. We will work from the bottom up. We have asked for 60 per cent. of building to take place on brown-field sites. It was the Conservative party that built 60 per cent. of houses on green fields. In our 10 short months of government, we have added five times as much land to the green belt as has been lost.

Certain allegations were made about our ban on beef on the bone. Opposition Members described it as a panic measure. Let the record show, however, that independent scientists said that the material could be infected with BSE. The Conservative party banned all sales of infected material; we have done the same. It is vital to rebuild confidence in British beef at home and abroad.

More than once we were asked where was our right hon. Friend the Minister for the Environment. Let me allay the fears that may be pounding in the breasts of Opposition Members: my right hon. Friend is abroad on Government business.

Our manifesto pledged to recognise the special needs in rural areas, and our policies are being designed to take account of rural interests—it is quite wrong to suggest that we do not care or understand. The Government believe in opportunity, fairness and prosperity for all—applied equally to urban and to rural areas. We realise also that people who live and work in the countryside have distinctive needs. The rural dimension is an important consideration in many of the Government's policies.

Most important, we wish to foster a strong and vibrant rural economy. New jobs are being created in the countryside.

Mr. James Arbuthnot (North-East Hampshire) *rose in his place and claimed to move,* That the Question be now put.

[Mr. James Arbuthnot]

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 131, Noes 321.

Division No. 188] **[9.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Barcow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan, Alan
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Faber, David
Fallon, Michael
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Gamier, Edward
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Heseltine, Rt Hon Michael
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Malins, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Randall, John
Robertson, Laurence *(Tewk'b'ry)*
Rutley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Wardle, Charles
Waterson, Nigel
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John M. Taylor and
Mr. John Whittingdale.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Mrs Jackie
Banks, Tony
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Menzies *(NE Fife)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Chapman, Ben *(Wirral S)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Colley, Ms Ann
Cohen, Harry
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Heal, Mrs Sylvia
Healey, John

Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kidney, David
Kilfoyle, Peter
Lawrence, Ms Jackie
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheffld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Raynsford, Nick
Reid, Dr John *(Hamilton N)*
Rendel, David
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Russell, Bob *(Colchester)*
Salter, Martin
Sanders, Adrian
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'dns)*
Snape, Peter
Soley, Clive
Spellar, John
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Clive Betts and
Mr. Graham Allen.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments)*:—

The House divided: Ayes 265, Noes 163.

Division No. 189] **[10.13 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atkins, Charlotte
Austin, John
Banks, Tony
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Cooper, Yvette
Corbett, Robin
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr John *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Ellman, Mrs Louise
Ennis, Jeff
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George

Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hodge, Ms Margaret
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ilsley, Eric
Ingram, Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
Lawrence, Ms Jackie
Lepper, David
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meale, Alan
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Raynsford, Nick
Reid, Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Clive Betts and
Mr. Graham Allen.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Ballard, Mrs Jackie
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davies, Cynog
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fallon, Michael
Fearn, Ronnie
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maginnis, Ken
Major, Rt Hon John

Malins, Humfrey
Maples, John
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Randall, John
Rendel, David
Robertson, Laurence *(Tewk'b'ry)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Wardle, Charles
Waterson, Nigel
Webb, Steve
Whitney, Sir Raymond
Widdecombe, Rt Hon Miss Ann
Wigley, Rt Hon Dafydd
Wilkinson, John
Willshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John M. Taylor and
Mr. John Whittingdale.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House condemns the previous administration for its persistent neglect of the countryside over the past eighteen years which resulted in rural unemployment and deprivation and the collapse of the rural transport system; and congratulates the Government on its emphatic commitment to comprehensive countryside policies, to reform of the Common Agricultural Policy, to successful, sustainable United Kingdom agriculture, and on its vision for a countryside that is strong, fair and modern, with a programme for social justice, inclusiveness, welfare reform, improving services, the national minimum wage, education and skills which will ensure prosperity for all in rural areas as well as in the towns.

MR. GRAHAM ALLEN (Lord Commissioner to the Treasury) *and* MR. JOHN M. TAYLOR, *who acted as Tellers in Division No. 187, came to the Table.*

Mr. Allen: I have to report an error in the number reported as having voted in the No Lobby in the Division at 7 o'clock on the first Opposition motion. The number voting no was 320, not 329 as reported.

Mr. Deputy Speaker: The Clerk will arrange that the record is corrected.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Appropriation (Northern Ireland) Order 1998, which was laid before this House on 12th February, be approved.—*[Mr. Kevin Hughes.]*

Question agreed to.

Heavily Indebted Countries

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Perhaps the hon. Member for Wythenshawe and Sale, East (Mr. Goggins) should wait a moment while hon. Members leave the Chamber as quickly and as quietly as possible.

10.25 pm

Mr. Paul Goggins (Wythenshawe and Sale, East): Thank you for protecting my first paragraph, Mr. Deputy Speaker. I am grateful for the opportunity to initiate this Adjournment debate on the problems and opportunities associated with third-world debt. For me the timing is particularly appropriate, since today I accompanied my right hon. Friend the Secretary of State for International Development to meet Church groups in my constituency that have campaigned for many years on behalf of the one in four people in the world who live in abject poverty. My right hon. Friend was extremely well received. It is appropriate, too, because we are merely weeks away from important meetings of the International Monetary Fund and the World bank, as well as the Group of Seven meeting in Birmingham and we have reached a crucial point in the international strategy for reducing the debt of the world's poorest countries—the heavily indebted poor countries initiative, or HIPCI.

I see nothing wrong in any country, rich or poor, borrowing to invest to deliver a developing and sustainable economy. Indeed, one of the problems facing the poorest countries of the world is finding people who want to invest in their countries. In the 1970s and 1980s, many of the poorest countries were given loans that they could never hope to repay. Sometimes the creditors behaved irresponsibly, sometimes the Governments of the debtor countries were corrupt. Also, there were fluctuating interest rates, currency depreciations, falls in export prices, wars and drought, and all impacted on the world's poorest countries.

As an example of how the debt burden grew, in 1962 the countries of sub-Saharan Africa had a total debt of $3 billion, but today that total stands at $235 billion. In 1996, the World bank and the IMF, with considerable support it must be said from the right hon. and learned Member for Rushcliffe (Mr. Clarke), then the Chancellor of the Exchequer, established HIPCI, to provide the most heavily indebted and poverty-stricken countries with a robust exit from the burden of unsustainable debt. They identified 41 countries with a total population of 700 million people, which all had external debts valued at more than double their export earnings. Of course, many countries were in a much worse position. For example, Mozambique has debts of 10 times the value of its export earnings.

The advantages of HIPCI are that it provided a comprehensive assessment of each country's level of debt. It put in place a one-off system of debt reduction via the Paris club of Government creditors. For the first time ever, the IMF and the World bank agreed to provide debt relief themselves and they went beyond the existing Naples terms, which limited debt reduction to 67 per cent., moving instead to a new level of 80 per cent.

Moreover—many would argue that this was not an advantage—it was agreed that debt reduction would take place only after a six-year period of compliance, in which debtor countries had to achieve structural adjustment targets. It was recognised that, although the debts of the world's poorest countries were not a threat to the international finance system, they were a tax on economic progress and prevented sustainable growth and development.

That was why HIPCI was started. It was greeted with great acclaim—it was as if James Wolfensohn, the president of the World bank, had come as a modern messiah to bring good news to the poor. The truth is that, 18 months on, HIPCI is in some difficulty, partly because of the framework and the criteria that were laid down, and partly because of a lack of political will from a number of creditor Governments, not—I hasten to add—including the United Kingdom Government. As things stand, of the 41 heavily indebted poor countries, only Uganda and Bolivia will receive help in 1998—the majority will receive no help until into the next century.

The case of Mozambique, the poorest country in the world, has brought into focus the problems of HIPCI. Mozambique built up most of its debt during a 16-year civil war, which ended in total economic collapse. Despite its problems, however, it has started to turn round the situation. In 1996, its economy grew by 6 per cent. and its exports had risen by 30 per cent. Nevertheless, its exports are worth only $225 million—roughly what the country needs to service its debt repayments.

The price of Mozambique's indebtedness is paid by her people: 10 million people have no access to safe drinking water; 1 million children are not able to attend primary school; and 200,000 children will die this year before they reach their fifth birthday. One of Mozambique's major difficulties has been the HIPCI rules, which allow only 80 per cent. debt relief, despite the fact that most experts agree that 90 per cent. is required.

I know that, at the recent Paris club meeting, representatives managed to break through the 80 per cent. ceiling, but there is still a deficit of $100 million. Again, I praise the UK Government, who have contributed a further $10 million to try to fill that gap, in the hope that others will be moved to match that figure. It is clear that, unless creditors are prepared to change the rules and adopt a more urgent and generous approach, HIPCI for Mozambique and for many others is in grave danger.

One of the countries that may suffer is Tanzania, which has been implementing structural adjustment programmes since the mid-1980s, and which has received full marks from the IMF for its economic performance over the past two years. However, it spends a third of its export earnings on servicing its debts; it spends on debt four times what it spends on primary education or on health provision. Under HIPCI's current terms, the best that Tanzania can hope for is that next year its creditors may agree how to share out the debt reduction burden—by 2002, it may receive some actual relief.

Even the two countries that will receive help this year—Uganda and Bolivia—have not gained as much from HIPCI as they expected. Delays have cost Uganda an estimated $193 million, and overestimation of sustainable debt levels has cost Bolivia an estimated $241 million. HIPCI is in danger of delivering too little,

too late. Unless something is done, we are in grave danger that it will not deliver what was originally intended.

I offer some proposals, which are supported by a number of development experts and which, I believe, should be considered. We should review the definition of debt sustainability, which currently includes a ratio of debt repayment to export income of 20:25 per cent., and a ratio of total debt to export income of 200:250 per cent. I simply ask why. No one has yet been able to give a convincing justification of those levels—perhaps my hon. Friend the Economic Secretary can. At best, they seem arbitrary, and, at worst, they seem to have been set to suit the creditor, not the debtor.

We should set a limit on the proportion of Government revenue that can be spent on servicing debt—say, 15 per cent. Countries should clearly pay something to wipe out their debts, but every dollar spent servicing debt is another dollar less for education, health and sanitation.

We should review the time scales governing HIPCI. I recognise that it is extremely important for poor indebted countries to have sustainable and sound economies, but to tell a country in which one fifth of children die before their fifth birthday that it will have to wait until 2002 is simply not acceptable. It may be acceptable in the world of economic theory, but in the real world of suffering, six years is too long to wait.

We need more flexibility about the 80 per cent. debt relief ceiling. We should not expect the needs of the world's poorest people to be limited by a technical formula. If Mozambique needs 90 per cent. debt relief, it should get it. I acknowledge the United Kingdom's recent initiative, but that 90 per cent. should be given as a right, not as a fudge, which smacks more of charity than of justice and, more importantly, allows the unenthusiastic to drag their feet.

Rules and regulations count for nothing unless the IMF, the World bank and creditor Governments show more compassion and a greater sense of urgency: the kind of urgency, I might argue, that helped to put together the $100 billion package for south-east Asia in a matter of three months.

I want to emphasise the positive role played by our Government, particularly through the Mauritius mandate. No doubt my hon. Friend the Minister will outline some of the details of that mandate, which was a genuine attempt to speed up the process and deliver some practical help. That spirit is not shared by all creditors. In particular, I cite Italy, Japan and Germany.

Germany's attitude is perhaps the hardest to understand. Last Friday was the 45th anniversary of the London agreement, which arose from Germany's inability to service its debts after the second world war, and under which 50 per cent. of those debts were cancelled; yet now, Germany drags its feet over an initiative that would cost in total 5 per cent. of the cost of reunification.

New priorities and a change of heart are needed. Organisations such as Oxfam, Christian Aid, the Catholic Fund for Overseas Development and, more recently, Jubilee 2000, are playing a vital part. Jubilee 2000 is especially to be praised. The idea of jubilee is rooted in Leviticus. It was an opportunity, every 50 years, to restore balance to economic life; to forgive debts; and to let the slaves go free. As is often pointed out, that did not always happen—people were as human then as they are now—but it was an aspiration and an inspiration, as it can be for us today.

The millennium can be a special time, a one-off moment for doing something extraordinary: cancelling the debts of the poorest countries and releasing the cash to reduce poverty. As a millennium project, that has the capacity to fire our nation's imagination. A nation that overturned the political status quo on 1 May and that mourned so deeply for Princess Diana is ready for a humane project that can bring progress and justice to 700 million of the world's poorest people.

Evidence of the potential popularity of such a scheme was contained in a MORI poll commissioned recently by CAFOD. Given a choice between writing off third-world debt and funding the millennium dome, people opted by four to one for the former. One in five ranked cancelling the unpayable debts of the world's poorest countries as the best way in which to celebrate the millennium.

In total, this country will spend £2.7 billion of public money on millennium projects. That is enough to cancel the debts of the 11 poorest African countries. How do we make the breakthrough? We have to start by talking in a more practical way: perhaps a little less about the telephone number debt figures owed by poor countries, and rather more about the millions of mothers in those countries who die in childbirth. The way we talk—the words and the pictures we use—can add urgency to our initiative and can help us to see that it is achievable. We could deliver the whole HIPC initiative for what Americans spend in one year on training shoes.

We must also think of debt reduction as poverty reduction. Let us forgive the debts, but let us also insist that the money is spent on health, education and clean water. In the first 10 months of our Government, we have seen priority given to health and education, which are popular causes. Let us ensure that we insist on the same standards for the world's poorest people. That is the approach that we are already taking when we link export guarantees to productive investment.

The Jubilee 2000 campaign has a prayer that will have meaning for believers and non-believers alike. It says:

"O God, to whom we owe more than we can count, in our desire to control all that will come to be, we hold your other children in the grip of debt which they cannot repay; and make them suffer now the poverty we dread. Do not hold us to our debts but unchain our fear, that we may release others into an open future of unbounded hope."

Let us take that golden opportunity to remove the burden of debt from the world's poorest countries and give their people real hope for the new millennium.

10.40 pm

The Economic Secretary to the Treasury (Mrs. Helen Liddell): I congratulate my hon. Friend the Member for Wythenshawe and Sale, East (Mr. Goggins) on securing this Adjournment debate, which is most timely because of the significance of the issues and the international conferences that are looming on the subject. It is also timely because, as my hon. Friend reminded us in his closing remarks, we are in the Lenten season, which is a time of reflection. Many of us are impressed by the commitment and compassion that my hon. Friend has shown in raising these important issues.

It is important for all of us who live in the advanced world to recognise that the world's poorest and most heavily indebted countries need urgent help with their

[Mrs. Helen Liddell]

debt problems. The debate is also timely because, as my hon. Friend said, we must consider the current state of the heavily indebted poor countries' initiative. Given the level of public feeling and the great resolve that has been shown recently by the international community in dealing with financial instability in Asia, it has become doubly important to ensure that the debt problems of the desperately poor countries are dealt with effectively and permanently, and that they are not squeezed out of our international economic debate by the scale of the problems experienced in wealthier economies.

Since the initiative was launched by the World bank and the International Monetary Fund in September 1996, we have seen some progress. Four countries—Uganda, Bolivia, Burkina Faso and Guyana—have had decisions on the level of relief that they will receive under the HIPC initiative. In a few weeks' time in April, Uganda will be the first country to receive relief. My right hon. Friend the Secretary of State for International Development has already announced a contribution by the Government of £6.5 million to help the African Development bank meet the costs of debt relief. Uganda will be followed by Bolivia in September, and Guyana in December. Burkina Faso will receive its relief under the initiative in April 2000. I recognise the problems that those countries will face, but the scale is enormous indeed.

A start has been made, but it does not yet make the HIPC initiative an undeniable success. In the speech by my right hon. Friend the Chancellor of the Exchequer—the Mauritius mandate speech, as it is now known—he set out targets that he felt that the international community should adopt to ensure the rapid and flexible implementation of the HIPC initiative.

One goal is for three quarters of the 20 countries initially identified by the International Monetary Fund and World bank as possibly needing HIPC relief to receive decisions on the timing and level of debt relief by the new millennium. I accept my hon. Friend's point about the significance of marking the millennium not only by celebration, but by recognising that many people in many parts of the world do not have the wherewithal or the will to celebrate if they live in poverty. I believe that the target set in the Mauritius mandate is attainable, but it will not and cannot be reached without very substantial efforts by the international community, as well as by the debtor countries, which must acknowledge their responsibility for putting to rights their economic problems.

My hon. Friend was right to draw our attention to the need for the international community urgently to demonstrate its commitment in the case of Mozambique, which spends twice as much on servicing its debts as on the basic services of health care and education. Even then, it manages to meet only about a third of its debt obligations. It is a severely indebted country which has, as he said, demonstrated its commitment to reform, but it awaits a decision from creditors to provide the necessary debt relief to reduce its debt burden to a sustainable level.

My hon. Friend movingly described the human cost of Mozambique's economic crisis. IMF figures show that to reach debt sustainability, Mozambique will require a debt write-off of about 88 per cent. I shall come to debt sustainability in a minute. The UK has consistently argued that the Paris club of Government creditors should provide debt relief of up to 90 per cent. in the special case of Mozambique. Despite that, the Paris club agreed in January to provide debt relief equivalent only to an 85 per cent. write-off. The outstanding amount is some $100 million dollars. Without that money, the IMF and World bank boards have been unable to proceed with HIPC relief for the most deserving candidates. Mozambique is a crucial test case for the seriousness of the international community's commitment to debt relief and the HIPC initiative.

My hon. Friend asked about the debt sustainability criteria. Debt sustainability is defined in terms of an agreed ratio based on empirical studies by the World bank and the IMF on debtors' debt service performance over time. It is only an indicative analysis, but I hope that at least by reducing debts to such a level, we shall come nearer to the point of preventing the build-up of arrears, while allowing debtor countries the necessary development costs of health and education. I understand my hon. Friend's frustration about the time that that is taking, but we must concentrate countries' minds on debt relief.

Tracking the record of reform is a key indicator that sensible policies will be sustained. There is a need to ensure that structural problems are put right to make sure that the situation never again occurs. Countries get help from international financial institutions, donors and bilateral creditors while they are establishing a track record. For countries that have already established long track records, the UK will continue to argue that it is absurd to ask for further lengthy periods of such policies before debt relief is available. We have been successful in doing that for both Uganda and Guyana.

The UK, with some other creditors, has suggested that individual donors contribute bilaterally to raise the necessary $100 million. My right hon. Friend the Chancellor has written to his counterparts in the G10, urging them to help to resolve the problem, and he and my right hon. Friend the Secretary of State for International Development met the president of the World bank last week to discuss possible solutions.

After that meeting, we announced that we—the United Kingdom Government—would commit up to $10 million of aid funds to filling the financing gap. That contribution is on top of the £10 million that my right hon. Friend the Secretary of State for International Development has already committed, through her Department's bilateral aid programme, to help Mozambique to meet the costs of servicing its loans from the multilateral development banks.

I am hopeful that those efforts, along with the considerable work being done at the World bank and the IMF, will bring a rapid solution to the problem. Last month, I was in Washington, where I raised the matter again with the World bank and the US Treasury.

Decisions are expected in the coming months on Cote d'Ivoire, Mali and Mauritania. If those go smoothly and a solution is found for Mozambique, we shall be able to say that the HIPC initiative is well on track. To meet the Chancellor's Mauritius mandate targets, however, greater efforts will be required to ensure that all the countries identified under the initiative receive relief as quickly as possible.

As my hon. Friend pointed out, the United Kingdom is leading the way in making that effort, not least in our capacity as president of the G7. The HIPC initiative will

be on the agenda in the context of development issues at the summit in Birmingham on 15 to 17 May. I hope, as do the Government, that that discussion can pave the way for more flexible and rapid implementation of the HIPC initiative, in line with the goals set out in the Mauritius mandate.

After the recent meeting of G7 finance Ministers and central bank governors, a communique was published which expressed the hope that all the 41 countries identified under the HIPC initiative would have begun the process of securing the debt relief that they needed by the year 2000.

My hon. Friend referred to the work done by the Churches, and I pay tribute to that. The Government have engaged in regular dialogue with Church leaders and NGO directors on the HIPC initiative. In December last year, my right hon. Friend the Chancellor held a seminar on the issues at No. 11 Downing street. The discussion was constructive, and showed that, although our final objectives may differ in some respects, there is much common ground between the Government and those other groups. On 17 February, my right hon. Friends the Chancellor and the Secretary of State for International Development met the president of the World bank, as well as a smaller group of Church representatives. It is important that that dialogue continues.

My hon. Friend may be interested to know that my fellow Ministers on ECOFIN are already finding that NGOs and Church communities in their countries are putting pressure on them in relation to HIPC. That is a useful development.

In the HIPC initiative, the IMF and World bank have provided the international community with a tool for dealing with the unsustainable debt burdens of the world's most indebted countries. We support that initiative and we support a serious commitment by the international community to implementing it flexibly. There must be an equal commitment by the debtor countries to reform. Once that happens, those countries can look toward implementing policies that can lead to sustainable economic growth, which is necessary for long-term development and poverty alleviation.

My hon. Friend mentioned Tanzania, which is one of the countries initially identified as possibly needing extra debt relief under the HIPC initiative. We fully support such relief for Tanzania, providing that it adopts and adheres to economic and structural reforms. My right hon. Friend the Secretary of State for International Development has committed between £5 million and £10 million to help the Tanzanians to meet the costs of servicing some of their loans.

Debt sustainability is, in the case of every poor country, our first goal. It is not, however, the full solution to the problems faced by HIPC. In short, there is a need to act quickly and effectively. It is important to the House, the Government and the British people. In the past six months, I have received 3,000 letters and postcards, many of which were accompanied by donations from 2p to several pounds from ordinary men and women in this country seeking to ease the debt burdens of those who are much poorer than we are.

We as a Government are determined to fulfil the hopes of our own people and of those in the most indebted countries of the world. I am grateful to my hon. Friend for giving us an opportunity this evening to discuss this important and timely subject.

Question put and agreed to.

Adjourned accordingly at six minutes to Eleven o'clock.

House of Commons

Wednesday 4 March 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Channel Tunnel Rail Link

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

Madam Speaker: Before I call the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick), I remind hon. Members that I have a lot of applications to speak in the debate. In the best interests of all concerned, it would be appropriate to have short speeches.

9.34 am

Mr. Jim Fitzpatrick (Poplar and Canning Town): I am pleased to have secured time to debate this important issue. I can confidently say that the channel tunnel rail link is a national issue. I hope to reinforce the well-argued and, I believe, accepted view that the CTRL is critical to the United Kingdom economy. The Government must continue to do all that they can to support the project and ensure its speedy completion. I know that many hon. Members are keen to contribute to the debate, so I intend to limit my speech to around 15 minutes—or at least that is what I have timed it at without interventions.

I shall refer to three basic points: first, the history of the project and how we got to the current dreadful situation; secondly, why the CTRL is a national, not just a regional issue; and thirdly, the importance of the CTRL to east London in particular and how it fits in with the transport infrastructure already being built or developed there.

I almost hesitate to point an accusing finger at the previous Government on the project's history, because I assume that most of the Conservative Members present this morning support the link. However, it is impossible not to make some comment. I hope that they will forgive me for saying that their former colleagues in the previous Government failed spectacularly when they told the House that they had reached a sensible business deal with London and Continental Railways.

Criticisms of the business plan, particularly those about the passenger projections, have now been shown to have been well founded. Even at the time, it was recognised that we were 10 years behind our European partners in building a fast link. Our standing in Europe has suffered as a consequence of that indecision and will continue to suffer if we do not rectify the position.

However, that criticism is history. As well as accusing and apportioning blame, I should also applaud and commend vision. I am happy to appreciate the number of former Ministers who recognise the importance of the CTRL to the UK economy in general—and east London in particular—and those who fought for the project in the Cabinet. I am even happier to commend my right hon. Friends in the present Cabinet who are fighting for the project.

The launch in Birmingham on Friday 20 February of the campaign known as Faster—Fast Tracks to Europe—demonstrates the national significance of the rail link. The campaign brings together local authorities from Glasgow, Manchester, York, Birmingham, London and the south-east, as well as business and industry from those areas, including the London chamber of commerce and industry. They jointly articulated the importance of national fast-track access to Europe for our regions. For the European Union to have the support of the people of this country, they need to have access to Europe.

We are joined to Europe by the channel tunnel. The rail link on our side must be as fast and convenient as that on the continent. Had the link been built by now, as it should have been, life would be a lot easier for West Ham United football supporters to travel to away games next season, when we qualify for Europe.

On a more serious note, it would be wrong not to take this opportunity to refer to my concerns about safety and Eurotunnel's continued resistance to separating passengers from their vehicles on Le Shuttle. The fire on the latticed freight transporter demonstrated the dangers of a fire in the tunnel. I firmly believe that the decision not to separate passengers from their vehicles was taken on flawed commercial grounds. Safety has been at best compromised and at worst disregarded by Eurotunnel—but I digress.

The United Kingdom as a whole needs the fast link. I know that the Government recognise that fact, and I dearly hope that they ensure that it goes ahead. My main comments are about the impact of the CTRL on east London. I can confidently leave others to address the issues that affect the rest of the United Kingdom, the Thames gateway and the rest of London, and the south-east. I know that others may refer to blight, which has adversely affected homes and businesses across the south-east and had—and continues to have—a negative impact on the lives of our people. I have heard particularly my hon. Friends the Members for Barking (Ms Hodge) and for Thurrock (Mr. Mackinlay) refer to that issue in other debates. Uncertainty, misery, unemployment, redundancy and negative equity are a few of the effects that their constituencies have had to endure. They need the matter resolved as soon as possible. This is certainly a serious issue.

Ms Margaret Hodge (Barking): I congratulate my hon. Friend on securing this debate. Does he agree that the most important forgotten victims of the whole fiasco are the hundreds of families whose homes have been blighted, through no fault of their own, by the mess that has been made of introducing the scheme? Does he accept that if there is further delay, we should ask the Government to introduce as swiftly as they can a more generous compensation scheme, so that residents who are unable to sell their homes have the opportunity to move and do not have their lives destroyed by something that has been brought about through no fault of their own?

Mr. Fitzpatrick: As one of my hon. Friend's constituents, I know that she has campaigned long and hard on the issue. I readily accept her points. I am sure that the Government will take note.

[Mr. Fitzpatrick]

Many people believe that London is Westminster and the corridors of power, the BBC and Fleet street. Perhaps it is if one is from outside the capital. But the real London, my London, is Poplar and Canning Town, an area of high unemployment—14.2 per cent.—of poverty, deprivation, overcrowding and homelessness, which puts Tower Hamlets and Newham among the 10 most deprived local authorities in the UK. But that is changing.

The Government's social exclusion strategy has been written for constituencies such as mine. Education standards are being raised, communities and long-forgotten estates are being rebuilt and partnerships between new business communities and local people are being engendered in east London. To ensure success, and in order to deliver, we need the transport infrastructure.

Already, we have had some new roads, and we have London Underground's District and Central lines, and Stansted airport. New developments are under way on the docklands light railway, and the City airport is looking to expand. Improved bus routes are taking shape and the Jubilee line extension to Stratford opens in 12 months. Improvements are planned for the A13, and there is a real prospect that the Thames will be crossed at three new separate points in the years immediately ahead.

The final piece of the integrated transport jigsaw is rail. Even now, rail is playing its part, but the channel tunnel rail link, with the international station at Stratford, makes it all make sense. The project is about the next millennium, planning for the future. This is the stuff of boldness, of vision, of government.

In economic terms, east London has for too long been the poor relation of the family that is our great city of London. Historically, the east end has been a starting point for waves of immigration—Protestant, Catholic, Jewish, black and Asian communities. In common with most other eastern quarters of cities in the United Kingdom, east London has been our industrial centre. With prevailing westerly winds, it was convenient for our Victorian ancestors to locate certain industries in our part of town, where the sensibilities of others would not be offended by the smell, which would be directed away from the City. Consequently, gas and sewerage works linked with business that was dependent on the docks, to create a potent cocktail. But times have changed.

We still have some important traditional industries, but, following the closure of the docks, regeneration of the area was addressed, and the industrial focus moved to a commercial one. In the past 20 years, thousands of jobs and many businesses and organisations have moved to east London. The benefits are yet to penetrate the poverty that many local communities still suffer, but that will happen. I repeat the suggestion that I made in the debate on the Greater London authority, that docklands would be a wholly appropriate home for the new mayor and the elected assembly.

As I said, there is high unemployment, overcrowding and homelessness in my constituency—all the indices of poverty. The Government's new deal programme and welfare reform, as part of their social exclusion strategy, are critical. That is where we can make a difference. East London is the gateway to Europe. For Britain to be successful, London must thrive. For London to prosper, we need continuously to renew. The symbolism of docklands, Canary wharf, the millennium dome and, yes, even baby dome, is our beacon. It says to Europe and the rest of the world, "This is our capital; This is our country; This is our future." If the channel tunnel rail link is not built now, it will delay our renewal by a generation—although not prevent it. When we look back at the Tories' 10 years of indecision, we say that they were weak and frightened, and that they failed. This Government must not fail.

The London borough of Camden and its advisers have calculated that not to proceed with the CTRL would cost £850 million. Additionally, the Thameslink 2000 project, which was part of the Channel Tunnel Rail Link Bill, would be compromised by any decision either not to proceed or to phase the project. Waterloo is not a real option because it does not have the capacity, particularly if the hope to move more freight by rail rather than road is to be realised.

Mrs. Jacqui Lait (Beckenham): I assure the hon. Gentleman that my constituents in Beckenham and throughout Bromley will be supporting his and his colleagues' plans to ensure that the channel tunnel rail link goes east of London because, at the moment, they are suffering from the noise and disruption caused by Eurostar.

Mr. Fitzpatrick: I am grateful for the hon. Lady's support.

It is calculated that, as a regeneration engine, the CTRL could create between 80,000 and 120,000 new jobs. When in opposition, Labour endorsed the project and flagged up what were seen as flaws in the business plan, to try to ensure its success. We need to support the project now that Labour is in power because the reasons why we supported it then are as valid now, if not more so—even if that means more public resources and financing.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I am a bit worried by that. Is my hon. Friend really saying that we should commit a great deal more public money without getting something in return? I am sure that that is not quite what he means. We all want the project to go ahead, but I hope that the Government will look very closely at what the taxpayer will get in return.

Mr. Fitzpatrick: I am sure that my hon. Friend is correct in encouraging the Government to look very closely at the prospect of allocating additional resources. However, I believe that the benefits that will accrue to the UK in general warrant consideration of additional resources. If London and Continental Railways is unable to deliver a new financial package, the Government may want to look to such an option.

It is encouraging that my right hon. Friend the Deputy Prime Minister has afforded LCR extra time, because it seems to be making progress. I am aware from contacts with various businesses over the past 48 hours that at least three other international consortiums are queuing up in case LCR fails. Although I hope that extra public finance is not necessary, I do not think that the Government should disregard the option. The prize at stake is too great.

This issue is not an east London, a London or even a south-east one. It concerns the whole of the UK. I congratulate my right hon. Friend the Deputy Prime

Minister and his colleagues on the attention that they have given the matter so far and on their determination to make it work. I am sure that the whole House will join me in wishing them every success.

9.48 am

Mr. Damian Green (Ashford): I welcome the chance to speak in this debate while delicate negotiations are going on. I congratulate the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick) on suggesting the debate. I am glad that he steered away quickly from turning the issue into a party political one. At this stage particularly, that would be completely inappropriate.

Broadly, I endorse the thrust of much of what the hon. Gentleman said about the importance not only of the link being built but of the whole link being built, so that the full benefits can be obtained. The people of Kent, including those in my constituency and all along the route of the line, have suffered blight and uncertainty for many years because of both the prospect of the line and the many delays in building it.

What those people deserve is that when the link is eventually built it will be a great national project bringing regeneration. The benefits that the people of Kent deserve come into two categories. The first would be better commuter links for themselves, not only on the line itself but through the release of capacity on other rail lines that have become increasingly crowded as the Kent economy has improved over the past few years.

Secondly, the people of Kent deserve the knowledge that the project is an essential link in a national project—indeed, an international project—involving not only the urban regeneration that the hon. Gentleman described but the general upgrading of rail services throughout Britain and into Europe.

I want to talk about what seems to be happening, and the likely effects. I warn the Minister that if the Government cannot find the subsidy to build the whole link at once—I dare say that that is the most likely eventuality—warm words about building future phases, after a first phase stopping at Southfleet, will not be enough. The people who live along the route, and channel tunnel rail link enthusiasts throughout the country, will want to see a firm timetable for building the entire line, with penalty clauses written in so that the timetable can be enforced.

Almost the worst eventuality would be for part of the link to be built, with all the disruption that that would cause, followed by vague words about how the rest of it would be built in phases over the years to come, but for the years to tick by with phases 2 and 3 delayed. In my more pessimistic moments, that seems to me to be the most likely outcome. I hope that the Minister can give us an assurance that it is not.

Mr. Stephen Timms (East Ham): I agree with the hon. Gentleman. I wonder whether he has noticed that some newspapers, including the *Financial Times*, are suggesting that it would be a good thing if only the first section of the link were built. Does he agree that that would be a disaster, and that the Government must ensure that when an announcement is made about taking the project forward there is full confidence that the whole link will be completed?

Mr. Green: The hon. Gentleman makes a good point, and I reinforce it from my constituency point of view. Because people have had to put up with blight and uncertainty for so long, they will be angry if they feel that, after all the inconvenience and damage to housing and to businesses along the route, the only result is 10 minutes off the journey. That would not seem like a sensible equation of advantage and disadvantage.

Mr. Andrew Mackinlay (Thurrock): As I am now being allowed to intervene, I shall not endeavour to catch your eye later, Madam Speaker, because of the number of other hon. Members who want to speak.

The hon. Member for Ashford (Mr. Green) and I have collaborated closely on the matter, especially concerning our mutual problems with business blight and the distressing circumstances of small and medium-sized businesses.

I have every confidence that everything that the hon. Gentleman is saying is what I would have uttered if I had caught your eye, Madam Speaker, so I want to associate myself with it, and acknowledge the way in which the hon. Gentleman and I have collaborated in making representations to the Minister about our local businesses.

I reinforce the idea not only that the link must be built in its entirety but that any slippage would be an abuse of Parliament, because the long title of the Channel Tunnel Rail Link Act 1996 makes it abundantly clear that Parliament's intention was for the whole link to be built with the maximum expedition.

Mr. Green: I am grateful to the hon. Gentleman not only for those remarks, with which I agree, but for his share in the work that we have done together on behalf of small businesses in both our constituencies, which are often in severe difficulty because of the various delays to the link.

I ask the Minister to give me some assurances and to answer some detailed questions about the propositions now before the Government. It is about 12 hours since I was last in the Chamber, and at that point the Minister was sitting there replying to a debate—so may I congratulate her on both her stamina and her versatility?

The Minister for Transport in London (Ms Glenda Jackson): I was standing, not sitting.

Mr. Green: Yes, she was standing. One wonders whether she ever gets away from that place.

I should like to receive three assurances from the Minister. The first is that whichever new project comes forward and whatever consortium is building it, there will be no relaxation of the environmental standards imposed in the original Bill that went through both Houses of Parliament and was fought over in detail by many people in this House and in another place, as well as in local communities along the route.

Along the route there is much fear and cynicism to the effect that one of the ways in which money might be saved when a new project emerges would be to relax the environmental standards. The Minister could reassure many people by giving an assurance this morning. In that context, I take it as read that when a new project comes forward there can be no change to the route currently before Parliament.

The second assurance for which I should be grateful is that the delays will soon come to an end. One understands that we are talking about complex commercial

[Mr. Green]

negotiations, to which the Government are only one party, so perhaps it was over-optimistic to expect them to be wrapped up in the 30 days that the Deputy Prime Minister originally suggested.

None the less, I must tell the Minister that businesses along the route, including those referred to by the hon. Member for Thurrock (Mr. Mackinlay), are especially damaged by the lengthening uncertainty, and I urge her to move as fast as possible to a conclusion of the negotiations.

The third assurance that I seek is that no secrecy should surround the deal eventually struck. Railtrack is at times an inherently secretive organisation. For example, last year an accident—not serious, fortunately—happened in my constituency. When I wrote to Railtrack some months later asking for details of its inquiry, and what remedial measures it proposed to take, I was shocked at its reply that the information was not available to the public and it was up to the Health and Safety Executive to say whether it should be released. The HSE wrote back to me saying that it was not its responsibility but Railtrack's—and compounded the insult by accompanying the letter with a pamphlet on open government.

Mr. Michael Howard (Folkestone and Hythe): Does my hon. Friend agree that one of the greatest assurances that the people of Kent could have would be one from the Minister today that Kent county council will be fully consulted and involved in the decision-making process? We hope that the decision will be completed as soon as possible, but we should like the county council to be fully involved.

Mr. Green: My right hon. and learned Friend is right. Kent county council has played, and is playing, an active and constructive role in bringing the project forward, and it is important that its ability to represent the people of Kent is recognised by full consultation during the negotiations.

The Minister will recognise the importance of avoiding secrecy, because, speaking in the House about the deal with London and Continental, she said:

> "I understand that no one in the House is privileged to see the contracts in any detail or to discuss them, on grounds of commercial confidentiality. It is a curious commercial enterprise that is clouded in mystery in one direction."—[*Official Report*, 25 April 1996; Vol. 276, c. 629.]

I am sure that the hon. Lady will endorse her own words and will not wish such secrecy to surround the project in future. Will she assure the House that full details of any agreement will be put in the Library for the perusal of Members?

As well as asking for those three assurances, I shall ask the Minister three questions. First, what type of freight does the Department think will be carried? We hear a lot about the freight benefits of the link. I assure the Minister that this is a genuine search for truth. Many, perhaps most, of the questions asked in the House are questions to which the questioner thinks he or she already knows the answer, but in this case, I genuinely have no idea of the answer, and no one connected to the project has ever satisfactorily explained it. We all agree that the line as planned will not be able to take any kind of heavy freight, but there is vague talk of "high-value freight" being carried. I am not sure whether that means any more than parcel freight, and I should be grateful if the Minister would give some guidance.

My second question is whether it is feasible or practical for Eurostar to share the lines between Southfleet and London with the existing commuter traffic if we go for a phased project, with the first part of the line built to Southfleet and the rest built in stages afterwards. I have been assured by reasonably well-qualified railway engineers that the amount of commuter traffic using the lines from Canterbury and the Medway towns to London will mean that either we will have to cut the commuter traffic in the rush hour or Eurostar will not be able to run in the rush hour. If that is true, it suggests that the phasing of the project would be simply impractical.

My third question is whether the benefits of upgrading the existing track are being considered while the Government are looking at all the options available to them. Engineers say that, effectively, we could save 15 minutes from the journey for £1 billion. We are, broadly speaking, talking about spending £7 billion or £8 billion to save 35 minutes, and it seems that that proposal deserves full consideration.

We recognise that the channel tunnel is a great national achievement, but it is only half an achievement. Linking the tunnel to the rail network of this country is the other half. London and Continental has had many failings, not just the central failing of its passenger projections which has led to the current financial plight. More particularly, it has been determined to keep secret the fact that it is more convenient for the whole of the south-east of England to drive to Ashford and travel from there than to struggle in to Waterloo. Despite the best efforts of the excellent management and staff at the Ashford international passenger station, the marketing of the station by London and Continental has been inadequate. Perhaps that is a symbol of its lack of commercial acumen.

Many people—not just my constituents, but all the people of Kent and the rest of the country—hope that the consortium put together by the Government shows more sensitivity to the needs of people who live, work and run their businesses along the route. We hope that it will be able to complete the project so that the whole country can gain the advantages that will be available from it.

10.2 am

Mr. Peter Snape (West Bromwich, East): It is perhaps appropriate that I follow the hon. Member for Ashford (Mr. Green) because I shared the job of co-chairman of the all-party channel tunnel group with his predecessor, Sir Keith Speed, for many years.

I wish to make two declarations of interest. First, as a former railwayman, I am still a member of the National Union of Rail, Maritime and Transport Workers—one of the reasons behind my interest in this great project. I am also the chairman of Travel West Midlands, a bus company based in Birmingham which is a subsidiary of National Express—itself a member of the London and Continental consortium. I ask the House to appreciate that I am not speaking on behalf of National Express. I have never had anything to do with the railway side of its operation, but I feel that such a connection should be on the record before I speak in the debate.

I congratulate my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) on bringing this important subject to the attention of the House. In an able speech, he talked about the history of the project. However, he did not go back far enough. Those of us who have the doubtful benefit of old age can remember this project in the 1970s when, I must say, neither of our main parties came out with any great credit. The Channel Tunnel Bill was cancelled by the Labour Government shortly they were elected in 1974.

I say to my hon. Friend and other colleagues who feel that public money should be put into the project that one of the reasons given for the cancellation was that there were other priorities for public money. At that time, many of my hon. Friends were in favour of the cancellation of the project because they wanted public money spent on schools, hospitals and other matters with which the Government were directly involved. I must tell my hon. Friend that I would not hold my breath too long if he thinks that the Treasury is likely to come to the rescue of London and Continental, or anyone else.

I was more amused than angered by the intervention of the former Home Secretary, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who is no longer in his place. I do not know how any member of the previous Cabinet could jump up and defend his constituents against the effect of this project on their lives, given the enormous mess that the Conservatives made of it from beginning to end. I admire his cheek, if not the basis on which he made his intervention.

The hon. Member for Ashford and all of us are anxious that the link is built as quickly as possible. I attended the meeting in Birmingham last Friday to which my hon. Friend the Member for Poplar and Canning Town referred. The Fast Tracks to Europe group is unrealistic when it says that the project must not be phased. Whatever happens, it seems unlikely that the work will start at each end of the route and will meet in the middle. Some phasing is inevitable. It looks as if the southern section will be built first, because—let us be realistic—it is likely to be a lot cheaper.

I have seen the figures produced by Fast Tracks to Europe, which suggest that such an approach will cost money because of the loss of benefits, but I have yet to hear a real alternative. If no Government money is involved, and if the projections for Eurostar travel—receipts from which will go towards the building of the project—are accurate, some degree of phasing, unpalatable though it might be to us all, is inevitable.

Around 1991, the right hon. Member for Henley (Mr. Heseltine)—that great social engineer of the previous Government—decided to change the route. I know that that decision suited some of my hon. Friends, and I congratulate them on the effectiveness of their campaign. When the right hon. Gentleman changed the route, companies such as Blue Circle found themselves to be sitting on valuable real estate in the Ebbsfleet area. Coincidentally, the public relations company involved with Blue Circle at that time had as one of its representatives the former vice-chairman of the Conservative party, Dame Angela Rumbold.

I wonder whether companies that made money out of the project have volunteered to put any of their extra profits into the cost of building the rail link—particularly that part of it north of their land which is more expensive because of the need to tunnel under London. Cynic that I am, I would be surprised if any volunteer had come forward.

All of us want the project to benefit the rest of the country. Those of us who represent constituencies in the west midlands are no less anxious to see that happy event come about. What we have at present is the worst of both worlds. We have all the uncertainty about the future of the link, and we have no through trains to Europe. Indeed, the connecting trains to Waterloo have been removed by London and Continental, although many remain on the timetable. Last week, the *Birmingham Evening Mail* and the BBC highlighted the absurdity of a local train being held for eight minutes at Birmingham international station to allow for one of the Eurostars that do not exist as far as the west midlands is concerned.

I understand some of the difficulties in getting a safety case for the trains north of London. As far as I understand, they still only run between Manchester and somewhere like Bletchley. I should be grateful to the Minister if she would tell us what progress is being made to introduce those trains north of London, and whether the newspaper rumours about the trains being leased to Virgin or any other train operator for incorporation into their service are valid. No one north of London, and few people in London, have benefited from the project so far.

As the hon. Member for Ashford said, the link is a great engineering project, and all hon. Members attending this debate want to ensure that the original intentions of the Committee dealing with the channel tunnel are carried out. I am sorry if this sounds like a plea for medals for a rather undistinguished career, but I served on the first channel tunnel Committee in the 1970s—I remember, to my amusement, that there were only about 60 objectors then. When I served on the subsequent Committee in the mid-1980s, there were 12,000 objectors.

The hon. Member for Beckenham (Mrs. Lait), who is no longer in the Chamber, illustrated the dilemma that arises from the channel tunnel rail link and the expansion of the railway system—all of us are in favour of expanding the network, until the trains run through our constituencies or past the bottom of our gardens. According to the hon. Lady, the prospect of an hourly train of 18 coaches going to Paris or Brussels makes life intolerable for her constituents. I think that she exaggerates. People who buy houses next to railway lines and then complain about the noise from trains do not endear themselves to me as a former railwayman, although some of my hon. Friends may take a different view. We want the benefits of the link to be brought to the rest of the country, as was intended, so I hope that my hon. Friend the Minister can answer some of the points that have been made.

I think that my hon. Friend the Member for Poplar and Canning Town is as realistic as I am about subsidy—he knows that Treasury involvement is unlikely. The fact that, across the country, road bridges are being strengthened to take 44 tonne lorries—that is a direct subsidy to the road haulage industry by the taxpayer—yet both the previous and current Governments said that public money cannot be found for the great project that is the channel tunnel rail link is an illustration of how we treat different forms of transport.

I add, as an amusing aside, that when Lord Parkinson stood at the Dispatch Box as Secretary of State for Transport, he used to say, "There must be no public

[Mr. Peter Snape]

money for the channel tunnel or the rail link." Nevertheless, he popped up later as chairman of one of the consortiums asking for £1 billion of public money for that very rail link. That illustrates the awesome warning to all hon. Members—never say never. We should never say never about this great project.

10.12 am

Mr. Tom Brake (Carshalton and Wallington): I welcome the opportunity to speak in the debate. I start by running through some of the history of the project—not the whole history, hon. Members will be pleased to hear. The first reference to a high-speed link that the Library could identify came in a speech by Sir Bob Reid on 9 May 1988. He said that a high-speed link would be built if it brought

"the right level of profit".

Hon. Members may be interested to know what was happening in France at that time. Construction of the train grande vitesse north line began after the end of September 1989.

Nearly 10 years on, and many miles of new roads later, the House is debating a future high-speed rail link, while Eurostar ambles through south London—Brixton, Beckenham and Orpington—at an embarrassingly relaxed and leisurely pace. What progress has been made in France? As hon. Members may know, its high-speed link was opened in September 1993—four and a half years ago—at a cost of £2 billion. That is a sad indictment of the previous Government's obsessive love affair with roads and their indifference to the railways.

The White Paper to be published soon will confirm whether the new Government have a more balanced approach to infrastructure provision and whether they believe that there should be a level playing field for roads and rail. In the meantime, they have to contend with the thorny issue of the channel tunnel rail link.

Over the past few weeks, I am sure that the Deputy Prime Minister has been considering the pros and cons of allowing the project to sink or swim. I give three good reasons why the high-speed link should be built. First, it will make it easier to shift freight off the roads and on to rail by releasing network capacity for freight trains. Secondly, it will cut CO_2 emissions, as many short-haul passengers who currently fly will choose to travel by rail. Thirdly, as hon. Members have said, it will help to regenerate some of the poorest parts of east London, developing the recycled sites that the Deputy Prime Minister has prioritised.

There is also a good reason why the link should be built along the current route. We are already five years behind the French, so surely our national pride will not let us slip behind a further five years while new legislation is drafted to provide for a new route.

If the Deputy Prime Minister accepts that argument, he has the choice of four partners—London and Continental Railways, Railtrack, Bechtel and Eurorail—some or all of which could take the project forward. If he seeks a deal with LCR, he should not reward it for its past bad management and judgment. If he seeks a deal with Railtrack, he should offer no sweeteners—he should not allow it to impose higher access charges for all other rail users. If he fails to secure a deal with LCR, Railtrack or any of the other players, and chooses not to back the project, I would ask him a simple question—what is Government for?

Mr. Snape: You lot would not know.

Mr. Brake: We shall find out shortly.

Liberal Democrats believe that Government should protect people on some of the lowest incomes—such as people with disabilities or lone parents—provide free education and take the lead. Even if the Government do not agree on the first two points, I hope that they can agree on the third. If no commercial operator produces an acceptable package, the Government—through a public interest company, bond issue or other measures—must step in. The need for Government involvement in such a strategic project was recognised even by the previous Administration, who committed £1.4 billion to the rail link.

The country needs the high-speed rail link, and it needs it to be built in its entirety—a 17-minute reduction in journey time for the first phase is not a sufficient benefit. I understand that Department of Trade and Industry lawyers advised the Government that if they intended to build not the full length but only stage one, a new Act would be required, with all the delays that that would entail. The Government must, therefore, be committed to building the full link.

The channel tunnel rail link is the first real test of the Government's commitment to an integrated transport policy, to moving freight from road to rail and to meeting their own CO_2 reduction targets. It is now up to the Deputy Prime Minister to show us whether he can rise to that challenge, or whether, like his Conservative predecessors, he will falter and stumble.

10.17 am

Mr. Paul Clark (Gillingham): I add my congratulations to my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) on securing the debate at such an opportune time. Hon. Members from all parties recognise the difficulties that face both London and Continental Railways and the Government in saving and developing something from this project—although we should not save just any old thing. As my hon. Friend the Member for Poplar and Canning Town said, the project is not a local or regional issue; it is a vital national and transcontinental one.

The rail link will draw in business to the channel tunnel from the east and, via the west coast main line, from the midlands, the north-west and the west of Scotland. Businesses and individuals will be able to capitalise on the opportunities that the link provides. Other hon. Members may be able to point up the significance of the rail link on a national level.

The link will open up the Government-identified Thames gateway region, which extends from east London through Dartford and down the north Kent coast, and includes my constituency and the western boundaries of Sittingbourne and Sheppey. The area contains about 2.5 million people, 17 local authorities, 10,000 acres of business and industrial land, and three training and enterprise councils.

The Thames gateway is the largest European regeneration area. The Government's regional strategy identifies north Kent as a growth point for major development. Significantly, much of that development, in business and new homes, would be on an abundant source of brown-field sites, which is clearly in line with Government policy.

The development of the Thames gateway will unlock major locations that face directly the main European markets. To succeed, we need the infrastructure: the rail link must be developed in its entirety. A link that stops short of the new international station at Ebbsfleet and transfers to existing lines will not deliver the regeneration, unlock the brown-field sites and help the people of north Kent.

It is anticipated that the development of Ebbsfleet will bring up to 50,000 new jobs and allow 30,000 new homes to be built. For the approximately 300,000 people living in the Medway towns, it will be a catalyst for new opportunities, with direct rail links to jobs along the north Kent line.

In addition to the development, a new commercial zone will be created adjoining Ebbsfleet station. There will be sustainable journey-to-work patterns by public transport, rather than by car, which, again, is in line with our integrated transport strategy.

The full scheme, including the new stations at Ebbsfleet and Stratford, will afford the people of north Kent greater job opportunities, as they will have access to new areas such as Stratford and St. Pancras. Those jobs will be linked to far faster and more reliable rail services: Gillingham will be only 30 minutes from St. Pancras if the link is built in its entirety.

The link is essential for the regeneration and redevelopment policies of the Government and of Kent county council. Failure to complete it will send out the wrong signals. The private sector has already made huge commitments to north Kent. Failure to honour the promises that elicited those commitments will destroy confidence not only in the immediate area but, I fear, in other developments that are proposed along the entire route of the integrated link, including east London, Birmingham and the west midlands, and the north-west.

We should record our appreciation of the fact that the House has been kept quickly and reliably informed through the offices of my right hon. Friend the Deputy Prime Minister, in both a statement and a written answer. Our resolve to build the link, which will eventually connect the east, the west, the south and the north of our country to the European capitals of commerce must not weaken. Failure could mean that we end up as a branch line to Brussels.

We must remain true to the original agreements. The Deputy Prime Minister's statement last month informed us that there was no intention to consider an alternative alignment to that approved in the Channel Tunnel Rail Link Act 1996. That is more than welcome. Any deviation would be the death knell of a realistically timed completion of the link.

Hon. Members who are far more au fait than I am with developments over the past 20 years—at least—said that various alternative routes had been canvassed. I whole-heartedly agree with what the hon. Member for Ashford (Mr. Green) said about blight and uncertainty, because those alternative routes caused much anxiety and concern among home owners and businesses; my hon. Friend the Member for Thurrock (Mr. Mackinlay) also mentioned the business side. It is essential that competition should not reopen for the design, construction and operation of the link, as that would open a Pandora's box of alternatives and variations.

One benefit of the link will be to open up existing lines for other uses, increasing both passenger and freight capacity. I shall be interested in the Minister's response about freight, as there seem to be some differences of opinion. I understand that there will be increased capacity for freight on some existing lines, as well as along the link. That will have an important environmental impact in helping us to reduce traffic congestion.

The environmental impact of the link itself must be minimised. Debates in both Houses over two years have developed negotiations that have led to high standards and considerable sophistication in the plan, which incorporates measures embodied in the environmental minimum requirements and undertakings given by the previous Government and LCR. It is essential to adhere to that.

We must grasp the opportunities before us if we are to be a key player in the issues of integrated transport, commerce and the European Union. The development of the link gives us the opportunity to create the right balance and to implement the Government's sound objectives on issues such as the fight against poverty, social inclusion, the environment, integrated transport, the regions, and Europe.

This is not a local issue, as can be seen by the range of hon. Members who signed early-day motion 770 and by the membership of Fast Tracks to Europe, as mentioned by my hon. Friend the Member for Poplar and Canning Town, which includes many private sector organisations and the leaders of many local authorities throughout the country.

The message, specifically from the Medway towns, is that we must build the link in its entirety as quickly as possible, so that we can have the transport links that are needed for the 21st century.

10.28 am

Mr. David Amess (Southend, West): I congratulate the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick) on securing this debate. He has done the House a great service. It is a little sad that the bipartisan approach slipped somewhat. It is up to the current Government to decide how to proceed on the matters that face them, but it would be churlish of hon. Members not to note that the channel tunnel itself was built during the 18 years of Conservative government. I am proud to defend the record of the Conservative Government, which was democratically elected on four occasions.

Mr. Snape: There were also a few hot summers during the period of office of the previous Conservative Government. Is the hon. Gentleman going to claim credit for those as well? On the insistence of the then Prime Minister, not a penny of public money went into the channel tunnel.

Mr. Amess: That is exactly the point and it is something which has been learnt from the Conservative Government. I shall leave claiming the credit for hot summers to the Liberal party and new Labour.

[Mr. Amess]

I must also pay tribute to the noble Lords Parkinson and Channon, who did a great deal during their terms of office to drive the project forward. Our former colleague Michael Portillo, as Minister of State at the Department of Transport, also did a great deal to make the channel tunnel project the success that it obviously is. Finally, without the noble Baroness Thatcher none of it would have been possible.

My roots run deep and I suspect that I am the only person in the Chamber who was born in the east end of London—in Stratford. In the previous Parliament, it was my great joy to work with, among others, the hon. Members for East Ham (Mr. Timms) and for West Ham (Mr. Banks)—now the Minister for Sport—and Mr. Nigel Spearing, who has now retired. We worked together in a bipartisan fashion and a great deal has been achieved as regards our particular concerns in Newham.

I still have family living in Newham; indeed, that is where the tiny vote for the Conservative party comes from these days. Although I was less than satisfied for a long time with what went on there—I call those the barmy days of Labour—a number of projects are a great joy, particularly those in Stratford. I protested about the pyramid 20 years ago, saying that it was a waste of time building it and I note that last week it was blown up—my hon. Friend the Member for Ashford (Mr. Green) will have enjoyed that—so I was right in my protestations all those years ago.

The channel tunnel rail link is important not merely for Newham but for both our Essex constituencies, Mr. Deputy Speaker. It is essential that the project is completed. For docklands and Stratford in particular the link is essential—it is the most important rail link.

I wish that I had time to touch on the excellent advice that I have been given by the London borough of Newham regeneration and partnerships division, which has done some great work on the subject. I must emphasise its point that:

"Without the CTRL being built in its entirety . . . to central London, there will not be the possibility of moving commuter trains from Kent from congested existing lines onto it between international trains and 'freeing up' capacity for more freight movement through Kent to the Channel Tunnel. Indeed given the growth figures already referred to, the Integrated Transport Strategy, on which so many hopes are built, especially that freight will be moved from road to rail, could face an immediate crisis of insufficient capacity. Phasing solely to Southfleet or Ebbsfleet could deliver the worst scenario of all—no possibility of increasing either the number of international trains an hour (from the current 3) and no extra capacity for freight trains unless the number of commuter services is reduced. It is already clear that the different train operators recognise the looming problem. However, with Railtrack—the track provider—set to be a major player in the CTRL rescue . . . they are reticent in voicing concerns when they may shortly be competing with other train operators for an insufficiency of train paths."

I realise that this is a difficult moment for the new Government—how best to approach the challenges facing them—but I hope that we will not be churlish and that we will rejoice in this great engineering feat. I hope in particular that the House will be minded to support the efforts of Newham council and Stratford in particular.

10.33 am

Mr. Jonathan Shaw (Chatham and Aylesford): I join other hon. Members in congratulating my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) on securing this important Adjournment debate. He has distinguished himself as a first-class chairman of the all-party Thames gateway group. He and my parliamentary neighbour, my hon. Friend the Member for Gillingham (Mr. Clark,) make a formidable team in leading our group, which represents constituencies in London and the south-east. The success of the Thames gateway is fundamental to our opportunities to secure economic regeneration, as many of those opportunities stem from the building of the channel tunnel rail link.

Dr. Howard Stoate (Dartford): Is my hon. Friend aware that the opportunities for regeneration are immense in my constituency? As Opposition Members and my hon. Friends have already said, up to 50,000 new jobs could be created as a result of the creation of Ebbsfleet international station. Also, 90 per cent. of the 30,000 new houses proposed for the area would be built on recycled land, in line with Government policy, thus protecting the green belt for the area.

Mr. Shaw: That is an excellent point, and just the sort of example I was looking for, so I thank my hon. Friend for his intervention.

I will not discuss the route in its entirety, but I associate myself with all the other comments about that. I must focus briefly on an issue that affects constituents who live in and around the Medway towns—the M2 widening and the construction of the channel tunnel rail link, both of which were authorised in legislation. During the parliamentary process, the three authorities that represent my constituency—Rochester city council, Tonbridge and Malling district council and Kent county council—stressed the importance of the co-ordination of those projects. We argued that the construction of the bridges across the Medway valley had to take place at the same time. My constituents and the infrastructure in the Medway towns would suffer considerably anyway as a result of the construction and we recognised that, but to start one project across the valley, finish it and then start another would be a nightmare scenario. The estimated time scale for the channel tunnel rail link over the Medway valley is likely to be about three years and for the M2, three and a half years, which could mean six and a half years of disruption and chaos for my constituents. However, put the two projects together and we could reduce the time to four and a half years, which would be not only less destructive but more cost effective.

Understandably, we were pleased when the Government accepted that the two projects should be co-ordinated. Last year, the new Labour Government fulfilled the pledge to hold an early review of the road building programme. The M2 widening was contained within that programme and at the time we made representations to press the point about the delay and the effect that it could have on co-ordinating the concurrent construction that we had fought so hard to win. The matter was resolved and my right hon. Friend the Secretary of State for the Environment, Transport

and the Regions announced that the M2 widening would go ahead. He rightly pointed out that the project was part of a strategic transport infrastructure, in that the M2 would link up with the CTRL station in the constituency of my hon. Friend the Member for Dartford. Now, we face similar doubts about the other project.

The timing of those two nationally important transport schemes is vital to my area to limit disruption, keep down costs and to apply the principle of sustainable development. The CTRL has caused misery and blight in Kent—

Mr. Mackinlay: And in Essex.

Mr. Shaw: Indeed. There have been hard-fought battles for environmental safeguards, but I support the project and have always done so. We must build the link in its entirety, but I look forward to hearing some answers from my hon. Friend the Minister to my questions about concurrent construction.

10.38 am

Mr. Alan Clark (Kensington and Chelsea): I congratulate the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick). His presentation of the argument, with which I disagree except for his strictures on the channel tunnel, was admirable and beautifully structured. However, this debate has seen the House at its most facile. It has consisted almost entirely of a series of clichés and trite remarks about the strategic plan, the need to send messages and so forth and national pride. I was interested to hear a Liberal Democrat Member, the hon. Member for Carshalton and Wallington (Mr. Brake), talking about national pride. All those points were synthesised in a series of mini soundbites which hon. Members uttered for the benefit of their local newspaper before they sharply and shortly left the Chamber.

The House has not been at its best during the debate. The most interesting contribution came from the hon. Member for West Bromwich, East (Mr. Snape), who reminded us of the situation in 1983 when the channel tunnel project started, and of the colossal underestimation of building costs. Fortunately, because of the views of the then Prime Minister, the project did not attract public money and, therefore, it was the banks that took a terrific bath, which everyone enjoyed.

Now, we are faced with precisely the same situation: the contractor grossly overestimated traffic, and got the contract by one means or another, but almost immediately got into difficulties and has to be bailed out. It is perfectly clear that the private sector will not bail the contractor out, and the Deputy Prime Minister implied in his late-night statement that, if necessary, the taxpayer would foot the bill.

I caution the House against blithely accepting that. The sum involved is £8 billion—at the moment. We all know that figure could easily double. The House should consider this: on one hand, we have a colossal and environmentally damaging project, the real benefits of which no hon. Member has quantified; on the other, we have the putative expenditure of £8 billion of public money, which will probably increase to £16 billion. Hon. Members should ask themselves whether it would be better spent elsewhere, not on the usual clichés such as schools and hospitals, but on the transport system, and the rail network in particular. We should also ask what we would get for £16 billion, as an alternative to this ludicrous and megalomaniac project to drive a new rail link.

The trains run perfectly well at the moment. Because this is an unprogressive, slightly reactionary argument, hon. Members on both sides of the House regard it with mirth, but it is practical. I do not have time to develop my argument, but I say this: the money has been notionally ring fenced, so we should consider what other ways there may be of putting into the transport system.

10.41 am

Mr. Richard Ottaway (Croydon, South): We are always pleased to hear from my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark), who has put the alternative view on these matters.

The channel tunnel rail link was announced in February 1996, and there was enthusiasm for and commitment to a project that would be fundamental to the economic enhancement of the south-east of England and the nation as a whole. Conservative Members still believe in the project, retain the same enthusiasm for it and think that it will bring benefits. We share that enthusiasm with the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick), and I congratulate him on securing the debate and on the balanced way in which he made his arguments.

We support the Government's attempt to find a solution to this problem. The project was never going to be easy to complete, and we wish them well. Many people have been embarrassed to travel through France at high speed, only to trundle across Kent at a gentlemanly speed. However, no contrast is more marked than that between north-western France and south-eastern England. The Picardie region of France is flat and empty, and the construction of the railway was not a technical or a financial challenge. In contrast, the route through Kent traverses some of England's most beautiful countryside and passes close to a substantial number of communities. They, and affected London communities, commented vociferously on the project during the passage of the legislation through the House.

Scrutiny of the Bill was intense, with a Select Committee considering thousands of petitions. The agreed route had the support of the vast majority and provided a much-needed framework for the economic regeneration of east London. There is to be a station at Stratford, and a special link to King's Cross and St. Pancras to provide a direct twin-track connection between the CTRL and the west coast main line.

The consortium that won the competition to construct the CTRL was London and Continental Railways, a partnership of six of the nation's leading companies: Ove Arup and Partners, Bechtel Ltd., Sir William Halcrow and Partners, the National Express Group, the Virgin Group and SG Warburg and Co. The key criteria for the evaluation of bids were the size and timing of the Government's financial contribution and the risk that each bidder was prepared to accept. The LCR bid was successful: it needed millions of pounds less in subsidy than the bid of its rival, Eurorail.

[Mr. Richard Ottaway]

Some people say that the project was given too little public subsidy. The then Labour Opposition made it clear that they considered the public subsidy to be too high, yet at the same time they believed that there should have been a public-private partnership with most of the assets given to LCR remaining in public hands. That ignores the fact that, under any public-private partnership, Government subsidy would have been inevitable and would have entailed an even greater public subsidy we are likely to end up with.

Faced with the harsh realities of office, the Deputy Prime Minister's initial reaction was to resist the further use of public funds, no doubt with encouragement from the Treasury. With the benefit of hindsight, we know that the main factor behind the current impasse was the passenger forecast of London and Continental Railways. When the bid was made, the annual passenger projection was 9 million; today, it is only 6 million. The forecasts were put forward by the best experts in the country, but no one could be certain about future passenger numbers and all estimates are subject to a degree of error.

Although LCR clearly overestimated the number of passengers, it is probable that the channel tunnel fire had something to do with that inaccuracy: a six-month delay and a reduced service cannot have helped in marketing the project. The good news is that passenger numbers continue to increase. We should retain our optimism that targets will be hit, albeit late: not even a revised scheme will work if they are not.

LCR is not in a position to proceed, because it cannot raise the necessary funds. We share the view of many people that the proposed route should not be altered. To alter it would require the reopening of the whole inquiry and would cause further unacceptable delays. There is every possibility that a two-phase solution may be found, with Railtrack, in a joint venture with LCR, constructing phase 1 from Cheriton to Ebbsfleet station by 2002, and phase 2 from Ebbsfleet to St. Pancras by 2005.

Despite the opposition of the Local Government Association and others, we give that solution a cautious welcome if it is to be the only basis for a successful outcome. I say to the hon. Member for East Ham (Mr. Timms)—and, indeed, to my hon. Friend the Member for Southend, West (Mr. Amess), who ably represented Newham council—that there may be a gulf between what he wants and what is achievable. He will have to face up to the realities.

We understand that phase 1 could cost about £2 billion, with Railtrack playing a major role. Such a tremendous achievement by Railtrack would confirm the previous Government's decision to privatise the company, leaving it as a strong, well-financed company which can pick up such projects at relatively short notice and make something of them. The whole House will agree that that is a tribute to the previous Government's privatisation policy.

The question of running Eurostar remains to be solved. Although the Deputy Prime Minister, egged on by Labour Members, was excited by the thought of taking the trains back into public ownership, the change in culture brought about by the previous Government will lead him to conclude that a private solution remains the best bet.

One of the more stupid suggested alternatives is the resurrection of the Central Railway scheme which was decisively rejected by the House in July 1996. The proposal was to drive a railway line from the tunnel through the heart of London, causing massive disruption as it went. I urge the Government, if they need urging, not to reintroduce that proposal.

Notwithstanding the deep complexities that remain and the need to find a solution to Eurostar's loss making, the main aim must be for all options to be explored to allow the project to go ahead. The failure of the project would be a great blow, not only to the rail link, which is an important integrated transport project, but to the much-needed regeneration of east London. We offer the Government our support.

10.49 am

The Minister for Transport in London (Ms Glenda Jackson): I thank the hon. Member for Croydon, South (Mr. Ottaway) for his support, and congratulate my hon. Friend the Member for Poplar and Canning Town (Mr. Fitzpatrick) on obtaining the debate. As others have said, we are grateful to him for giving us this opportunity. The channel tunnel rail link has probably not had such a high public profile since the idea was launched, and it is a pity that such a level of interest has been generated for all the wrong reasons.

No one would dispute the fact that all the speeches this morning—with, perhaps, the exception of the somewhat curious contribution of the right hon. Member for Kensington and Chelsea (Mr. Clark)—*[Interruption.]* As my hon. Friend the Member for Thurrock (Mr. Mackinlay) points out from a sedentary position, the right hon. Gentleman has just left the Chamber—presumably to publish his soundbite press release, an action for which he criticised other hon. Members in his speech.

In the main, the speeches have been both serious and informed. The importance of the CTRL, not just as a high-speed link with Europe but for its regeneration potential, was stressed by hon. Members on both sides of the House. It may assist hon. Members, however, if I summarise the events of the past six weeks, and explain how matters now stand.

London and Continental Railways formally notified my right hon. Friend the Deputy Prime Minister on 28 January that it would be unable to meet the terms of its development agreement with the Government without the injection of some £1.2 billion of public subsidy over the next 10 years. That £1.2 billion was on top of the £1.8 billion of taxpayers' money that had already been committed. It did not include the public assets that were also part of the development agreement, which have been estimated to be in the region of £5 billion.

My right hon. Friend the Deputy Prime Minister rejected the proposal. He has left no one in any doubt that he wants the development of high-speed connections to Europe, but not at any price. I trust that that would reassure my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), who, regrettably, is not present. At a time when fiscal prudence is needed, it would be irresponsible—almost unthinkable—to commit such large additional sums of taxpayers' money, no matter how strong the wish for improved links.

LCR asked for more money because it vastly overestimated the number of passengers who would be travelling on Eurostar by now. The development agreement made those Eurostar projections a cornerstone of LCR's plans for raising project finance. The then Government and LCR should have realised that the forecasts were overblown and unrealistic, but they did not. That was a serious misjudgment, and the present Government should not and will not simply bail LCR out.

My right hon. Friend the Deputy Prime Minister came to the House with all speed, having heard LCR admit that it could not meet its obligations under the development agreement. As he explained in his statement on 28 January, the development agreement with LCR allowed for a 30-day period during which LCR could present revised financing proposals. LCR's shareholders subsequently constructed a framework of proposals, which they put to my right hon. Friend last week. The shareholders envisaged a role for Railtrack. After careful consideration, my right hon. Friend agreed to grant a further extension of the cure period to allow LCR more time in which to flesh out its ideas. The revised deadline is 31 March.

As my right hon. Friend intimated on 28 January, we would like LCR to come up with a solution allowing it to meet its obligations under the development agreement. Against the contingency that no satisfactory solution will materialise, we are still working to provide for an orderly transfer of Eurostar UK Ltd. to the public sector, as is required if the development agreement is terminated. Let me assure the hon. Member for Croydon, South that that would obtain whichever party was in power. It is part of the development agreement that was worked out and signed by the Conservative Government.

I am afraid that I cannot say much more about the point that LCR has reached. Its proposals simply are not developed enough. However, there has been considerable speculation in the press, and I want to put some of what has been reported in context.

There has been much talk of white knights galloping to the rescue. Given the size of the project, it is not surprising that organisations wish to become involved, but the formal position is that the Government have a contract with LCR and no one else. If LCR chooses to bring in other partners, that may happen, but only with the Government's approval. As I have said, it appears that LCR sees a role for Railtrack in the new structure that it is drawing up, but that is its business.

Much has also been written about the notion of phasing the construction of the link. It is important to remember that Parliament authorised a railway between Cheriton and St. Pancras which follows a very carefully defined alignment. Our contract with LCR requires the construction of the entire railway approved by Parliament. The Channel Tunnel Rail Link Act 1997 envisages a whole line from St. Pancras to the channel tunnel, so there must be an intention to build all of it when the powers are used. In case there is any doubt, let me stress that the environmental standards that have been set for the link will not be compromised. I trust that that reassures hon. Members who have expressed concerns this morning.

Ms Rosie Winterton (Doncaster, Central): Does my hon. Friend agree that the benefits that would be derived from making the link go all the way to St. Pancras would greatly help to regenerate areas such as South Yorkshire, which have suffered incredible manufacturing and industrial decline over the past few years?

Ms Jackson: I thank my hon. Friend for her intervention. The issue of regeneration inherent in the building of the line has been mentioned by all hon. Members this morning.

The excitement in the media has prompted an interesting and widespread public debate about the rail link. That reminds us just how many parties have an interest in the CTRL—partly because, as many hon. Members pointed out this morning, it is not simply a transport project. The key reason for routing it via the Thames gateway—also known as the east Thames corridor—was that stations along it could act as focal points for regeneration. The theme of regeneration has run through all the speeches this morning. In fact, the £1.8 billion of public subsidy promised in the development agreement with LCR was justified in part by the regeneration benefits.

Concern has been expressed that regeneration may be forgotten in decisions on the rail link. I assure hon. Members that it will not. In the last few weeks, the problems of the rail link have elicited views from those interested in each of the stations, and also from those concerned with access to the regions—such as my hon. Friends the Members for Poplar and Canning Town, for Gillingham (Mr. Clark) and for East Ham (Mr. Timms), and the hon. Member for Ashford (Mr. Green).

Later this month, I shall be chairing a meeting of all local authorities affected in order to discuss their concerns. They will include Kent county council, which I trust will reassure the right hon. and learned Member for Folkestone and Hythe (Mr. Howard). I strongly agree with the view expressed by my hon. Friend the Member for West Bromwich, East (Mr. Snape) about that intervention by a member of the Cabinet when the agreement was signed by the last Government.

I am aware that there is considerable concern that delays to the CTRL may jeopardise regeneration in London and Kent. As hon. Members will know, the CTRL has been seen as the vehicle for a number of regeneration initiatives, all of which have been mentioned this morning. Ebbsfleet station is the main node for regeneration of the eastern part of the Thames gateway. Substantial development is already taking place, but the rail link station is regarded as key to the redevelopment of some 2,200 acres of land, which has nearly all been used previously.

Stratford is the main node at the other end of the Thames gateway. Here the concept is of development on derelict or under-used land that can be of sufficient scale to act as a catalyst for other redevelopment on smaller

[Ms Jackson]

sites in the general area. Stratford is also complementary to regional interests because it is proposed that trains can call there before running through to the west coast main line, without incurring the time penalty of having to stop at St. Pancras and reverse out again.

There is also the regeneration created by the rail link and Thameslink 2000 at St. Pancras. Seventy acres are available for redevelopment in one of the last potential areas on the fringes of central London.

As I am rapidly running out of time, may I say that I shall write to hon. Members on the issues to which they drew my attention. The hon. Member for Ashford and my hon. Friends the Members for Barking (Ms Hodge), for Thurrock (Mr. Mackinlay), for Gillingham and for Chatham and Aylesford (Mr. Shaw) have mentioned blight issues. The hon. Member for Ashford also mentioned freight and commercial confidentiality.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. We must now move on to the debate on the benefit integrity project.

Benefit Integrity Project

11 am

Mrs. Margaret Ewing (Moray): Many hon. Members have approached me to say that they want to participate in the debate so, despite the fact that I have briefings from organisations and individuals with which I could detain the House all day, I shall try to condense my remarks. This is a matter that interests all of us as constituency Members of Parliament and which we would wish to debate constructively.

The benefit integrity project was established after a survey of 1,135 people claiming disability living allowance, the report of which was published in January 1997. Forty interviewers carried out about 30 home visits each of adult or child recipients of disability living allowance. That project was undertaken when people were giving voice to fears about social security fraud. I, too, detected an undercurrent of feeling on the subject. However, snapshot assessments were made of individuals and little expertise was involved in the adjudication.

There was no follow-up of the 1.5 per cent. of cases that were designated confirmed fraud in the 1997 report. No prosecutions were made and no benefits were stopped. That suggested that people who were receiving disability living allowance were doing so because of their needs and that they were not doing so fraudulently, as the then Government feared.

Indeed, on 13 January 1998, when Baroness Hollis of Heigham, the Under-Secretary of State for Social Security, first reported on the BIP findings, she said in another place:

"I am happy to confirm that the benefit integrity project has revealed no cases of confirmed fraud."—[*Official Report, House of Lords*, 13 January 1998; Vol. 584, c. 936.]

That finding was based on the receipt of about 30,000 replies from disabled people.

I therefore believe that at this stage we should be considering not the fraud issue, but the needs issue—the needs of the people involved.

More than 40,000 people have since been interviewed. According to a parliamentary reply that I have received, the chief executive of the Benefits Agency estimates that, in the financial year 1997-98, savings of £15.8 million may be made. Subsequently, 311 appeals have been received; as yet there are no figures on success rates.

As part of the benefit integrity project, another 400,000 people are to be interviewed in the next four years. My deepest concern is that fear and distrust have emerged in the community as a result of the project. Individual cases have been highlighted on television and in newspapers. I shall not rehearse all those cases, but every case that is highlighted sends a tremor of fear through other individuals who may be in similar circumstances and there is genuine anxiety that the project is Treasury led, not needs led.

Mr. Simon Burns (West Chelmsford): Yes.

Mrs. Ewing: Although I hear Conservative Members saying yes, I remind them that the Conservative Government established the benefit integrity project.

All this is set against the background of an overall review of the social security system, but people who are in receipt of disability living allowance feel that they have now been singled out for a specific review.

I remind the House that many other important benefits—such as housing benefit and income support—hinge on disability living allowance. If at any time DLA is discontinued, those other benefits are discontinued and although, after a review or an appeal, the disability living allowance may be backdated, those other items of support to families are not backdated, so a great deal of distress results.

There can be a sudden drop in household income—and we must all budget according to our household income. This is a very difficult situation for many disabled people to be in. The review and appeal procedures are long and complex. Every hon. Member must have been involved in many such cases. We hope that our intervention will speed things up for the person involved, but I often wonder about the people who do not approach their Member of Parliament.

Other people are worried that, for them, reassessment may mean a return to residential care. We have all worked hard to try to ensure that care in the community works. Many people who, after being institutionalised for years, have emerged and rely on care in the community, are being reassessed. They fear that they may have to return to permanent residential care.

My excellent local citizens advice bureau in Moray experienced a threefold increase in inquiries about disability between 1996–97 and 1997–98. I am sure that that increase is mirrored elsewhere. It is a sign of the anxiety that exists. I worry about what is happening in places where there are no welfare rights workers, citizens advice bureaux, or people to whom people can turn.

The basic aim of disability living allowance was to give dignity and decency to people who suffer from disability, which comes in many different forms. I want, in a constructive speech, to make some proposals to the Government. First, I want to comment on the important issue of the assessment mechanisms.

In reply to a parliamentary question asked by my hon. Friend the Member for North Tayside (Mr. Swinney), the Secretary of State for Social Security said of decisions resulting in reduction or removal of entitlement to DLA:

"there will always be additional evidence to support the decision"—[*Official Report*, 9 February 1998; Vol. 305, c. 76.]

Interestingly, I found in my mail today a letter, dated 2 March, from the Secretary of State, in which some of these issues are raised. Immodestly, I should like to think that the prospect of the debate may have stimulated the writing of that letter, but I hope that this important letter has been circulated, not only to all hon. Members, but to representatives of voluntary organisations who are deeply involved in this crisis.

Having had only about 15 minutes to look through the letter, I ask the Under-Secretary of State for Social Security, the hon. Member for Southampton, Itchen (Mr. Denham), who is to reply to the debate, to ensure that we have a detailed expansion of that letter. I also ask him to confirm that there will definitely be guarantees for those who want to ensure that medical evidence is submitted when decisions are taken that may result in reduction or removal of entitlement, because many of the issues pertaining to DLA are cocooned by the issue of medical entitlement. Assessment seems to take little account of day-to-day changes in the condition of many disabled people. In response to a letter from my hon. Friend the Member for North Tayside, Peter Mathison of the Benefits Agency stated:

"The additional information may be factual medical evidence from a GP, hospital or other health care professional, a full medical examination by a qualified medical practitioner or information from a carer. The most appropriate source of additional evidence will be used in light of the individual circumstances of the case."

That does not guarantee a full medical assessment, which is what I seek.

Claimants do not always receive clear advice on issues pertaining to the project, such as the information that they may have advisers present. They may be advised that someone may be present but a claimant could take along a next door neighbour, a family member or a friend and not necessarily someone with the knowledge to advise them on how to respond to questions and state exactly what is being sought. It is not made clear that people can have access to previous claim forms against which they can compare their present circumstances to see whether there has been any change. In most cases, there is a deterioration. People also have a right to delay an interview until a more suitable time.

Information should be clearer for people who are being reassessed, whether it is provided in forms or by agency representatives who visit them. There are many public service advertisements on television; perhaps the Government could examine the clarity of the advertising on this subject. The training for visiting officers could be improved. We should aim for best standards and best training. Some people receive only half a day's training while others are trained for up to four days. In a letter to me, the chief executive of the Benefits Agency stated that there was no requirement for visiting officers to have medical knowledge.

Adjudication officers must look beyond the bald statements that sometimes appear on forms and they should always err on the side of the claimant rather than on the side of reducing benefits. It has been suggested that a disability benefits task force could bring together the expertise of voluntary groups. Over the past two days, I have met representatives from no fewer than nine such groups. Their expertise, with that of welfare advisers, could be brought to the heart of the Department of Social Security and to the heart of government. The people in those voluntary groups deal with people's day-to-day problems.

Perhaps the Minister can advise me on exemptions. Many organisations have told me that there is evidence that people who should be exempt from review have been reviewed. I have a list of the exemptions. What criteria can be established to ensure that people on the exempt list are not subjected to further review? Is there a possibility of extending the exempt list? I have received from the Cystic Fibrosis Research Trust a request for its clients to be considered for exemption. I need not go into detail, but all hon. Members will appreciate that people with cystic fibrosis fluctuate between well-being and illness. That is also the pattern of many other illnesses, and I hope that that can be considered. I should like to know how the criteria for exemptions are established and how they can be expanded.

[Mrs. Ewing]

I intend to be brief because other hon. Members, including my hon. Friend the Member for North Tayside wish to take part in the debate. I have highlighted only a few of the problems that are associated with the benefit integrity project. My final recommendation is, I think, endorsed by the vast majority of the organisations that work with disabled people. It is that the project should be suspended, at least for a time, to allay the fears of those who are most vulnerable and to give us all an opportunity to try to ensure that the disability living allowance is targeted at those who need it most so that no one has to endure the fear that is endured by many of my constituents.

I understand that the representatives of the Disability Benefits Consortium met the Prime Minister on 16 February to discuss that issue and that it was stated that it would be considered. Perhaps in responding to the debate the Minister will say whether the Department is considering the suspension of the project and whether we can expect an early announcement on that.

11.15 am

Mr. Terry Rooney (Bradford, North): The debate is long overdue. I am sure that every hon. Member has been inundated with letters and telephone calls. It is important to understand how we reached the present situation. When disability living allowance was introduced in 1992, it was generally regarded as good news for disabled people because it included lower immobility and care components. I pay tribute to the former right hon. Member for Kensington and Chelsea, Sir Nicholas Scott, for his work in that arena. The new arrangements ensured that, in the first year, there were some 700,000 new claimants. Each year since there have been about 300,000 new claimants. That is a tribute to the scope of the benefit, but it constitutes a tremendous work load.

Hon. Members who were here in 1992 to 1994 remember the chaos over disability living allowance. There were massive delays, backlogs and complaints about claims not being processed. Hotlines were set up so that hon. Members could get through to the Benefits Agency, although the public could not. At one stage, about 800 temporary staff were drafted in from social security offices to try to deal with the problems. Care in the community was introduced in 1992; that led to a huge number of people being taken out of institutional care and placed in the community. Because they were no longer in institutional care, they were entitled to disability living allowance.

Because of all those factors, the Benefits Agency was grinding to a halt and somewhere along the line there was a ministerial nod and a wink to the effect that unless claims were patently invalid they should be approved simply to get rid of the backlog. That is part of the reason for the current problems. It cannot be overstated that the problems with disability living allowance relate to management and departmental error and not to disability fraud. The problem has been around for a long time and it has not been addressed either by the former Government or, so far, I am sorry to say, by the present Government.

By the end of last year, there were some 4 million claimants for disability living allowance and attendance allowance compared with 1.7 million under the old 1991 scheme. In one sense, the system has worked because the benefit has gone to many more people. I hope that it has done some good.

Of course, the previous Government panicked. In 1995, they said that the number claiming invalidity benefit had rocketed and that something had to be done about it. They introduced incapacity benefit as a way of cutting benefits for the sick, but they knew that they could not do the same with disability living allowance because there would be an outcry. They had to look for a way to curb the growing number of claimants without causing an outcry. Using some dubious evidence from the National Audit Office, combined with some reasonable evidence from the Department, they decided that there were significant errors in the system and set up the benefit integrity project to deal with them.

No training was provided for the people who were sent to visit claimants, but claimants were assured that the visiting officers were not the decision makers. That is correct, because decisions are taken by an adjudication officer—but he makes his decision based on the information on the claim form, which is the information extracted from the claimant by the visiting officer. The claimant has no idea how what they have said will be construed. Generally, the claim form is filled in by the visiting officer—the claimant simply signs it—so in fact the visiting officer has a significant input into the final decision. The failure to provide any training for visiting officers was criminal.

DLA is a self-assessment benefit, and some would say rightly so. If one third of the working population have self-assessment for their tax contributions, perhaps it is right for claimants to have some element of self-assessment for what they claim, but the capacity for error is enormous. Very few of us are sufficiently medically skilled to describe how an affliction of disability affects our daily lives. We would be hard put to do that. Many of my hon. Friends have afflictions, but I shall not talk about them today.

There is enormous room for error because people are not necessarily able to determine how their condition has changed over the years—whether for better or for worse. There are clear cases of people who should receive benefit for life, but the very nature of disability means that some people will get worse or better. It is virtually impossible for an individual to judge when he has crossed the line between entitlement and disentitlement.

Where should we go from here? A number of actions are required. I welcome the two announcements made by the Government during the past month. They go a long way, but we need to go much further. The claim and renewal forms need to be redesigned to make them much simpler and clearer so that claimants can more easily determine their entitlements. There is an argument for shorter award periods. One matter of concern is the number of lifetime awards that have been found to be wrong in some respect. A review period of, perhaps, two years might help to prevent many of the problems that have recently been prevalent.

There needs to be significant investment in staff training—and not only for visiting officers. I know that some people dispute the figures, but if they are correct some 50,000 cases have been wrongly assessed. That raises serious questions about not only the management

of the unit, but the people making the original decisions. The evidence is that the training programme has not been good enough.

It is important to have people in local offices so that they can give advice and liaise with local disability groups. They can talk to claimants and try to get around the problems. That would be far better than the present remote operation at Blackpool, which deals with people only by mail or telephone. The personal touch can sort out many problems.

We need an absolute commitment that the project is not and never has been a cuts-led exercise. The purpose of the exercise should be to ensure that people get their entitlement. I have not heard anyone dispute the qualifying criteria for disability living allowance and I hope that we never change them, but there is a major problem with matching the entitlement to the criteria. The exercise should be about getting that right.

We should recognise that much of the problem lies within the DLA unit, not with claimants. Fraud is not an issue in the payment of DLA. There will always be the odd case of fraud, but fraud is not causing the problems with over or underpayment; the problem is departmental errors—and responsibility lies first with the DLA management unit, but also with us, as parliamentarians, for not getting it right in the first place.

11.25 am

Mrs. Angela Browning (Tiverton and Honiton): I congratulate the hon. Member for Moray (Mrs. Ewing) on bringing this important and timely debate to the Floor of the House. There is obvious concern, across the parties, about constituency cases.

As a member of the all-party disablement group, during the past few months I have been twice to see the Secretary of State on this issue. I reiterate the request to the Secretary of State, made today by Lord Ashley, the chairman of the group, for a moratorium on the benefit integrity project. Although the Secretary of State has announced some changes during the past few weeks, there is still a great deal of confusion—not only among those who have had their claims assessed, but among those who are literally waiting for the knock at the door. Many people with lifetime benefit are anxious about the future. Although they have the words, "lifetime benefit" written on their benefit books, we have not yet been able to get an assurance from the Secretary of State that the benefit will be for life.

A moratorium is needed to give the Government time fully to revisit the way the project works. When disability groups visited the Department last September, at the Secretary of State's invitation, to discuss the benefit integrity project, they thought that they would have an input into how the policy would be implemented. Instead, they found that the project was already under way. Although they had a great deal of expertise and advice to offer the Government, they were too late to make that vital input into the way the policy would be implemented.

I want to raise a few of the issues that worry people who are subject to scrutiny. It is a fact that people are entitled to see the original documentation that they filled in when they first made their claim. I advise all my constituents to ask for the necessary paperwork either to be sent to them or to be brought to their homes if they are to receive a home visit. To date, among those who have written to me expressing concern about the way their cases have been handled, I have yet to find one person who has been offered that documentation.

There should be an obligation on the Benefits Agency to ensure that people are aware of their rights so that they have the opportunity, in advance of an interview, to look at what they wrote when they filled in the original application form many years ago. They are not voluntarily being given that opportunity, and that is wrong.

The Secretary of State has now said that the decision on whether a benefit is to be taken away or reduced will not be made arbitrarily on the basis of information provided by the claimant but that there will need to be some further input. It has been suggested that general practitioners should have an input. I would not disagree with that, but it presents some problems.

People with very long-standing disability—such as those with chronic arthritis who, sadly, usually do not enjoy a significant increase in their mobility for the rest of their lives—may be seen by their general practitioner only occasionally. Very often, an occupational therapist is the person who can best identify the state of their mobility and what, practically, they can or cannot do. I hope that we shall not create an arbitrary system in which a GP who may occasionally see someone in a surgery for five minutes is asked to submit evidence when the most appropriate person to submit evidence is an occupational therapist who has a much closer working relationship with the claimant.

I have asked the Secretary of State—and have now received a written reply from Peter Mathison, the chief executive of the Benefits Agency—about people who, since the project began, have lost the mobility component of their disability living allowance, which was often used to fund their agreement with Motability. To my certain knowledge—in my constituency—three people have had to return their car because they cannot afford to make the payment. According to Mr. Mathison, there will be no retrospective examination of the cases of those who have already been through what has been an absolutely harrowing experience.

Re-examining those cases would be a matter not only of restoring benefits, because some of the people involved have now had to take legal advice—adding to their anxieties—to try to restore their benefit. They will also have the problem of determining how to find a deposit for a car if their benefit is reinstated. I urge the Minister to deal, in his reply, with those very real practical problems.

If the Secretary of State has recognised that there are problems with how the integrity project is being conducted, she must surely accept the need to examine the cases of those who have lost benefit since the scheme began and to determine how they should be compensated, particularly when they have suffered the loss of a vehicle. Even if some of those people receive tomorrow the good news that the benefit is to be restored, it would be a very long time before they could save up a deposit to get another car. Such practical problems lead hon. Members on both sides of the House to ask the Minister yet again, please let us have a moratorium while these issues are sorted out.

The hon. Member for Moray mentioned training, which is critical. If the Secretary of State is now admitting that GPs and others with professional medical advice should have an input into dealing with these cases, surely it

[Mrs. Angela Browning]

cannot be right that someone with absolutely no medical training—indeed, with only a few hours training on how to tick the boxes on a form—can go into someone's home and remove a benefit that is critical to their everyday well-being.

I welcome this debate and hope that it will give Ministers another opportunity to reconsider very genuine and reasonable requests from hon. Members on both sides of the House. The all-party disablement group heard at our most recent meeting with the Secretary of State that finalisation of the benefits review and of the benefit integrity project is unlikely for some months, which simply means that the agony will be prolonged for those who are waiting to discover whether they can retain their benefit.

We have asked for a moratorium not because we do not want to eliminate fraud—of course we do—but because the Government have gone helter-skelter down one path with one objective. There must be a balancing of fairness and justice for those who have already suffered great pain and mental anguish about how the project has been conducted and for those who are waiting for their turn.

11.33 am

Mr. Gordon Marsden (Blackpool, South): There are several reasons why I am grateful to you, Mr. Deputy Speaker, for giving me the opportunity to speak in this debate: because my constituency has a higher than average number of disabled and elderly people; because of the concentration of benefit offices in and around my constituency, including the disability living allowance offices at Warbreck house, which have already been mentioned in the debate; and because of the number of complaints that I—like many hon. Members—have received in my surgery about the operation of the benefit integrity project.

I feel as though I have a two-way mirror on the project's operation. Like many hon. Members, I see its impact on recipients, who may have lost benefit or had it reduced, but I also see it also through the eyes of many of my constituents who are employees at the disability living allowance offices. It is important that tribute is paid to their hard work and dedication—often in very difficult circumstances, as hon. Members have said. I would not wish this debate or subsequent debates to turn into a Department of Social Security staff-bashing exercise, but significant aspects of the project's operation give me great concern.

The principles behind the review are unimpeachable. Who could be for fraud or against the incorrect awarding of benefits? I should, however, remind the House—as others have already—that Baroness Hollis said that the benefit integrity project has so far uncovered negligible evidence of fraud in DLA claims, yet benefits have been cut or reduced in between 15 and 18 per cent. of the cases that have been examined, eventually resulting, we are told, in cuts or reductions in 34,000 of the 400,000 cases that will be examined. The figures are startling and it is perfectly reasonable that we should more carefully examine the project's operation.

I do not want to repeat what hon. Members have already said, but the project has training deficiencies, particularly for adjudication officers, who often have to make critical decisions based on second-hand information. Moreover, the forms are complex, amount to 30 pages and often pose a significant barrier for the people who fill them out, whether the visitor or the claimant—who may well be elderly and possibly confused. The forms complicate the task of obtaining correct information.

We must also examine the project's mechanisms. I can cite a specific example because my mother—who receives disability benefit because of osteoporosis—was visited by a project member. Although I was not there, I have been told that the visit went smoothly and was conducted courteously. However, as appeals have shown, something goes wrong in a significant minority of cases.

The chief executive of the Benefits Agency has been anxious to reassure hon. Members about problems with the project. On 4 January 1998, in a letter to my hon. Friend the Member for Stafford (Mr. Kidney), he soothingly wrote:

"The onus for providing this evidence"—

on DLA—

"lies with the customer. There has been a move away from the reliance on a medical assessment and more emphasis is placed upon a person's day to day care and mobility needs. The customer is considered best placed to know the practical effects of the disability."—[*Official Report*, 5 February 1998; Vol. 305, c. 798.]

One might think that that is all very soothing and sensible but the reality is often different.

Many disabled people's—especially older disabled people's—pride sometimes leads them to understate, or at least to give an optimistic assessment of, their condition on a particular day, leading to an understatement of their condition on the forms. The Minister and his team should urgently examine that matter.

All hon. Members can cite specific examples from their constituencies; I should like to give only one. Since 1978, a lady in my constituency has received the higher rate mobility and care components of DLA because of serious problems, including osteoarthritis and a prolapsed disc for which she is receiving treatment at Victoria hospital, Blackpool and which entails a need for virtually full-time care.

After a home visit by the Benefits Agency in November 1997, a decision was made to award a low rate mobility component and a nil care component. That decision was made despite the fact that the lady's condition had worsened since 1994, as demonstrated by installation of a chairlift and a bedlift and by provision, by Lancashire county council social services, of weekly help.

There is an appeals process, but it is often extremely lengthy. Another constituent, who was deprived of disability living allowance, had to wait in the region of 11 months after two postponements of appeal. The appeal itself is something of a lottery and depends on a claimant's access to welfare rights advice. Furthermore, the training and composition of the tribunals is something on which the Government might have cause to reflect.

I welcome the safeguards that the Secretary of State announced to improve the accuracy of any decision on entitlement, although I note that in answer to a written question from the hon. Member for Sutton and Cheam (Mr. Burstow) on 2 March, it was emphasised that it was not to be retrospective.

It is incumbent on us to remind ourselves why the DLA was needed. It was needed because of pressures on community care and cuts to the budget, to which the

Royal National Institute for the Blind and other groups have referred, and because of the gross underclaiming of benefit in the 1980s. It is important that we do not believe that there is an enormous problem because of gross exaggeration. There may be exaggerations, but, as I said, there is limited evidence of fraud.

Ministers need to be extremely cautious about the progress of this project. Hon. Members should bear in mind the Child Support Agency fiasco. It was set up with the best intentions, but, far from catching the malingerers, it has often snared the innocent and, for that matter, the conscientious in its zeal to meet targets. Our welfare review may not be cuts driven, so it is rather rich of Opposition Members to remind us of the problems involved in this project when they were instrumental in putting it in place, but we should nevertheless have examined a little more carefully the bill of sale that we inherited from the previous Government. Perhaps we should have looked a little more closely at the country of origin before proceeding with the project quite so enthusiastically.

I urge the Government to review the project with the optimum care. I leave it to them to decide whether a moratorium is appropriate, but I warn Ministers that we are engaged in a very complex and delicate assessment of welfare reform. Our cuts may not be Treasury driven, unlike those of the Opposition, but it is extremely important that the wells of welfare reform are not polluted by a project that has been capricious in its operation and questionable in a significant minority of cases.

11.42 am

Mr. Mark Oaten (Winchester): Like other hon. Members, I welcome the opportunity to debate such an important issue. All of us who hold regular surgeries recognise that there is great concern among disabled people. As my party's spokesman on disability, I have spoken to many people involved with this matter and I know that there is also great concern among the charities working in this sector.

I agree with the hon. Member for Blackpool, South (Mr. Marsden) that we have the beginnings of the type of fiasco that we experienced with the Child Support Agency. As the number of appeals increase, and as the delays in managing those appeals grow, I am beginning to realise that unless the Government do more than simply tweak the issue, we shall have another CSA-type crisis on our hands. Having said that, the debate so far has been constructive, and I will make some suggestions about how the crisis can be solved.

I begin by welcoming the announcements that the Secretary of State has made over the past couple of months to the effect that she has recognised the need for a review. The letter that hon. Members received this week is certainly welcome. The Secretary of State tells us that the benefit integrity project is not

"some sort of fraud drive",

and that clarification is certainly welcome. We are also told that fraud is not rife in disability living allowance claims—something which many of us knew, although it is nice to have it in writing. The letter also states that the Government want to listen to the experiences of claimants. Many in this sector have been concerned that the Government were not listening, so we welcome unreservedly the Secretary of State's announcements in that respect. However, they do not go far enough.

At the moment, the Government are just tweaking at the edges of the project, but I believe that it needs to be halted. If the project continues as it is, it will end in a mire of inefficiency and injustice. The tragedy is that the BIP is undermining much of the good work that the Government are beginning to do elsewhere in the disability sector. It is creating a sense of mistrust.

I will draw the House's attention to four key areas of concern with the project. The first relates to the title itself. The name "benefit integrity project" implies a lack of integrity among claimants. This is not just window-dressing; there is a genuine concern that the thrust of the title is disrespectful to the people being reviewed. Clearly, disabled people want forms to ensure that there is value for money and that fraud is squeezed, but they are outraged by some of the labelling in the right-wing press which suggests that they are cheats. The very title of the project itself fuels that suspicion.

Secondly, the project is not being handled with the sensitivity that I am sure the Government wish. The level of errors within the project is alarming. I have had evidence of amputees being asked whether their condition has improved, as if the missing limb had grown back but they were keeping quiet about it. As of mid-February, the Department's own figures show that more than 400 severely disabled people, including 30 who are terminally ill, have been asked to take part in the project although they are clearly members of the groups that should never have been approached to do so.

The third concern relates to mobility. As the hon. Member for Tiverton and Honiton (Mrs. Browning) rightly pointed out, people who lose their car if the benefit is cut have major problems replacing it if their appeals are successful. However, it is not only the finding of a deposit that causes difficulties. There are two other factors that the Minister needs to bear in mind. People who are successful on appeal and get a car back have to spend considerable sums on it because they get a new car that needs to be adapted for their disability. In addition, they cannot claim back the costs of being housebound or of having to find other forms of transport while they were without a car.

Fourthly, the complexity of the forms also causes concern. I know that there have been moves to deal with this matter, but the forms are still too complicated. Indeed, the chief executive of RADAR—the Royal Association for Disability and Rehabilitation—told me yesterday that it took him a whole weekend to fill out his own DLA form even though he understands the system and is used to filling out forms.

How can the Government restore confidence? I believe that the Secretary of State wishes to do that, and it is interesting that in her letter to hon. Members this week, she said three times, I think, that she was looking for suggestions about the way forward. We welcome that. I have some suggestions to get the project back on track.

As other hon. Members have suggested, we need to abandon the project as it stands. We then need to put in place a system of consulting disablement groups and disabled people on what they would like in place of the review. If the Government consulted those organisations, they would find widespread acceptance of the need for some form of review, but disability groups wish to have a say about how it is carried out. As I said, a good starting

[Mr. Mark Oaten]

point to rebuild confidence would be a more neutral title. Disabled people have won the right to more respect than the term "benefit integrity project" implies.

One of the problems with the project is that it seeks to do two things at once—to tackle fraud and to review benefits. However, it has failed to do either. Any new system should formally separate measures to combat fraud and error and measures to introduce a review of benefits. It must be possible in a new system to deal with fraud and value-for-money issues via a separate fraud unit or an efficiency drive that does not involve every interview with disabled people being fraud driven. Once we have removed the fraud and value-for-money aspect from the review process, we can set up a separate new system for reviewing benefits with a new and positive aim behind it. It should be an on-going system, not a one-off project that few claimants find easy to accept or understand. It should review benefits constantly and have a new thrust behind it.

Currently, we have a wasted opportunity. Interviews are taking place up and down the country at great cost to the taxpayer, yet they could achieve so much more. It is an opportunity to sit down with disabled people and talk about a range of issues. That is happening now, while other agencies are doing the same. It is crazy for a disabled person to be assessed three or four times for different purposes by different agencies. Streamlining that under a new review system would be a great benefit.

Any new system should ensure that reviews are conducted to ensure that people receive their full entitlement. They should not be focused, as they are currently, on the recipients of higher-level benefits. By focusing on those receiving higher benefits, one invites the assumption that benefits are likely to be adjusted downwards.

The boundary between review and advice should be shifted in the direction of advice. Reviews should be tailored much more closely to individual needs. We know that some conditions—amputations, polio and loss of vision—are not likely to improve, so the people affected do not need such frequent reviews.

Another way in which to restore confidence in the system would be to give claimants a clear date on which their benefit will be reviewed when they are first awarded a benefit entitlement. That would overcome the problem of someone who believes they have a benefit for life finding out later that it is subject to review.

The groups to whom I have spoken in the disability sector have made clear to me and, I believe, to the Prime Minister and the Secretary of State, the grief and anxiety being caused by the current process. I have heard of charities setting up helplines where staff have been talking to many callers who are often in tears. Staff go home at the end of the day shattered by the experience. It need not be like that.

Confidence in the Government's approach to welfare reform is, sadly, at an all-time low and confidence among disabled people in the benefits system is being shattered by this process. I believe that the Government can start to correct the problem today by announcing that they will halt the benefit integrity project. There is still time to do that. The project has years left to run and it is not too late to close a chapter on what was, after all, a failed Tory project in the first place. I urge the Government to recreate something positive by consulting disabled people. They should announce today an end to the benefit integrity project.

11.52 am

Mr. Phil Hope (Corby): I welcome this timely debate introduced by the hon. Member for Moray (Mrs. Ewing).

Disability living allowance is an important benefit which is needed and valued by millions of disabled people. It provides direct help to individuals to meet their care and mobility needs. We have heard that it is a complicated benefit to assess because it is based on self-assessment, not of medical evidence of disability, but of people's needs for care and mobility. We know that the system is not working well now.

As a member of the Public Accounts Committee, I received a report from the National Audit Office which pointed out that there were incorrect assessments of DLA to the tune of an estimated £499 million. The report also said—this is a little-known figure—that there could be potential underpayments of DLA of £227 million because claimants were understating their needs. We are seeing error on both sides of the argument. That being so, the Benefits Agency is not getting it right first time, on time, every time as it is intended to do. Clearly, there is a problem about the operation of DLA that needs to be addressed.

The benefit integrity project was designed to try to deal with some of those errors. It is a project which we inherited from the previous Administration and, from the outset, as other hon. Members have pointed out, there was no effort to provide the quality training and support necessary for the staff carrying out the assessments.

My consultations with local groups, such as Corby Council for the Disabled and the East-Northamptonshire Council for All Disabilities, have shown that things are not working well either in the original award of the allowance or in the way in which the benefit integrity project is working. It is unhelpful that people who are undergoing an individual process of review and are distressed by that are also picking up a negative feeling about the Government's review of the welfare state. It is not helpful to taxpayers or claimants who need a welfare state to work effectively and efficiently in everybody's interests.

Although today's debate has been broadly constructive, we have heard from Opposition Members about people living in fear of a knock on the door in the night. That is at best unhelpful and at worst, is scaremongering by Opposition Members when the Government are making genuine efforts to put right the mess created by the same hon. Members.

There have been calls for the benefit integrity project to be suspended or abandoned, or for the setting up of a moratorium. I strongly advise my hon. Friend the Minister not to go down that route. What would we say to the 1,300 people who have had their benefits increased as a result of the project? We would have to say, "Sorry, you cannot have that increase." What would we say to the thousands of people represented by the estimated £227 million of underpayment? We would have to say, "Sorry, but there is no chance of having your benefit upgraded despite the fact that the DLA you have been awarded is wrong."

To abandon the project now, which was the request of the hon. Member for Winchester (Mr. Oaten), would be to abandon those people who have not received the payments to which they were entitled, and I strongly advise against it.

We have heard a number of constructive proposals about how the project could be improved to ensure that people receive the benefits to which they are entitled and that we have a system that works in the interests of disabled people. I should like to hear some reassurance from the Minister that the conditions of entitlement to disability living allowance have not changed and that the benefit integrity project is not a cuts-led exercise, but is designed to get the right benefit to the right people. I want to know that, in future, disabled people will be treated properly and fairly, that the project will be put on a sound footing and that it will be carried out sensitively, with full and proper concern for each individual affected by it.

I welcome the new safeguards that have been introduced. I hope that we can see some real benefits—excuse the pun—coming through so that there is less error in the project and so that more people get the benefits to which they are entitled.

I should like to hear from the Minister some reassurance that consultation with disability groups is taking place at national as well as local level. Working in partnership with disabled people and with the groups and organisations that represent them is a good way in which to work.

Mr. Burns: I was interested to hear the hon. Gentleman's point about consultation. Does he believe that many of the problems we have seen over the past six months would have been avoided if, in September last year, when the disabled groups were summoned to the Department of Social Security, it had been for a consultation—that is what they thought it would be—rather than simply to be told by the Government what was happening, and what would continue to happen?

Mr. Hope: No. The problems that we have seen over the past six months would have been dealt with if the original project had not been established by a Conservative Administration, without proper training or resources, and without any partnership or involvement with disabled people.

The reassurances from the Minister will be important for hon. Members, for disabled people and for the organisations that represent them. They will show that the Government are putting the project back on track after inheriting such a mess. Disabled people and their organisations want to know that the Government will be true to their pledge of wanting to see justice and equality for disabled people in this country.

11.58 am

Mrs. Theresa May (Maidenhead): Like other speakers, I welcome this timely debate and congratulate the hon. Member for Moray (Mrs. Ewing) on having introduced a debate on such an important subject. Its importance is shown by the number of hon. Members who want to speak in recognition of the many complaints about the operation of the benefit integrity project that have been communicated to us via our postbags and constituency surgeries.

I should correct the hon. Member for Corby (Mr. Hope), who made a disappointing and unfortunate speech. Although the initial sampling exercise in the review of disability living allowance was carried out under the previous Government, and the decision was taken to go ahead with the benefit integrity project as a result of that evidence, the project has been carried out by the current Government and the operation of the project is their responsibility. I am sorry that the hon. Gentleman dismissed the valid point made by my hon. Friend the Member for West Chelmsford (Mr. Burns)—that if the Government had consulted with disability organisations prior to carrying out the project, the results might have been very different.

Disability organisations are as keen as all of us to ensure first, that there is no fraud in the system and secondly, that people are paid the correct amount of benefit. As the hon. Member for Corby pointed out, some people are receiving less benefit than they are entitled to receive. We all accept that people should receive the correct level of benefit, and the disability organisations would be keen to work with the Government to ensure that the methodology used in the benefit integrity project will work properly. Those organisations know best what will work and how the system should operate.

It is important to point out to the hon. Members for Bradford, North (Mr. Rooney) and for Blackpool, South (Mr. Marsden), who commented on whether the current welfare reform was a cuts exercise, that one of the problems with the way in which the benefit integrity project is operating is that people with disabilities are made anxious on two scores. First, as my hon. Friend the Member for Tiverton and Honiton (Mrs. Browning) said, they are anxious about the possible knock on the door in connection with the project. Secondly, that feeling occurs against a background of general concern about what is to happen to disability benefits. That is a double whammy which makes people with disabilities feel great concern about their future benefits.

I mentioned the sampling exercise carried out under the previous Government which led to the estimate that incorrect overpayments were being made of slightly less than £500 million. I understand that current evidence indicates that that figure is an overstatement and I should be grateful if the Minister could confirm whether that is true. I should also be grateful if the Minister could respond to several issues that have been raised by hon. Members today and by the all-party disablement group in its two meetings with the Secretary of State for Social Security. I was part of the group's delegation on both occasions.

Our first concern relates to those who have their benefit reduced or removed and who then appeal, and the question of what happens to them while their appeal is in process. Several hon. Members have commented on the fact that the appeal process is lengthy and on the difficulties that people suffer while going through that process. The all-party disablement group requested that the rules should be changed so that claimants can retain their previous benefits until their appeal is heard, thereby preventing the hardship that occasionally results under the current rules. We also raised the question of the operation of the mobility component and the implications for those who have cars under the Motability scheme. I should be grateful if the Minister could respond on those points.

[Mrs. Theresa May]

The Secretary of State indicated a willingness to have exemptions listed on the covering letter, with a box that could be ticked by anyone who fell into one of the exempted categories so that the papers could be returned immediately. I should be grateful if the Minister could confirm that that idea is to be put into practice. The all-party disablement group also raised with the Secretary of State the possibility of what was described as a "health warning" being attached to the covering letter, so that those who are completing the form are fully aware of the implications of doing so. The hon. Member for Blackpool, South referred to the pride that many people with disabilities feel and their desire to overstate their abilities on the form, but they must understand the implications and recognise that doing so may lead to their benefit being cut. The provision of a health warning would enable them to see the matter in an entirely different light.

A number of hon. Members have mentioned fraud, and I hope that we can get an unequivocal statement on that from the Minister today. There is real concern that several statements have given the public the impression, first, that the benefit integrity project is entirely about fraud and, secondly, that vast numbers of people are falsely claiming to be disabled, purely to get disability benefit. I hope that the Minister will give a categorical and unequivocal statement today that that is not the case, and that all the evidence that the Government have shows that the level of fraud is actually extremely low.

In the letter from the Secretary of State dated 2 March, which most of us received shortly before the debate started, she states:

"Of the 40,000 or so cases examined up to the end of last year, around 9,000 people have had their entitlement adjusted."

As I understand it, that covers both upward and downward adjustment. She continues:

"Some cases have been referred to the Benefit Fraud Investigation Service and around 40 are currently being investigated."

That is an extremely small figure. The evidence totally fails to support the impression that has been given in several statements that many people are fraudulently claiming disability living allowance, and it is imperative that a clear statement is made in the House today. We are concerned about the mechanism whereby the benefit integrity project operates, which is leading to cases of real hardship among people with disabilities who have had their benefit reduced or removed. Our concern is not vast fraud within the system, and I hope that the Minister will respond positively to that point today.

When the all-party disablement group met the Secretary of State, we specifically asked her to consider suspending the benefit integrity project. The hon. Member for Corby should realise that it is not a question of preventing those who have so far been underclaiming and underpaid from getting the benefit to which they are entitled. The point is that the way in which the system is operating is causing real anxiety and real hardship, and it is necessary that the project should be suspended for a period so that its operation can be properly assessed. In today's debate, some excellent suggestions have been made about the way in which the project could be reformed to ensure that it operates fairly and justly. Part of that process should consist of consultation with disability organisations; they understand the problems and their input can ensure that the system works at grass-roots level.

Although the Secretary of State indicated to the all-party group that she would not suspend the project, it has been reported that the Prime Minister told the Disability Benefits Consortium that he would consider suspending it. I should be grateful if the Minister could tell us which of those positions the Government will take. I trust that they will suspend the project for a period so that an independent review can be carried out and the right systems put in place. In that way, we can be sure that people with disabilities will receive the benefits that they genuinely need.

12.8 pm

Mr. Simon Burns (West Chelmsford): I congratulate the hon. Member for Moray (Mrs. Ewing) on securing this important debate, which has drawn together views, ideas, criticisms and comments from hon. Members on both sides. I hope that the Government will feel that the debate has been useful and helpful, as we try to sort out some of the problems that have emerged with the unit.

Comments from Labour Members, from my hon. Friends the Members for Tiverton and Honiton (Mrs. Browning) and for Maidenhead (Mrs. May), and from hon. Members from other parties have shown that there is considerable concern in many parts of the country about the effects of the project at the sharp end. The Government have not handled it in the best way possible. There is great confusion, fear and consternation among people with disabilities and the pressure groups representing them as a result of increasing uncertainty about the Government's intentions on disability benefits and the actions of the unit. If anything positive is to come from the debate, we should have assurances from the Government that those who rely on those vital benefits will not have them cut because of Treasury-imposed spending targets.

The operation of the benefit integrity project over the past nine months is a prime example of the Government's haphazard and unsatisfactory approach to the issue. Under the previous Government, expenditure on disability and sickness benefits increased dramatically over 10 years from £7 billion a year to £20 billion. In 1992, the categories of people who could claim disability benefits were extended. The measure was accompanied by a successful publicity campaign, which increased people's awareness of the benefits to which they were entitled. Equally importantly, that was part of a process of trying to take away the stigma from claiming benefits—a problem which is particularly prevalent among the elderly and disabled people, who often do not claim the benefits to which they are entitled, out of pride or a feeling that they are begging for help. That is a misguided view. Politicians and others should do everything that they can do to remove that perceived stigma.

The hon. Member for Corby (Mr. Hope) seems to be unaware of the history of the unit. My hon. Friend the Member for Maidenhead dealt with the point, but I should like to put the facts on record, because, as success has many fathers and failure is an orphan, they are being forgotten. The benefit integrity project was proposed by the previous Government, who set up a pilot survey, because it was crucial to ensure that the benefits system for disabled people was monitored and that the right benefits went to the right people. The results of that pilot survey came forward in January last year. The general election intervened before the unit, in its current modus

operandi, was put into place. That modus operandi was established by the current Government, not the previous one. That should not be forgotten by a Government notorious for spinning whatever line they want to avoid responsibility for their failures.

Under the Labour Government, the benefit integrity project has been turned into a purely cost-cutting vehicle for reducing expenditure on disability living allowance. That becomes clearer after even a limited examination of the project, which is targeted only at those on the highest or middle rate of the care component of DLA and the higher rate of the mobility component. It is clear that, after examination by the project, those on the highest rates of the two components can only have their benefits reduced. There is no way in which they could be increased. Limiting the scope of the BIP to those categories illustrates that it is part of the Government's policy of trying to reduce the benefits bill.

The Government's approach to disability benefits is in keeping with their overall approach to other aspects of welfare reform. It has become increasingly clear in the past few months that the Department of Social Security is working to the agenda of the Treasury and the Chancellor, which is designed to save a war chest for the Government to spend in the run-up to the next general election. The Government pay lip service to the rhetoric of an intellectually based welfare review which will seek to address the long-term problems of an escalating welfare budget. However, all that we have seen over the past nine months is a salami-slicing exercise for benefits picked by the Treasury, which has been implemented by the Department of Social Security on the orders of the Treasury.

Mr. Hope: Will the hon. Gentleman give way?

Mr. Burns: No. I do not have much time.

The benefit integrity project is not the only means that the Government have used to target people with disabilities for savings on the benefit bill. In November, various proposals were leaked to the press, including the taxing, means-testing and time-limiting of certain disability benefits. There was also a proposal that the DLA cash benefit might be exchanged for care services administered by local authorities. We all understand the seriousness of the implications of such policies for disability benefits, particularly the DLA and disability working allowance. The principle behind those benefits is to level the playing field for those with benefits and those without by meeting the additional expenditure caused by the extra needs of people with disabilities. Denying someone those benefits would put them at a disadvantage and would eliminate the level playing field that we should all be seeking to create.

The leaking of such proposals and the floating of such rumours has done nothing but harm. There is still a great deal of uncertainty surrounding the issue, which the Government are doing little to allay. Only last week in the Social Security Select Committee, the Secretary of State and the Minister for Welfare Reform were unable to confirm or deny stories about the means-testing of DLA. I hope that the Minister will take the opportunity of this debate to confirm whether the Government plan to means-test DLA.

The operation of the unit under the current Government has been geared towards saving money. That has been carried out in several ways. We are grateful for the Secretary of State's announcement on 9 February of changes to the existing system. We also appreciate the letter dated 2 March, which we got yesterday afternoon, which also recognises that there have been serious problems with the administration of the system. In an appendix, it lists extra ways in which the Government hope to safeguard the operation and the work of the existing unit. No doubt the Minister will elaborate further on the contents of the letter and the Government's proposals.

As many hon. Members have said, the problem is too confused and difficult for the Government to be able to carry on with a piecemeal approach, tacking proposals on at the edges of a system that they recognise is failing. We should suspend the activities of the unit until all the piecemeal proposals and changes have been announced, and a fundamental review of the system and the aims and aspirations of the unit can be thrashed out properly. We can then start again with a system that does not spread fear, confusion and anxiety, but is targeted at the realistic and right aim of ensuring that the process is being monitored and that those who are entitled to benefits get the right amounts of the right benefits. Even if the Minister is not able to give an answer during the debate, I urge him to give serious consideration to that proposal and make an announcement as soon as possible. He should not dismiss the idea out of hand.

12.19 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. John Denham): I welcome this opportunity to speak to the House about the benefit integrity project. I congratulate the hon. Member for Moray (Mrs. Ewing) on obtaining this debate on a matter of wide public interest. I also congratulate her on setting a constructive and helpful tone, which has generally been followed for the past hour and a half.

I acknowledge that the benefit integrity project has been the subject of debate, controversy and concern, much of which has been reflected in speeches made from both sides of the House. I have had a great many requests to respond in my summing up to many specific issues. I shall not be able to do so in the time available, but I give an assurance that all issues raised about the delivery of the project will rightly be given careful consideration. In the time available, I will clarify the reasons for the benefit integrity project and, equally importantly, lay to rest many of the fears about its purpose and intent. I shall look at the experience of the project to date, and set out how the Government have responded and will respond to that experience.

First, and most importantly, I want, through this debate, to reassure disabled people. The benefit integrity project is simply about ensuring that disabled people receive the right amount of disability living allowance—the amount to which they are entitled. It is not an anti-fraud drive; it is not a cuts exercise by another name; it is not part of the Government's wider agenda of welfare reform, or a precursor of it. It is concerned with disabled people and their entitlement to benefit under rules that Parliament has

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laid down. No rules on the entitlement to DLA have been changed. The responsibility for decision making rests with the people who have always exercised that responsibility.

Mr. John Swinney (North Tayside): Will the Minister say why DLA has been singled out to be checked and clarified while other benefits have not? It leads to suspicion that the Government have some ulterior motive.

Mr. Denham: As I shall make clear, DLA has not been singled out in the process of action being taken on incorrectness and other problems in the Department of Social Security.

Guidance given to decision makers on the need to take into account all appropriate evidence remains unchanged. I want to reassure disabled people. We want to ensure that benefit payments are right. We want to act sensitively and we want people to have confidence in the actions taken as part of the project.

Why was the benefit integrity project initiated? I do not think that any Member would question the need to take action across all benefits to ensure that benefit payments are made to those—and only those—who have a legal entitlement to them. As the hon. Member for Moray said, we must, of course, recognise that even establishing that somebody is not entitled to benefit has an impact on their life, so the situation needs proper and sensitive treatment.

The previous Administration initiated a series of benefit reviews to establish the extent of error and fraud across all major benefits. In each benefit, the findings of the reviews have or will lead to appropriate changes in the way in which benefits are administered and entitlement is established. Disabled people and DLA recipients have not been singled out.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Will the hon. Gentleman give way?

Mr. Denham: I will not give way because I have very limited time in which to answer at least some of the points raised.

The DLA benefit review was undertaken in 1996 and published in February 1997. It reported that 73 per cent. of people were receiving it at the correct rate at the time that they were visited, meaning that 27 per cent. of people were receiving DLA at an incorrect rate. Incorrectness may have arisen for a variety of reasons, and involved under-provision as well as overpayment. In line with other benefit reviews, the DLA review reported a headline estimate of fraud of 12.2 per cent. The sample was extrapolated to produce the estimate of fraud of about £499 million that has been used.

I should make it quite clear that it would be totally wrong to suggest that the majority of people receiving DLA are doing so fraudulently. There is absolutely no evidence to support that. I should go further. Although the benefit integrity project has broadly confirmed the level of incorrectness identified by the DLA benefit review, it has not sustained the suggested level of fraud. But—this is the critical point—even if the benefit review estimate of fraud can be debated, it none the less indicates a worrying level of incorrectness.

The benefit integrity project has broadly sustained the estimated level of incorrectness and has justified the decision to proceed with the project when we took office in May. I should make it clear that the BIP was already fully designed under the previous Administration—contrary to the history described by the hon. Member for West Chelmsford (Mr. Burns)—and we had to take some very early action to improve its design.

Hon. Members need to understand that the points that they raised about decision making relate not to the BIP, but to the fundamental nature of DLA as a benefit. It is a complex benefit. It is paid to provide help with the extra costs associated with a disabling condition. Entitlement is based on the effect of a disability, not purely on the fact that a person claiming benefit is disabled in some way. The same condition can, of course, affect individuals in very different ways. As part of the claiming process, we ask people to describe the effect of their disability on their daily life, and through an understanding of the need that they have for help with personal care and getting around, decisions are made about entitlement. The BIP uses the same process.

It is fundamental to the nature of DLA that we rely to a considerable degree—sometimes entirely—on the information that we ask people to provide about their daily lives. It is not easy for many people to describe accurately the precise levels of need which arise from their disability. That is not to say that people are setting out to mislead or exaggerate, although it is important that we recognise constraints in the assessment of DLA entitlement generally before we begin to look more closely at the operation of the benefit integrity project.

Mrs. Ewing *rose—*

Mr. Denham: I hope that I can make some progress because I have some important points to cover.

I have already mentioned the difficulties that disabled people may have in recognising when to let us know that their circumstances have changed. The focus of the benefit integrity project was dictated by the findings of the benefit review, and is focused on groups of recipients who are thought to be the least likely to contact the Department about change. The House will, of course, recognise that there is a strong incentive for people to let us know when their needs increase, but less so as needs decrease, and even less if it is unclear when they should take such action.

The project results so far have underlined the need for the exercise. Up to the end of January, 55,000 cases had been examined and more than 12,000 people had had their benefit changed. Almost 1,300 people have seen an increase in their award, while some 4,000 people have moved off benefit altogether. Of the 44,000-plus cases with an on-going award of benefit that have so far been examined, 16 per cent. have resulted in change to the benefit paid. Some 48 per cent. of awards in renewal claims are being changed. In total, the level of incorrectness found, at 21 per cent., is broadly in line with the level of incorrectness found in the review. I should stress again that the project is seeking to establish current entitlement against current rules. None of the rules has changed.

In seeking to reassure the House that there is a sound basis for the benefit integrity project—the integrity, of course, refers to the integrity of our system, not to the

integrity of recipients—I do not want to give the impression that we are in any way complacent about the way in which the project is being carried out or the concerns of disabled people who receive DLA. It is essential that the project is carried out properly, sensitively and with full and proper concern for each individual disabled person who might be affected by it. Although I cannot comment on individual cases raised in the debate, I accept that we do not always get it right, despite our best intentions and—I genuinely believe—the best efforts of our staff to carry out their responsibilities properly and effectively.

From the outset, the Government have sought to address issues of concern, learn from the experience of the project and tackle problems that emerge. We are determined that disabled people should be dealt with properly and fairly, and that they should have sufficient information about what is required of them and the purpose of the exercise to allow them to provide the required level of information about the effect of their disability on their need for help with personal care and getting around. Most of all, we want the decisions that are made as a result of the project about benefit entitlement to be the right decisions.

When we inherited the project designed by the previous Administration, we discovered at the outset that no effort had been made to ensure that visiting officers had appropriate disability awareness training. The present Administration introduced that.

We have had several meetings at ministerial and official level to discuss the development of the project, and have recognised that some of the individuals contacted may not have understood the level of detail required about their daily lives. That is why my right hon. Friend the Secretary of State for Social Security announced on 9 February that a new safeguard was being introduced. Details have been sent to hon. Members.

So far, we have kept the working of the project under constant review, and we shall continue to do so. We shall also continue to meet organisations of and for disabled people. It is important to understand that the project is about ensuring that disabled people receive the right amount of DLA—that to which they are entitled. I believe that the results so far endorse the need for the exercise, and that it would be difficult for us to stop taking action to secure the proper payment of benefits.

Irish People in Britain

12.30 pm

Mr. John McDonnell (Hayes and Harlington): Astoundingly, this appears to be the first recorded debate in the history of the British Parliament specifically on the subject of the Irish community in Britain. That is all the more astounding because, as the House will be aware, Irish migration to Britain goes back as far as the first forays by Irish chieftains to Wales, during which they reputedly kidnapped a small boy who grew up to become our patron saint, Saint Patrick.

After the 12th century Anglo-Norman invasion of Ireland, emigration escalated, and by the 1600s there were sizeable Irish communities in most major cities. Some of that migration was the inevitable and natural movement of peoples, but certainly over the past two centuries the growth in the numbers of Irish people coming to Britain was overwhelmingly a direct result of the colonial exploitation of Ireland—a process which included discriminatory measures that suppressed and destroyed whole sections of Ireland's economic base.

Racism and discrimination are also tools of colonial oppression. The denigration of the Irish has been used not only to justify colonial invasion and occupation but to reinforce oppression. Liz Curtis's excellent book, "Nothing but the Same Old Story", charts the depiction of the Irish within British culture and the media as some brutish sub-species, from the earliest Norman tracts to the present-day Murdoch newspapers.

Over time, racism has been as effective a weapon of oppression as any sword or gun—more effective in some ways, because it is less overt and can even be internalised by the victims, undermining their feelings of self-worth.

Remarkably, however, until last year there had been no comprehensive investigation into discrimination experienced by the Irish community in Britain. Throughout the 1980s, a number of organisations, including the Federation of Irish Societies, the Irish in Britain Representation Group, the Action Group for Irish Youth and the Irish Women's Centre, campaigned to highlight the discrimination faced by the Irish in Britain.

Those organisations were joined by local authorities such as the Greater London council, Camden, Haringey and Lewisham, and the Association of London Authorities. To its credit, the *Irish Post*, under the editorship of Brendan McCluha and Donal Mooney, became the vehicle in which that anti-Irish racism was exposed.

The campaign culminated last year in the publication of an excellent and authoritative research project by Dr. Mary Hickman and Dr. Bronwen Walter, commissioned by the Commission for Racial Equality. The report examines the extent to which Irish people in Britain experience various forms of discrimination. I pay tribute to Herman Ouseley, the first chair of the CRE to take the issue of anti-Irish racism seriously.

To many, the results of the research project are startling. The researchers drew on the 1991 census data and consulted a wide range of organisations working within the Irish community. They also conducted a pilot

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survey among the Irish population in Britain. They catalogued the inequality that Irish people have experienced, and described finding in many people of Irish origin

"a powerful sense of hurt and unjustified exclusion from an equal place in British society."

The researchers demonstrated that

"deep seated Irish stereotypes affected many areas of the lives of Irish people, including workplaces, access to housing, treatment at benefits offices and interactions with neighbours and the police.

Drawing on the census data, the research confirmed that the Irish in Britain experience a range of social disadvantages compared with the white indigenous population.

The findings revealed that the Irish experience lower than average rates of upward social mobility, and that their housing provision is of significantly lower standard than that of the white population, with twice the level of overcrowding and the worst amenities of any major ethnic group.

Of all the ethnic minorities in Britain, the Irish have the poorest record of physical and mental health. That finding has been reinforced recently by a research report in the *British Journal of Psychiatry* that revealed that Irish men are the only migrant group whose life expectancy worsens on emigration to England. Those excessive mortality and morbidity rates persist into the British-born children of Irish migrants.

The research study's survey of Irish community groups and advice agencies consolidated the results extrapolated from the statistical data with the views of those working at the sharp end of dealing with the problems faced by the Irish community.

The survey exposed a widespread denial of specific Irish needs and a refusal by statutory bodies to include an Irish dimension in consultation on, and the planning of, service delivery, including community care plans and housing investment strategy. It depicted the stereotyped responses and comments by service providers that meant that Irish concerns were not taken seriously, and included reports of harassment ranging from violent physical attack on Irish individuals and organisations to the everyday occurrence of verbal abuse.

Regrettably, the survey also revealed an element of police harassment, sometimes triggered by the hearing of Irish accents of names, and often associated with the use of the prevention of terrorism Acts.

The research programme went on to survey a cross-section of the Irish population in Britain, and the researchers concluded:

"The most striking finding was the high levels of anti-Irish hostility routinely encountered by Irish people in Britain".

They revealed

"a catalogue of demeaning treatment which built into a cumulative picture of normal levels of harassment, punctuated by a number of more frightening and aggressive acts".

The survey showed that all aspects of Irish people's lives were affected by racism. That was manifested in many ways. For example, 25 per cent. reported negative responses from the police, ranging from verbal abuse to assault, 24 per cent. described discriminatory treatment at benefit offices, and 79 per cent. recorded that they were subjected to derogatory anti-Irish remarks, jokes and comments, which 70 per cent. of those surveyed found offensive.

Occasionally and increasingly, Irish people have resorted to legal action under the Race Relations Act 1976 to overcome racism and discrimination, and there is now a body of court and tribunal judgments against anti-Irish discriminatory practices. However, the survey found that the general response of Irish people when they encountered anti-Irish racism was to adopt a low profile or "heads down" approach.

That must not be the Government's response to the findings and recommendations of the research. We must develop a strategy that puts in place the policies, structures and resources that will enable us to take the first steps in eradicating anti-Irish racism in our community.

The CRE report and the contribution of many Irish community organisations to the debate has set a clear agenda for the Government, and for us all, to follow. The first step is to break through the barrier of the traditionally crude, "black and white", binary approach to tackling racism and discrimination in this country.

The debate about racism in Britain has been limited by the definition of ethnic status based on skin colour, and the belief that the white population is a homogeneous group. That denies the diversity of ethnic composition of the white population and the diversity of its cultural and historical roots.

The strong resistance, especially in central Government bureaucracies, in sections of local government and in Government-appointed agencies, to the acceptance of a distinctive Irish experience in Britain has meant that Irish needs are generally not accepted or specifically catered for.

If we accept that the Irish in Britain encounter particular problems and have specific needs, it follows that we can tackle those problems only if we have a sound body of information and research relating to the Irish experience in Britain. For that reason, I join with the organisations, including the CRE, that are pressing for the inclusion of an Irish category in ethnic monitoring systems and in the next census in 2001.

Unfortunately, the introduction of ethnic monitoring has been uneven across public bodies. It is vital, therefore, that the Government take the lead in insisting on the establishment of ethnic monitoring systems within all key areas of public service, and on the inclusion of an Irish ethnic category within those systems.

Given the deep-seated resistance of some public agencies to the very concept of anti-Irish racism, I do not believe that it can be left to individual Government Departments and agencies to decide on the principle or the practice of ethnic monitoring for the Irish in their respective spheres. Thus, I would urge the Government to co-ordinate the introduction of these systems, setting a definite pre-determined deadline for their implementation. That could be facilitated by the convening of a cross-departmental group, meeting representatives of the CRE and the major Irish representative community organisations to work through a programme for the common introduction of ethnic monitoring.

If we are to be a Government dedicated to providing equal opportunities to all in our community, we must ensure that the needs of the Irish are recognised in the

development of our policies and the allocation of resources. That must include the firmer recognition of the housing needs of the Irish community by the provision within the housing association sector of a fairer allocation of resources to successful and effective housing associations, such as the Cara and Innisfree housing associations.

The strategy should also include greater support to the voluntary sector organisations and advice bodies that are struggling to work within the Irish community to provide culturally sensitive services and to develop self-help groups to tackle the problems faced by the Irish community.

If we are to tackle the disproportionate level of ill-health among the Irish in Britain, we need to ensure that resources are targeted to health authorities where there are concentrations of the Irish population. That would provide the basis for addressing the specific health needs of the Irish community, taking into account the particular problems identified recently among the elderly and the mental health problems of a migrant community. Integral to our approach to combating anti-Irish discrimination should be an exercise that provides training to staff involved in direct service delivery, raises consciousness on the issue among policymakers in all echelons of Government and develops that within other funding bodies.

Within the criminal justice system and police service, it is clear—regrettably—that some discriminatory attitudes remain to be changed and could be best addressed by training programmes, backed by performance monitoring. We do not want to repeat the cases of the Guildford Four and the Birmingham Six, but there are other cases outstanding that need to be tackled in the near future. I name Frank Johnson as one such case in which we must secure the release of an innocent person.

Change will not be effected unless structures are established to co-ordinate implementation. For that reason, I urge my hon. Friend the Minister to consider the establishment of a cross-departmental ministerial group to take forward a programme of policies aimed at addressing the needs of the Irish community and, alongside that, to set up a consultative forum between Irish community organisations and the Government.

I also recommend that close liaison takes place with the Irish Government, especially on issues such as mobility between Britain and Ireland and enabling housing transfer and exchange for many who may wish to return home on retirement or simply to be nearer their family. Such dialogue has commenced, but it may need resourcing to ensure its effectiveness.

Parliamentarians can also play a part in progress chasing the implementation of the Government's policy and overall programme, and in voicing the concerns and aspirations of the Irish community. To facilitate this role, I intend to seek support for the formation of an all-party parliamentary group devoted to representing the interests of the Irish community in Britain and to serving as a channel for the Irish community to voice its concerns to Parliament.

The Irish have made their contribution to British society over centuries. They have—literally—physically constructed Britain's infrastructure. They have served in every walk of life, but have made a special contribution to our health and education services.

The Irish have made eloquent contributions to our artistic and cultural lives—ranging from Oscar Wilde, Bernard Shaw and James Joyce to the brilliance of today's poets and writers, such as Seamus Heaney, Edna O'Brien and Ronan Bennett. In theatre, film and dance, we have recently been inspired by an Irish renaissance.

In politics, Irish leaders such as Bronterre O'Brien and Fergus O'Connor were the foundation stones of the modern Labour and trade union movement. I pay tribute to my hon. Friend the Member for Hull, North (Mr. McNamara), my right hon. Friend the Secretary of State for International Development and others in the Chamber today who, at some personal cost, have faithfully represented the interests of the Irish in Britain over the years.

In return for the contribution that the Irish have made to this country, the Irish community at least deserves the right to live free from discrimination and in equality and respect. As a Labour Government, we must dedicate ourselves to securing this basic human right and to that end I pledge my support. I urge the Government to implement the recommendations of the CRE report, to establish structures for consultation and dialogue and to go forward to eliminate anti-Irish discrimination as a scourge within our community.

12.45 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): I congratulate my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) on securing this important debate on the Irish in Britain. My hon. Friend the Member for Wigan (Mr. Stott) is in the Chamber, and he and most of us in the north-west know of the considerable historical links between our constituencies and constituents and Ireland. Clearly, that has an impact on our feelings when we come to the subject.

We have heard about some of the problems that the Irish can encounter in this country. I will speak about those in a few moments. I would like to begin where my hon. Friend the Member for Hayes and Harlington ended—by paying tribute to the successes of the Irish in Britain. The Government fully recognise the contribution that people of Irish origin have made to British society. Over the centuries, they have become an integral and essential part of our national life, and their achievements are visible in many walks of life.

Only last week, we read of the BMRB/Irish Post survey—to which my hon. Friend referred—which confirmed the successes of many Irish people in our society. It overturned some traditional stereotypes and painted a different, up-to-date picture of skilled, well-educated people coming to Britain to add their expertise to the economy. It suggested that one fifth of people born in Britain have a family member from Ireland, either directly or through marriage. A book detailing the 150 most successful Irish people in Britain was also recently launched. Clearly, the Irish influence in Britain is flourishing—something which I personally welcome.

My hon. Friend talked about the concerns of the Irish community, and the record of achievement and integration should not blind us to the problems that he raised. The Government are not complacent. While the very many successes are gratifying, they are no excuse for not paying attention to other real concerns.

[Mr. George Howarth]

The debate follows a report produced by the Commission for Racial Equality in June last year, entitled "Discrimination and the Irish". My hon. Friend dealt with that in some detail. When the report was launched, my right hon. Friend the Home Secretary took the opportunity to congratulate the CRE on its efforts to raise awareness of the position of the Irish in Britain, and to welcome the research.

The report concluded that there was a lack of acknowledgement of Irish needs and rights, and that discrimination and disadvantage existed. A list of recommendations for action was produced, and my hon. Friend referred to many of those recommendations. The Government recognise that these problems exist and have taken them seriously across Whitehall.

Improving community relations and equality of opportunity is high on the Government's agenda. We are committed to tackling the problems of racism and discrimination—to creating a society in which everyone, regardless of background, colour or creed, has equal rights, responsibilities and opportunities. This is a policy of inclusion, not exclusion. We take seriously the concerns of every section of our society.

It should be re-emphasised today that Irish people already receive protection under current legislation. The Race Relations Act 1976 covers discrimination against anyone on grounds of colour, race, nationality or ethnic or national origins. The Act makes racial discrimination generally unlawful in the areas of employment and education, and in the provision of goods, facilities and services.

The Act has been an important tool in combating discrimination. It is now over 20 years since it was introduced, yet racial discrimination and hostility still exist. We intend to ensure that the legislation in this area is adequate to protect ethnic minorities and that it keeps pace with changes in our society. A number of organisations, principally the CRE, have put proposals to us for amending the Act; we are now looking carefully at those proposals. We need to ensure that all sections of the community can live their lives free from discrimination.

Measures to tackle racial violence and harassment are also contained in the Crime and Disorder Bill. We do not underestimate the harmful effect that such crime has on the victim, and the wider damage it can do to the trust and confidence that have built up between our communities. The creation of specific offences will send out a strong message that racial violence and harassment is unacceptable.

The Irish community will reap the benefits of a renewed emphasis on equality of opportunity across the board. We recognise that it has particular concerns—Ministers across Government have met representatives of the community to hear those concerns at first hand. The Under-Secretary of State for the Home Department, my hon. Friend the Member for North Warwickshire (Mr. O'Brien), has discussed the concerns with the Irish ambassador and with representatives from a wide range of Irish organisations.

The Federation of Irish Societies has met Ministers and officials at the Department of the Environment, Transport and the Regions and officials at the Office of National Statistics. The Department of Health is meeting Irish voluntary organisations to establish how it can support them in developing work on the health of Irish communities.

My hon. Friend the Member for Hayes and Harlington mentioned benefits. One of the initiatives that has been taken is that the Benefits Agency has held Irish-awareness programmes in targeted offices. We hope that the difficulties to which he referred will be dealt with at that level.

My hon. Friend also expressed concern about housing. My hon. Friend the Minister for Local Government and Housing has met a delegation of the Federation of Irish Societies to discuss its concerns. The Housing Corporation has set up a black and minority ethnic advisory group and although the Irish are not listed in the group's title, their concerns are included—indeed, the chief executive of the Irish Innisfree housing association is a member of the group. I am pleased to say that its work is under way. My hon. Friend the Minister for Local Government and Housing has asked the Housing Corporation to draw up a revised black and minority ethnic strategy, which will shortly be published for consultation.

Mr. Kevin McNamara (Hull, North): What my hon. Friend the Minister says is important, but we do not have the bare, raw statistics. Can he say whether the next census will include a specific Irish category? That is the key to progress, which will otherwise be haphazard, valuable and welcome though it is.

Mr. Howarth: My hon. Friend raises an important issue, which I shall deal with in a moment.

My right hon. Friend the Home Secretary intends to create a new race relations forum, which will be at the very heart of Government. In keeping with the Government's practices, it will include new voices and provide new solutions. Individual membership has yet to be decided, but I can confirm that it will include a member from the Irish community.

The forum will be part of the overall development of a community relations strategy that has been instigated by the Home Secretary and is being developed by the Under-Secretary of State, my hon. Friend the Member for North Warwickshire. We are determined to take those responsibilities seriously.

My hon. Friends the Members for Hayes and Harlington and for Hull, North (Mr. McNamara) both mentioned ethnic monitoring. I do not have time to talk in detail about all the issues that the CRE report highlighted, but I shall deal with the census and statistics. Ethnic monitoring and a separate Irish category in the 2001 census is a major concern of the report. We are aware of that concern from our meetings with representative groups.

The Registrars-General for England and Wales, for Scotland and for Northern Ireland are responsible for consulting census users in Government Departments, local and health authorities, academia and the private sector about their requirements for information from the next census of population and housing, which is planned to take place in 2001. The objective is to reach agreement on the questions that will be included in the census. Users have expressed strong support for the inclusion of a

question about ethnicity, and for statistics that are, as far as possible, comparable to those produced from the 1991 census. A number of users support the inclusion of a separate Irish category.

The census offices are conducting an extensive programme of testing possible questions for the 2001 census, including ethnic questions incorporating an Irish category. They will shortly draw together the results of that programme, and assess customer requirements in preparation for finalising the questions that will be included. The Government's proposals for the 2001 census will be published in a White Paper in the autumn.

In making the final selection of questions, the Government will consider not only the strength of users' needs for information, but the acceptability of questions to the general public and the burdens placed on them in filling in the questionnaire. It is important that we consult people in local government, in health, in housing and in the private sector to assess the value of those questions. Part of the concern is that we are able to measure the success of policies that are targeted to deal with the inequalities highlighted in the report.

It is also important that we are as inclusive as possible. The proposal for the inclusion of an Irish representative on the forum takes into account the concerns expressed by my hon. Friends the Members for Hayes and Harlington and for Hull, North, which I entirely appreciate.

Mr. McNamara: One of the most important strands of the current three-strand talks is the one dealing with the east-west relationship between Westminster and Dublin. Can my hon. Friend give any indication of the state of relations between the two Governments over the important question of the fate of Irish immigrants to Britain and of British people residing in the island of Ireland? After meetings between the two Prime Ministers, statements about intergovernmental relations have been printed at the margins, but has the Home Office been involved in such discussions?

Mr. Howarth: It is important to be careful and measured in any response to the detail of the points that my hon. Friend raises, but I shall consider whether it would be appropriate to put into writing the particulars of some of the discussions. More positively, in the difficult negotiations on initiatives in Northern Ireland, there has been a strong understanding between the two Governments on how the process should be taken forward—relationships between the Governments are good.

Rev. Martin Smyth (Belfast, South): The debate has focused on the Irish in Britain, but it has encompassed the question of the census. Will the census refer to the Irish in Scotland? Will the question on ethnicity extend to Northern Ireland, or will it apply only in Britain?

Mr. Howarth: The hon. Gentleman raises a wider issue, which is not in the compass of this debate, although it would fall within our consideration of ethnic monitoring in the census. As I understand the matter, however, we are specifically dealing with people whose origin lies in the Republic of Ireland. The hon. Gentleman raises an interesting side issue, which may be considered in the consultations on the 2001 census.

Mr. McDonnell: In the discussions that have taken place so far, the question of ethnic status has covered everyone from the island of Ireland—it does not distinguish between people from the Six Counties and people from the Republic.

Mr. Howarth: I am grateful to my hon. Friend for that clarification.

The debate has done a great deal to remind us all of what has been achieved and what remains to be done. We will continue to consider carefully the concerns raised in the CRE report and elsewhere, and we will ensure that the Irish community has full access to the rights and opportunities that we will create for all our citizens.

This has been a useful debate and, as my hon. Friend the Member for Hayes and Harlington said, it was probably overdue. It certainly gives us all in Government much food for thought. There are still issues to be resolved, but we are engaging with those issues, and I hope that, in due course, improvements can be made.

Insulin-dependent Diabetics (Driving Restrictions)

12.59 pm

Mr. Adrian Sanders (Torbay): This is a debate about improving road safety in the United Kingdom and in Europe. The Department of the Environment, Transport and the Regions road strategy document, "Current Problems and Future Options", dated October 1997, states:

> "There is no evidence that medical unfitness plays a significant role in causing accidents; indeed, accidents with medical factors involved are too few to show up in any of the statistics that are collated."

Nevertheless, there is a suspicion that people with a medical condition such as diabetes are less safe behind the wheel than others.

That suspicion lies behind European Community directive 91/439, the origins of which are in discussions that took place in 1980. There have since been 18 years of medical advance and improvements to diabetic control that have dramatically reduced the complications of diabetes through the encouragement of better blood sugar control. The suspicion is outdated, and neither the European Union nor the United Kingdom Government can point to any statistical or actuarial evidence to support the concerns underlying the directive.

The Government's own assessment of the medical impact of drivers' medical conditions on the total road accident rates puts the issue into context. According to the Driver and Vehicle Licensing Agency, between April 1995 and March 1996 there were 163 notifications of collapse at the wheel, of which only 27 involved insulin-dependent diabetics.

Compare that with the 16,050 drink-driving accidents or the 31,050 accidents caused by driver fatigue. To follow the logic—if logic is the right word—should not we impose driving restrictions on anyone who drinks alcohol at any time or on everyone who at one time or another will suffer from fatigue?

I am not here to embarrass the Government or to score points. I want to help the Minister to find a way out that improves road safety while being fair to those individuals who are insulin-dependent diabetics and can prove their fitness to drive. I declare an interest, in that I am an insulin-dependent diabetic. The DVLA has yet to write to me to impose its ban for the vehicles that I shall mention in a minute, but I also have an interest on behalf of constituents and others who have written to me on the issue.

The Government have introduced a blanket ban, preventing people with diabetes who inject insulin from driving vehicles in category C1, which covers cars weighing between 3.5 and 7.5 tonnes, and category D1, which covers vehicles with between nine and 16 seats. Those vehicles come under group 2, which is the category referred to in the directive.

The ban was not even required by the original EC directive, which clearly states:

> "In very exceptional cases may driving licences be issued to, or renewed for, applicants or drivers in group 2 suffering from diabetes and requiring insulin treatment, and then only where duly justified by authorised medical opinion and subject to regular medical check-ups."

Sadly, the Government have gone much further than the directive and introduced a policy that is not applied in other EU member states.

The Netherlands, for example, issues group 2 licences on an individual basis for one or three years, subject to independent medical examination. Finland and Sweden protect existing licence holders who use their licences as part of their employment, defining that as one of the directive's "exceptional circumstances".

According to the Danish Ministry of Transport executive order of March 1997, Denmark grants group 2 licences when a proper justified medical certificate is available, and provided that regular medical examination is carried out.

The Government have allowed discrepancies in the law in their interpretation of the directive. They allow people to drive vans, which are in category D1, on a voluntary basis but not professionally. That is surely proof that there was not sufficient evidence to introduce a complete ban. There was enough political pressure to protect voluntary drivers.

The Government have allowed the retention of licence rights to some drivers of even heavier vehicles, such as heavy goods vehicles, while preventing others from driving much lighter vehicles; they have allowed drivers from other EU states to come and drive over here in vehicles denied to United Kingdom drivers; and they have disregarded the rights of many drivers who have been driving for many years without any accidents or hypoglycaemic attacks at the wheel and who are now faced with unemployment without compensation.

People are already losing their jobs, and many more will follow as the DVLA notifies them of the ban. I have in my office a file of case studies from throughout the country. One concerns the BT engineer who will lose his job but will still be able to drive a minibus for cub scouts in his free time. Others concern employers who do not want to sack loyal, long-serving staff. I recently received a letter from an employer who asked:

> "Is there anything that can be done to help this very valuable, faithful, long-term friend and employee?"

The situation is ridiculous for a Government who promised to help people to move from welfare to work.

Mr. Colin Pickthall (West Lancashire): Many hundreds, if not thousands, of people will be grateful to the hon. Gentleman for raising this issue. Like him, I am an insulin-dependent diabetic. Tommy Wright, my constituent, is an HGV driver who became insulin dependent and lost his job. Because of his good record, the company kept him on to drive a minibus. Because of the blanket ban, he will now lose that job, even though he would be perfectly entitled to drive a minibus on a voluntary basis. Does the hon. Gentleman agree that that is totally unjust, and that the Government's blanket imposition of the ban is reprehensible?

Mr. Sanders: I agree entirely. I applaud the hon. Gentleman's work over the years on behalf of both insulin-dependent and non-insulin-dependent diabetics.

The situation is ridiculous. The Government promised to fight inequality in their new public health strategy and to tackle the problem of social exclusion, but this policy will have the opposite effect: it will drive people from

work into welfare; encourage inequality; and lead to unemployment and further discrimination against, and social exclusion of, people with diabetes.

The Government say that they have taken the decision in the interests of road safety, on the advice of the honorary advisory panel on driving and diabetes, but that body is yet to reveal the sources of the information on which it based its decision; has not, to my knowledge, commissioned any review of the evidence; and did not even meet for four years, during the critical time when the previous Government were drafting the UK regulations.

In those years, new studies, from America and Denmark in particular, had not yet been published. The Federal Highway Administration evidence showed that the accident rate for diabetic drivers was lower than the United States national rate. In Denmark, a review of nearly 8,000 people with diabetes showed no increased risk of accidents, including road traffic accidents.

Surely the Government could consider more pressing and effective road safety measures rather than spending time discriminating against a small group that does not even figure in their own accident statistics and has been shown in some studies to be safer than other drivers on the road.

The new rules could compromise road safety rather than enhance it, because they will act as a disincentive to newly diagnosed diabetics to inform the DVLA of their condition. If the DVLA does not know about a person's diabetes, it cannot impose restrictions on his or her licence. The self-regulatory system has worked until now, with conditions being imposed on diabetic drivers of certain categories of vehicle, subject to medical tests. That regular assessment has undoubtedly led to poorly controlled diabetics being taken off the road. That may no longer be the case as a consequence of the legislation.

All we ask is that the Government listen to the medical evidence and instigate an urgent review. The insurance industry—not known for its altruism—has listened and does not impose higher premiums on insulin-dependent diabetic drivers. So, what would be the fairest way to protect the rights of drivers who are in complete control of their diabetic condition, while targeting the minority who are less well-controlled and who should be the target of legislation? It is possible to identify people with the highest risk of hypoglycaemia through three strong predictors: a history of unawareness; experience of frequent severe hypoglycaemia; and previous hypoglycaemic-related injury or accident.

The British Diabetic Association and I, along with the hon. Member for West Lancashire (Mr. Pickthall) and my hon. Friend the Member for Isle of Wight (Dr. Brand), recently presented a series of such proposals to the Minister. The association is also convening a group of medical experts to draft how a system of individual assessment might work, which will be presented to the Government and the honorary advisory panel on driving and diabetes. Its proposals already have the support of the Transport and General Workers Union, the United Road Transport Union, the Royal College of Nursing, the Employers Forum on Disability, the Drivers Action Movement, the Federation of Recruitment and Employment Services, Unison, the Road Haulage Association and the RAC.

That is by far the most sensible way forward. Can we have the Minister's assurance that individual assessment of fitness to drive is the fairest way forward and that the BDA's proposal will be seriously reviewed, in line with the evidence, by the Government in passing the law? Finally, will the Minister please say why individual assessment is not included in this legislation?

1.11 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I thank the hon. Member for Torbay (Mr. Sanders) for affording the House the opportunity to discuss this extremely important issue. As he said in his opening remarks, it is essentially about road safety, although the main thrust of the hon. Gentleman's arguments has been driving restrictions for insulin-dependent diabetics and, as chair of the all-party parliamentary group for diabetes, the House would expect nothing less from him.

The Government are well aware, from representations from hon. Members, individual drivers and bodies such as the British Diabetic Association, of the strength of feeling among those who stand to lose their entitlement to drive medium-sized lorries and minibuses, particularly when they drive such vehicles for a living. We do not underestimate the consequences for those drivers and have every sympathy with their situation.

Of course, it is the duty of the Government to listen to all concerns and to consider all the implications. As the hon. Member for Torbay said, on 12 February my noble Friend the Baroness Hayman met representatives of the British Diabetic Association with him, my hon. Friend the Member for West Lancashire (Mr. Pickthall) and the hon. Member for Isle of Wight (Dr. Brand). Indeed, in an intervention my hon. Friend the Member for West Lancashire raised the case of one of his constituents and how the restriction is impacting on his life.

However, it is also the duty of the Government to take account of the wider interests of road safety and to make clear decisions, even if those decisions may sometimes have unwelcome consequences for some. It has been said that the change in the law that prompted these concerns is not based on well-founded evidence and that British drivers are being discriminated against compared with drivers from other European Union member states. Although I am sure that there is now general awareness of the effect of the new law, it would perhaps be helpful to say a few words about the background to the new requirements and explain how the change in legislation, which has been portrayed as being specifically directed against drivers with diabetes treated by insulin, has come into being.

For many years, the United Kingdom differed from the rest of Europe in that we had long-standing arrangements that allowed a person who passed a driving test in a car of any size to drive a wide range of vehicles, including lorries weighing up to 7.5 tonnes, category C1, and non-commercial passenger vehicles with up to 16 seats, category D1. If we were devising a new driving licence scheme for modern road, vehicle and traffic conditions, it is unlikely—probably unthinkable—that we would give entitlement to drive such a wide range of vehicles on the strength of a driving test that could be taken in the smallest car.

The second driving licence directive, which was adopted in 1991 and whose provisions the UK fully supports, requires anyone wishing to drive 3.5 to

[Ms Glenda Jackson]

7.5 tonne lorries or minibuses with 9 to 16 seats, to take separate driving tests and to meet the more stringent health requirements, which in the UK formerly applied only to drivers of large goods vehicles over 7.5 tonnes and buses and coaches. Given the size and weight of the vehicles in question, it is fair to say that those are sound and sensible requirements based on legitimate road safety interests. It is significant that during the consultations prior to implementation of the directive and in the period since it was implemented in the UK in January 1997, there have been almost no suggestions that anyone taking up driving for the first time should not have to comply with those requirements. Nor has the ban on people with certain medical conditions driving buses and lorries of over 7.5 tonnes and buses, which has applied for many years, been seriously questioned.

Also, if we were devising a driving licence scheme from the beginning, how would we decide which medical conditions should prevent a person from holding a licence or permit the driving of smaller vehicles yet preclude the driving of larger and heavier vehicles, bearing in mind the consequences if the person were involved in an accident? We would surely seek expert medical guidance on the risk associated with the particular medical condition. Assessment of medical evidence can be supported and supplemented by accident data, but lack of accident data should not invalidate the medical assessment.

The Secretary of State for the Environment, Transport and the Regions has a number of panels comprising experts in particular medical fields, which were set up to provide objective medical advice on the risk from driving by people with particular health conditions. One of those panels—the honorary advisory panel on driving and diabetes—has endorsed the decision that category C1 and D1 vehicles should be driven only by those who can meet the more stringent health requirements, which preclude among others insulin-treated diabetics. It would be irresponsible of the Government to ignore its advice.

Mr. Sanders: Can the Minister confirm that at the last meeting of the honorary advisory panel on driving and diabetes the majority of people on the panel were not medical experts but departmental officials?

Ms Jackson: I cannot confirm or deny that, but I will certainly inquire into the matter and respond to the hon. Gentleman by letter. As I have argued, it is unlikely that the Government would have taken any decision that was not based on objective, informed and particular medical advice.

We do not have comprehensive accident data that could alone support the medical assessment that insulin-treated diabetics should not drive the heavier, larger vehicles. That is because information on the medical circumstances of those involved in accidents is not routinely collected, nor would it be practicable to do so. However, there have been individual studies. It has been found that insulin-treated diabetes was responsible for 17 per cent. of 1,605 police-reported accidents involving collapse at the wheel in which the driver survived and was minimally injured to the point that driving could subsequently be resumed. DVLA records also identified 23 hypoglycaemia-related serious accidents from November 1997 to mid-February 1998. The hon. Member for Torbay contrasted those figures with those involving drink driving and driver fatigue. However, both of those conditions can and should be avoided. Collapse at the wheel due to hypoglycaemia, however, comes without warning.

Mr. Pickthall: May I point out to my hon. Friend that that is simply not true? Most diabetics get considerable warning of a hypoglycaemic attack. We are worried because the ban treats all insulin diabetics as if they were the same, which is not the case. Unlike other drivers, most of us have regular medicals, eye tests and check-ups. Insulin-dependent diabetics are often safer on the roads than other people.

Ms Jackson: I am grateful to my hon. Friend for that intervention, but I understand that the detailed and specific health checks to which he referred take place over three years. I apologise to the House if I have done so, but I do not believe that I said that all hypoglycaemic attacks that cause collapse come without warning. Attacks that occur without warning when a driver is at the wheel are the greatest cause for concern.

Mr. Richard Allan (Sheffield, Hallam): What is the Minister's response to the telling point made by my hon. Friend the Member for Torbay (Mr. Sanders) about the actuarial position taken by insurers? Insurance companies are not known for doing people favours and are happy to load premiums when they believe that there is a risk. The Government must be aware that insurance companies do not believe that insulin-dependent diabetics pose a significant risk. Is not that one of the best indicators that insulin-dependent diabetics do not pose a genuine risk?

Ms Jackson: It is worth repeating that accident statistics alone, on which actuarial tables are based, cannot be the deciding factor. The point at issue is whether people with a known medical condition that carries the risk of collapse at the wheel without warning should be permitted to drive vehicles that are of such weight and size that there could be serious consequences if they were involved in an accident. That assessment can be made only by those with the detailed medical knowledge to understand the implications and to look at the issue with detachment and objectivity.

For those reasons, we support the medical standards prescribed in the directive and the requirement that they should apply to drivers of vehicles weighing more than 3.5 tonnes or with more than eight passenger seats. Understandable concern has been provoked by the issue of whether those requirements should extend to drivers who already hold entitlements to drive such vehicles on the strength of the less stringent testing and health regime which, until the directive was implemented, applied in the United Kingdom. Is it reasonable for the Government to remove entitlements which, in many cases, have been held for years and, in some cases, are being used by drivers in their jobs? As I said during the debate on road safety in the House in January, it is better to err on the side of what some might call overcaution than to increase the risk of death and injury on our roads.

It has been said that the UK has implemented the directive over-zealously, and that that is not reflected in the approach taken by other member states. The directive prohibits the issuing or renewing of licences for the

vehicles in question to those with diabetes treated by insulin other than in "very exceptional cases". The advisory panel has advised that there are no exceptional cases that medical opinion would recognise as being lower risk than others, and that, while modern treatments have improved the control of diabetes, they have not eliminated the possibility of a hypoglycaemic attack.

On the basis of that advice, we have decided against individual assessment of drivers—a point that the hon. Member for Torbay asked me to address—other than for the purposes of holding a licence to drive a car. Some member states may have provided for exemptions from that requirement, but only to a limited extent in most cases, and only for non-professional drivers. We do not know what expert advice those states took in making such arrangements, but it is right that we should take our own counsel.

The United Kingdom's enviable road safety record has largely been achieved by taking firm decisions.

Mrs. Jackie Ballard (Taunton): The hon. Lady says that the United Kingdom has an enviable road safety record. She talked earlier about increased risk. Does she agree that there will be no increased risk if current licence holders are not restricted? How could not imposing restrictions make our enviable record worse? I hope that she follows my argument.

Ms Jackson: I do, indeed, follow the argument, but our enviable road safety record is of no comfort to people who have lost children or family members in a road traffic accidents. Surely all Governments have the responsibility to try to improve our enviable road safety, and this Government are committed to doing so.

We do not underestimate the consequences for insulin-treated diabetics who drive these vehicles for a living, but the rules are based on medical advice that is generally accepted throughout the EU. I assure hon. Members that the rules will be kept under review, both by our medical advisers and through our representation on the EU committee set up to consider health requirements in the light of advances in scientific knowledge and treatment. Road safety will continue to underpin such consideration.

Green-belt Housing (Silsden)

1.25 pm

Mrs. Ann Cryer (Keighley): I thank my hon. Friend the Under-Secretary for making the time to reply to the debate.

I preface my remarks with a disclaimer: to put the record straight, I am not on the side of the hunting and gun lobbies which paid for and organised the demonstrations in London last Sunday. I have large rural areas in my constituency and, for the sake of my constituents, I wish that they had organised their march 18 years ago. They might have saved rural bus services from deregulation, and our farmers from the enormous problems of BSE, which were brought about by the deregulation of the preparation of animal foodstuffs. They might also have prevented the selling off of nearly all our once much-admired village council housing and the closure of village schools and other facilities. However, village schools in the Keighley area have survived due to the support of our local authority.

I shall discuss the question of the erosion of the green belt at Silsden. I hope that such erosion can be avoided.

Nearly three years ago, friends at Keighley asked me to let my name go forward to Keighley Labour party, which was in the process of selecting a parliamentary candidate. I was already aware that many people in Keighley were still struggling to come to terms with the fact that the Conservative Government of 1970-74 had pushed the old borough of Keighley, the urban districts of Silsden and Ilkley, and the rural district parishes of Steeton, Eastburn and Addingham into the Bradford metropolitan district council area.

For me, the bolt from the blue was the Bradford unitary development plan, especially the main point at issue: the allocation of a beautiful area of the Aire valley around Silsden for the building of about 1,500 houses. Straight away, I questioned the need for using such a massive amount of green belt. I was told by the chair of Bradford planning committee that the Conservative Government had put a great deal of pressure on the committee to make large amounts of land available for housing. The three Bradford constituencies were heavily built up and there was little room for development, so the committee had to consider Keighley and the constituency of my hon. Friend the Member for Shipley (Mr. Leslie).

I was regarded as a nuisance for raising the issue. It was explained that none of the councillors for the Keighley area, including Craven, which takes in Silsden, had made representations on the proposals. The majority of Keighley wards, five years ago, were represented by Conservative councillors. Most are now Labour, and their councillors take a view similar to mine on the erosion of the green belt and the use of green-field sites.

People in some political circles take the view that the pressure put on councils by the previous Government to release land in attractive rural areas was not completely detached from the generous contributions to the Conservative party by companies involved in housing development. I have been discussing and corresponding about the unitary development plan with Bradford council for three years. After the general election on 1 May, my hon. Friend the Member for Shipley and I took the matter up with the Department of the Environment,

[Mrs. Ann Cryer]

Transport and the Regions. They all tell me the same—that it is too late. The plan has been approved, and nothing can be done.

As Silsden is only one of the areas with whose allocation for housing I disagree, I realise that—along with the various action groups—I shall have a very busy time in the next few years arguing against developments as and when developers come along with their detailed plans. Although I am disappointed that our Government can do nothing to revise the UDP, I am encouraged by the possibility that my constituents and I will be helped by my right hon. Friend the Secretary of State and my hon. Friend the Minister when we argue against individual developments.

The Secretary of State has said:

"We are resolute in our desire to avoid unnecessary encroachment into the countryside. The presumption against development in the green belt will remain as strong as ever. But this does not mean that there will never, ever be any building on green field sites."

I can accept the need for green-field sites in some areas to infill between already developed areas, but large encroachment on the green belt, as at Silsden, or removal of village green space—as the UDP proposes for Manor Garth, Addingham or Leeming at Oxenhope—is unacceptable if we are to retain our green and pleasant land.

The two developments on village green space were opposed by Bradford council, but the council was overruled by the inspector following an appeal by the landowners, one of whom has since sold his plot at an enhanced value.

I applaud the Secretary of State's comment:

"The vast majority of our people live in cities and towns. I want to see a renaissance of our cities. That will mean using existing empty houses, offices and warehouses for new affordable flats, not just for city yuppies."

The type of housing that will be attracted to the new UDP areas will not help my constituents who are living in overcrowded or sub-standard housing in the middle of Keighley. They would be helped if we could return to the system of many years ago, when local authorities could lend money for home improvements that would be repayable on the death of the owner and/or the sale of the house. That was particularly helpful to older people and poorer families who were unable to raise a second mortgage on their homes.

The proposed new developments are likely to be four-bedroom, two-garage detached houses that most of my constituents could not afford or even consider in their wildest dreams. They will be bought by well-paid professionals working in Leeds, Bradford or even Manchester. They will be dormitories, generating the sort of traffic and environmental problems that our Government are trying to plan against.

In an excellent edition of "Panorama" on 19 January, the Silsden town action group presented its arguments with clarity and intelligence. We saw the splendid Lister's, Manningham Mills, in the constituency of my hon. Friend the Member for Bradford, West (Mr. Singh). Yes, it would take a great deal of money, imagination and enterprise to convert that memorial to West Yorkshire's magnificent industrial past into flats for people, but it could and should be done.

There are many smaller mills and warehouses in Keighley that could be converted. The once elegant but now rotting royal arcade was to be given new life by our local authority in a living-over-the-shop scheme—an idea that would not only breathe new life into the centre of Keighley, but combat crime and vandalism. I hope that problems with the owners of the arcade will eventually be overcome, and that the scheme will reach fruition.

A few months ago, I was shown derelict but still sound warehousing on various stretches of the Leeds-Liverpool canal. Some were in the constituency of my hon. Friend the Member for Shipley (Mr. Leslie).

Mr. Christopher Leslie (Shipley): My hon. Friend called the debate in order to talk about housing problems in her constituency, with specific reference to Silsden. My neighbouring constituency—also a rural area—contains many examples of the way in which dormitory, executive, spec-built housing developments of the sort that my hon. Friend has described have begun to encroach on green-field sites.

The whole of the Bradford UDP was framed in the last Conservative Government's planning legislation. It is very unfortunate that so much green space was set aside, never to be recovered once it had been built on. I am glad that the new Government have indicated that they will encourage more use of brown-field or recycled sites.

My hon. Friend has mentioned recycling existing buildings. As she has said, my constituency also contains many mills and listed buildings that need to be reused. I hope that the Government will consider giving local authorities some support, helping them to intervene proactively in the market, to find developers and to match them up with derelict sites. If we leave it to the market to find recycled land—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman is making a very long intervention. If he has the permission of the hon. Member for Keighley (Mrs. Cryer) and the Minister, he may make a brief contribution when the hon. Lady has stopped speaking.

Mrs. Cryer: The regional manager of the British Waterways Board tells me that the board is anxious to dispose of the derelict warehouses, and has asked for my assistance. Although intact, the warehouses are looking a little decrepit, but they would make very attractive flats. They would not be suitable for families with small children, because of their position near the canal, but in other respects they are beautifully positioned, with lovely views.

The warehouses would be suitable apartments for others, if only we can persuade developers to consider that sort of challenge rather than the easy profits of green-field sites. Perhaps a levy on green-field site development will remedy the imbalance about which I understand my right hon. Friend the Secretary of State has some ideas.

I look forward to the provision of new or improved council housing following the release of council house receipts, which is already in our programme, and the redressing of 18 years of Tory neglect of our towns and cities to make them again into places where people want to live.

All those changes must—and, I hope, will—come. I only hope that the shift from rural to urban housing does not come too late to save the lovely green areas around our towns, without which we, our children and our grandchildren will be much poorer.

1.36 pm

Mr. Christopher Leslie (Shipley): I thank my hon. Friend the Member for Keighley (Mrs. Cryer) for giving way to me earlier. When she did so, I raised the whole question of green-field development throughout the Bradford district. Incidentally, when we talk about the Bradford district, people tend to forget about Keighley and Shipley. In fact, Bradford is the fourth largest metropolitan district in England and Wales. It is a significant piece of land in the Yorkshire region, and also a very built-up area in which half a million people live.

My hon. Friend has made some valid points. In a built-up area such as Bradford district, there are planning pressures to develop incrementally, by attrition, on the surrounding green-field sites. Part of the difficulty encountered by Bradford council relates to the calculation of the amount of land that must be set aside for development. The last Administration gave the council a calculation that it met virtually in full, but, unfortunately, it did so largely by allocating large chunks of green-field land.

I am concerned about Warren lane and Clarendon road in Gilstead, and Sty lane in Micklethwaite. These are valuable spaces, separating communities. As my hon. Friend pointed out, Silsden has a community integrity that is all its own. Gilstead, Eldwick and Micklethwaite also have long histories, but those villages will be subsumed in the growth of commuter-type housing in an area that does not really have a town centre. There are no proper planning considerations for village or town life—even for shopping facilities—and there is very little consideration for traffic generation. The Bradford area is very hilly, and narrow valleys cause transport problems.

The local authority has allocated many sites, including Silsden, in its unitary development plan, but I hope that, when it considers planning applications in the light of sewerage constraints, highways constraints and so on, it will go through the details with a fine-toothed comb, and possibly adopt some of the arguments that my constituents and those of my hon. Friend the Member for Keighley are using, to say that development should not go ahead on those sites.

1.39 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Angela Eagle): I congratulate my hon. Friend the Member for Bradford—

Mrs. Ann Cryer: Keighley.

Angela Eagle: I am sorry—I meant my hon. Friend the Member for Keighley (Mrs. Cryer). I must have the Bradford unitary development plan on my brain. I congratulate her on securing the debate, and I congratulate my hon. Friend the Member for Shipley (Mr. Leslie) on his contribution to it.

My hon. Friend the Member for Keighley has raised some important issues relating to planning policy and the way in which it has been developed in Bradford. She has also rightly pointed out that the background against which these often complex and difficult issues are decided is in the process of being changed by the new Government. However, until we can put the changes into effect, these issues must be decided according to the existing planning rules. My hon. Friend also knows that unitary development plans evolve on a rolling programme; I hope that that gives her hope that she can start to have an effect on the way in which the plans become reality.

The issues are complex, as my hon. Friend the Member for Keighley acknowledged, and they are by no means easily resolved. Therefore, the planning system attaches considerable significance to development plans, which are formulated after examining local issues in great detail. Such plans provide the framework for resolving development issues at local level.

Responsibility for Bradford's UDP rests with Bradford city council. In preparing the plan, the council is required to take account of development issues throughout the metropolitan district; to follow established procedures; and to consider objections made to its proposals.

The city council started work on the current UDP before 1993. In November that year, the draft UDP was published and made available for objection by the public. I understand that many objections were made, including a considerable number about the proposals for Silsden to which my hon. Friend the Member for Keighley refers. More than 1,500 objections each were made to the four sites zoned in the plan for housing development and to one that was earmarked for industrial use.

Those proposals meant that about 50 hectares of the green belt would be taken at Silsden. I know that it will be of no comfort to those in the Aire valley, but I believe that the matter must be viewed in perspective. It is worth recalling that the total green belt in the metropolitan district as a whole is more than 23,000 hectares, so between 0.2 and 0.3 per cent. of the green belt is involved.

The development plan system is subject to rigorous procedures. A very important safeguard is the right for anyone who has made an objection to have it considered by an inspector at a public inquiry. The inspector is independent, and reports directly to the local planning authority.

In Bradford, the UDP inquiry was held between May 1995 and February 1996. Any local planning authority must give very serious consideration to what an inspector has said about a plan. I know that Bradford city council accepted almost all the inspector's recommendations, including those about Silsden. Although he noted that some sites are subject to constraints on their development, the inspector considered that the principle of development at Silsden was justified.

In the inspector's view, the needs for effective long-term planning and economic regeneration constituted exceptional circumstances to justify the removal of the land from the green belt. Acceptance of that view then became a matter for the council's judgment. Decisions about planning issues in local areas are usually best taken locally.

Obviously, there is a debate about whether the council has the detail of its planning strategy exactly right for the metropolitan district, but I am firm in my view that the development plan system is the best way of reconciling all the different views that there may be about the way ahead in each locality.

[Angela Eagle]

Inevitably, some decisions will not be to the liking of objectors; but the system allows for open discussion and independent arbitration about them. Any plan that takes more than four years to complete is testimony to the thoroughness of the process. Although our document "Modernising Planning" considers ways to speed up the process, the process will not be speeded up at the expense of safeguards and people's rights to object to a plan and to have those objections fully considered.

It is important, too, that each local planning authority sticks to the correct procedures for the preparation of its development plans. I understand that, for some proposed development sites in Bradford, there is concern that the council decided not to hold a second public inquiry, but that is a matter for the council, which has a duty to follow the statutory regulations.

My right hon. Friend the Deputy Prime Minister carefully considered arguments made to him in the light of existing guidance regarding ministerial intervention in development plans—I emphasise "existing". The powers of intervention in plans are used very sparingly and as a last resort, such as when a plan raises issues of national or regional importance or gives rise to substantial controversy—for example, extending beyond the area of the plan-making authority.

In this case, our considered judgment was that it would not be appropriate to intervene. The Bradford UDP was formally adopted by the city council on 23 January 1998, so, as I am sure hon. Members recognise, my right hon. Friend has no further jurisdiction regarding the policies contained in Bradford's UDP.

That is not to say that we are unconcerned about the general issues that arise from the concerns of my hon. Friend the Member for Keighley. She has drawn particular attention to the location of land for housing, arguing for greater attention to housing and development opportunities in the urban areas. The planning system allows for assessment of those issues in deciding how best to accommodate future development.

In March 1996, the previous Administration published regional planning guidance for Yorkshire and the Humber region. That is being reviewed, and we shall ask for views about its content. The review will take account of better information about the capacity of the region's urban areas to accept new development. More important, it is our intention that there will be much more of a regional contribution to the guidance, and a greater regional input in the way in which we plan for new housing.

I know that my hon. Friend the Member for Keighley has campaigned vigorously on behalf of her constituents in Silsden to express their concerns about the UDP, and I congratulate her on her attention to their views and her determination in ensuring that we know what they are. She has contributed to the debate on planning for the communities of the future, and she has written several times about the issues for Silsden, notably on behalf of the Silsden town action group, while raising issues for other parts of her constituency.

Hon. Members will recall that, in a statement on 23 February 1998 on planning for the communities of the future, my right hon. Friend the Deputy Prime Minister set out a range of measures to meet future housing needs. I need not repeat that statement, but I would respond to a point that my hon. Friend the Member for Keighley raised about recent decisions.

In the case of Bradford city council, the UDP has been adopted, so my right hon. Friend has no further jurisdiction in the matter. However, we propose to move as quickly as possible to the new approach set out in my right hon. Friend's statement, and the reviews of regional planning guidance that are under way provide an early opportunity to put that into effect.

When new regional planning guidance is ready, it will be open to local authorities to review their development plans. I believe that my hon. Friend the Member for Keighley has already made a few suggestions for that review. She came up with some interesting ideas about recycling land and putting it to housing use, which is the essence of the policy change that the Government have inaugurated.

However, it is important to remember that green belts are not a national designation. They are established by local authorities by means of development plans. The general extent of green belts is fixed in structure plans, taking account of regional planning guidance. It has always been open to local authorities to propose changes to green belt boundaries; but exceptional circumstances are required to justify alterations. That happened several times under the previous Administration.

My hon. Friend the Member for Keighley spoke about the strength of feeling in her constituency on the issues that she raised today; my hon. Friend the Member for Shipley did likewise regarding his constituency. The Government have set out their proposals for tackling the issues at the heart of this debate, which are about regenerating our urban areas and looking for the most sustainable solutions to meet our long-term development needs.

Our statement of 23 February charts the course for taking this issue forward. We have emphasised that we want to stimulate debate, particularly at local and regional level. I have listened carefully to the debate, and I am sure that Bradford council will pay careful attention to it. We shall continue to listen and to provide strategic leadership in what will, I am sure, be a continuing debate in the coming months.

It being before Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

DUCHY OF LANCASTER

The Chancellor was asked—

Freedom of Information

1. **Miss Melanie Johnson:** What responses he has received to his White Paper on freedom of information. [30864]

The Chancellor of the Duchy of Lancaster (Dr. David Clark) *rose—*

Hon. Members: Where are the Tories?

Madam Speaker: Order.

Dr. Clark: It is nice to see at least one Conservative Back Bencher coming into the Chamber. I welcome him.

The freedom of information White Paper, "Your Right to Know", has excited a massive response at home and abroad. I have received more than 500 responses so far from individuals and organisations, and the numbers are increasing day by day.

Miss Johnson: I thank my right hon. Friend for his response and for the very full consultation on the much-welcomed White Paper. What is the timetable for the proposed draft Bill, which will be one of the first Bills to go through the new pre-legislative Select Committee procedure? I am sure that the Select Committee would like to receive the Bill in early June so that it can carry out much of the necessary scrutiny before the summer recess.

Dr. Clark: The consultation period has just ended and we are carefully considering the responses. However, as parts of the Bill are non-controversial, the information on those parts has already been sent to the parliamentary draftsmen, in the hope that we can ensure that the Bill is ready by early summer. It can then go before the Select Committee, which may be able to complete its consideration in time for the Bill to be included in the Queen's Speech.

Sir Patrick Cormack: Among the many responses that the right hon. Gentleman has received, is there one from the senior official to whom he entrusted the leak inquiry? Will he tell us what has been discovered, if anything—and in telling us that, will he also say how many copies of the White Paper were legitimately circulating within Whitehall at the time of the leak?

Dr. Clark: The preliminary leak inquiry has been carried out and I have seen the report. It concluded that too many copies were distributed to enable the inquiry to ascertain where the leak came from. The information gained in the inquiry has been passed to the Cabinet Secretary, with suggestions about how to minimise circulation and reduce the potential for leaks.

Sir Patrick Cormack: The right hon. Gentleman said that many copies were circulating; could he say precisely how many?

Dr. Clark: Three drafts of the White Paper were in circulation. I cannot be absolutely precise, but I understand that the number was in three figures.

2. **Mr. Baker:** What steps he has taken to ensure that new initiatives in the operation of central Government comply with his proposed freedom of information legislation. [30865]

Dr. David Clark: Last month, I published substantial background information on the White Paper "Your Right to Know", to exemplify our freedom of information commitment to active disclosure.

Mr. Baker: I have no doubt of the Minister's, or the Government's, commitment to freedom of information. However, may I ask the Minister to investigate the compatibility with freedom of information legislation of the strategic communications unit that has been established by the Prime Minister? Is the Minister aware that the Prime Minister refused to provide detailed answers to questions on the strategic communications unit tabled by me and by other hon. Members? Is he aware also that the unit seems to be operating in a manner that restricts Departments in issuing press releases, that it is acting as a filter, and that it is therefore contrary to the principle of freedom of information?

Dr. Clark: Currently, we operate under a code, which obviously does not have statutory authority. We believe that the code is inadequate, which is why we require further legislation. The strategic communications unit is a means of ensuring that information circulates in Whitehall, helping us to ensure good government. That is its purpose.

Mrs. Dunwoody: Will my right hon. Friend examine the mechanics of the distribution of information technology, particularly in Departments? There are very real worries that some of the systems that are currently operating, and some of the new ones that are supposed to be introduced into Departments, will not be capable of carrying the information or providing the access that he and I definitely want them to.

Dr. Clark: One of the unfortunate legacies that we inherited 10 months ago was the chaos in IT within government. Some Departments cannot speak electronically to other Departments. We plan to enhance the CabEnet system. I hope also that, before too long, we will have a secure intranet through which Government information can be passed electronically. It is ludicrous that, in this modern day, we have been left with a ramshackle machine in which Ministers cannot e-mail fellow Ministers.

Better Government White Paper

3. **Mr. Mackinlay:** When he expects to publish the White Paper on better government. [30866]

The Parliamentary Secretary, Office of Public Service (Mr. Peter Kilfoyle): My right hon. Friend the Chancellor of the Duchy of Lancaster intends to publish the White Paper on better government later in the spring of this year.

Mr. Mackinlay: The Minister will understand that the Government's package of measures will be most welcome to the increasing number of our constituents who are bewildered by the plethora of agencies that have been created, particularly in the past 18 years. Constituents are sent from pillar to post trying to exercise their rights and get satisfaction. Will the Minister ensure that public sector unions and other representative organisations are included in the consultation process on the White Paper? Those organisations are the providers of those services, and they often—very unfairly—receive blame that should be apportioned elsewhere. There is a need for sensitivity in dealing with public sector unions, so that the White Paper and package of measures will be a success for our constituents.

Mr. Kilfoyle: To make public services more readily accessible to more people, the Government are considering many proposals, such as one-stop shops. I have been consulting public service providers, which work at the sharp end in delivering public services. Only yesterday, I consulted public service providers in Edinburgh, and we have already conducted similar exercises in London, Leeds and Southampton. I intend to continue that process in other parts of the country, to effect the fullest possible consultation with those stakeholders who work at the coal face in providing public service.

Mr. William Ross: Does the Minister agree that the democratic principle provides the basis for the best form of government in any state? Does he understand that hon. Members in my party are delighted that that standard will apply to the devolved institutions in Scotland and Wales? Do the Government intend to apply the same standards to any devolved institution in Northern Ireland?

Mr. Kilfoyle: The principles underlying attempts to effect better government apply equally in Northern Ireland, Scotland, Wales and England. We shall apply the same principles of transparency, accountability and accessibility in Northern Ireland as we do elsewhere.

Mrs. Gillian Shephard: I listened carefully to that answer. What importance will the proposed White Paper attach to parliamentary democracy? Does the hon. Gentleman agree that the better government White Paper should end his Government's practice, which has been established in just 10 months, of bypassing the House and making announcements via leak, press briefing and the media? What proposals will the White Paper contain to restore parliamentary democracy which has been destroyed by his Government in just 10 months?

Mr. Kilfoyle: I am sure that the right hon. Lady can anticipate my reply. I think it is a bit rich for the Conservatives, after 18 years of inspired leaks and 18 years of circumventing parliamentary due process, to make such an accusation against us. The Government will ensure that the better government White Paper does exactly what it is intended to do, which is to ensure that small businesses and citizens, who were ignored for 18 years, are given the opportunity to access government service in a simple, open, transparent and efficient way.

Freedom of Information

4. **Mr. Grogan:** If he will make a statement on the representations he received during the consultation period on the freedom of information White Paper. [30867]

Dr. David Clark: It is clear that the White Paper on freedom of information has caught the imagination of many people, not only in this country but overseas. The consultation period ended only last week, on 28 February. Most of the overwhelming number of responses have been positive. We are now studying them and are greatly encouraged by the positive suggestions that they make.

Mr. Grogan: In the spirit of freedom of information and open government, will my right hon. Friend say what measures he is taking to encourage Government Departments to be more open in their practices in the period leading up to legislation?

Dr. Clark: I believe it is very important that the Government themselves are pre-emptive in their approach to the release of information. In that respect, I intend to publish on the internet and to place in the Libraries of both Houses the consultation papers that I have received, except where people have requested confidentiality.

Mr. Soames: What representations has the right hon. Gentleman received from the civil service about advice tendered by civil servants to Ministers? Does he agree that it is of the utmost importance that if officials are to give the best possible advice to Ministers, that advice must remain confidential?

Dr. Clark: We have made it quite clear that the Government cannot operate in a goldfish bowl. We have provided some protection for the advice on policy given to Ministers by civil servants, but we believe that much of the factual and analytical background information can be published. I have already done that in respect of the preparations for the White Paper.

Mr. Campbell-Savours: Is not a good indicator of our seriousness about freedom of information to be found in the answer that my right hon. Friend gave to the hon. Member for South Staffordshire (Sir P. Cormack)? When my right hon. Friend gave him details of a leak inquiry in a way that was unprecedented in the House, he revealed information that Ministers in previous Governments had ducked giving in Parliament.

Dr. Clark: I am glad that the House has appreciated the openness and frankness with which I tried to approach this matter, as I believe it was the right and proper thing to do. Indeed, we need to build bridges between Whitehall

and Westminster, and I hope to be in a position in the next two or three weeks to announce various initiatives that may help to build those bridges.

Mr. Ruffley: Is the Chancellor aware of our great concern at the fact that he has failed to discover the source of the leak of the White Paper earlier this year? In the interests of openness, will he disclose to the House who the leak inquiry officer interviewed? If he has not interviewed the Minister without Portfolio, why not, as most of the Lobby seem to think that he was the source of the leak in the first place?

Dr. Clark: It really is a bit strong for the Conservatives to say that, given that, when they were in government, they gave us no information whatever about leak inquiries. I have been open with the House. There was a full preliminary leak inquiry, and a number of people whom the independent interviewing officer judged it necessary to interview were indeed interviewed.

EU Presidency

5. **Dr. Starkey:** What discussions he has had with his EU counterparts on *(a)* simplifying EU rules and *(b)* reducing bureaucratic requirements imposed by the EU during the UK presidency. [30868]

Mr. Kilfoyle: My right hon. Friend the Chancellor of the Duchy of Lancaster, last month attended the informal meeting of internal market Ministers in Cambridge for discussions on better European Union regulation. It was agreed to establish, before the end of the UK presidency, pilot test panels of businesses in some member states to comment on EU legislative proposals. It was also agreed to have regular exchanges of information on our national simplification initiatives and to give renewed impetus to Commission work to cut EU red tape for business.

Dr. Starkey: I thank my hon. Friend for that reply. He may be aware that in my constituency of Milton Keynes a large number of small businesses have been active in expanding their level of exports to the European Union. Excessive regulations bear particularly heavily on small businesses. Can the Minister say whether any actions are being taken specifically in the interests of small businesses?

Mr. Kilfoyle: Small businesses suffer disproportionately from too much bureaucratic red tape. Within the SLIM initiative—simplification of legislation within the internal market—moves are afoot, which we support within the Commission, to minimise the effect of over-regulation on small businesses within the European Union and the single market.

Mr. Hogg: Is it not true that complexity and bureaucracy are the inevitable hallmarks of EU legislation, and that, if we are to achieve the objectives of the hon. Member for Milton Keynes, South-West (Dr. Starkey), we need to reduce the scope and probably the competence of the EU?

Mr. Kilfoyle: I disagree with the right hon. and learned Gentleman. My right hon. Friend has already flagged up three areas and we will continue to pursue them throughout the presidency. First, we must raise the profile of the problem of burdensome regulation. Secondly, we must look at those areas within existing legislation that can be simplified. Thirdly, we must ensure that in future a minimal amount of regulation is imposed on business within member states. All those initiatives are being promoted and pursued now under the UK presidency.

Data Management

6. **Mr. Todd:** What steps he will take to improve the efficiency of data management in Government. [30869]

Mr. Kilfoyle: The central information technology unit in my Department has established a Government secure intranet service, which will enable the secure exchange of electronic communications between Government Departments to improve the efficiency of data management in government.

Mr. Todd: In an earlier answer, the Chancellor of the Duchy of Lancaster referred to the shambles of information technology management left as a heritage by the previous Government. One of the critical areas in dealing with that is the imposition of coherent standards in data management. What steps are being taken to ensure that we not only set standards but enforce them and that we collect information on the various technologies used within government to store data?

Mr. Kilfoyle: My hon. Friend will be aware that there are about 132 separate registrations for a simple matter like a name. We are seeking to simplify that in a way similar to that used by our competitors in Asia. In Singapore, one can have one's name and address changed through the information technology that is available with one call on government. Currently there is a plethora of different systems. My right hon. Friend the Chancellor of the Duchy of Lancaster is taking forward the work of maintaining the information technology with the millennium bug in mind and we are taking the opportunity to look at information technology across a whole range of Government Departments.

Mrs. Gillan: May I suggest that the Minister starts with his own Department when improving the efficiency of data management? Is he aware that the summary of departmental plans to deal with the year 2000 computer problem does not tally with the back-up papers provided by the Chancellor of the Duchy of Lancaster, which contain omissions and vague information? Will the Minister ask his right hon. Friend to withdraw the quarterly statement that was slipped out yesterday by way of a written answer and to give to this critical and increasingly costly programme the detailed attention that it requires? If he cannot transfer data accurately from one piece of paper to another, how can we have confidence in his ability to solve the 2000 problem?

Mr. Kilfoyle: First, I remind the hon. Lady that it was not on paper—it was on CD-ROM. The important point for Opposition Members to recognise is that this is too serious a matter for them to try political point scoring from it. We are making all the appropriate efforts to ensure compliance in respect of the millennium bug

problem, which is a problem that raised its head long before 1 May 1997. To charge my right hon. Friend the Chancellor of the Duchy of Lancaster with anything less than the appropriate industry and application in trying to resolve the problem and make information available to the House is churlish of the hon. Lady.

Reports (Publication)

7. **Mr. Simon Hughes:** If it is his policy for reports commissioned by Government from outside individuals or agencies to be published; and if he will make a statement. [30870]

Mr. Kilfoyle: Work commissioned from outside individuals or agencies is subject to the same criteria for publication and disclosure as other information held by government.

Mr. Hughes: That is not a very helpful answer. Does the Minister agree, for example, that, if the Department of the Environment, Transport and the Regions commissions, at taxpayers' expense, a report from independent academics about the electoral system for London, that report should be published in the form in which it was submitted, rather than being sent back to the authors, altered at the Government's request and published only when it more accurately reflects the sort of messages and information that the Government want it to contain?

Mr. Kilfoyle: First, the specifics of that question would be best answered by my right hon. Friend the Secretary of State for the Environment, Transport and the Regions, and I shall bring them to his attention. The presumption in Government is that, unless there are good reasons to the contrary, such analytical information at least would be published.

Freedom of Information

8. **Mr. Dalyell:** What representations he has received on his freedom of information White Paper in relation to whistleblower activities. [30871]

Dr. David Clark: I met my hon. Friend and the hon. Member for Aldridge-Brownhills (Mr. Shepherd) on 22 January. In addition, a small number of responses received to the White Paper on freedom of information have raised issues concerned with whistleblowing.

As the House will know, the Public Interest Disclosure Bill is about safeguarding the interests of employees who make unauthorised disclosures in very specific circumstances and it has the support of the Government.

Mr. Dalyell: I thank my right hon. Friend for the manner in which he and his senior officials entered into dialogue with us on 22 January. Does this help legitimate deep throats?

Dr. Clark: Yes.

Rev. Martin Smyth: I welcome the right hon. Gentleman's response, but does he share my concern that an attitude still seems to prevail among some senior civil servants that frowns on any civil servants speaking—even as a citizen—to their Member of Parliament and sharing their concerns about what is happening?

Dr. Clark: I said earlier that I believe that it is time to build bridges between Whitehall and Westminster. It is my intention to bring forward certain suggestions which will improve standards and contact between Members of Parliament and civil servants.

Mr. Paterson: Following consultation and legislation, would the right hon. Gentleman like to see more freedom of information established in this country than currently prevails in the United States of America?

Dr. Clark: It is widely acknowledged that the freedom of information White Paper marks the next stage of freedom legislation throughout the world. In that sense, I believe that it will offer a much better opportunity for the people of Britain to find out information that may relate to themselves and which they may want. I believe that that will make a huge difference to the political culture of Britain and that it will bring the government of our country closer to our citizens.

Electronic Service Delivery

9. **Mr. Alan Campbell:** What representations he has received on the potential use of smartcards to deliver Government services. [30872]

Dr. David Clark: The Government believe that there is a need to use smartcards and commercial smartcard services for electronic Government transactions. Such cards would not function as identity cards. My officials have reported to me on a number of meetings that they have had with representatives from manufacturers and other interested groups on smartcards.

Mr. Campbell: I am grateful for that answer. Is my right hon. Friend aware of the excellent work being done by Siemens in my Tynemouth constituency to develop new smartcard technology? Does he agree that there is great potential for the use of such technology to deliver public services in a cost-effective and user-friendly way?

Dr. Clark: I agree that we can use smartcards to improve services to our citizens. If we can bank 24 hours a day, why cannot Government services be available 24 hours a day? I am aware of the work of Siemens just across the river from my constituency. The Government cannot afford to miss out on a system that has improved customer services in the private sector. It should be applied to Government services as well.

Mr. Hawkins: Does the right hon. Gentleman accept that the smartcard technology developed by Siemens was approved when the cross-party information technology committee saw it in Germany last summer? Will he confirm that the use of smartcard technology can help to cut crime, particularly benefit fraud? That is one reason why many Conservative Members want that technology extended so that one day we shall have proper identity cards to help cut crime.

Dr. Clark: I welcome the hon. Gentleman's general points, but I do not agree with him on identity cards.

Smartcards are not identity cards and we do not see them as such. By using smartcards and other cards with magnetic strips, we can improve services to our citizens. That should be the aim of all hon. Members.

10. **Mr. Hoyle:** What pilot projects are currently under way to develop the technology used in delivering Government services. [30873]

Dr. David Clark: As part of my work on the better government White Paper, I am encouraging IT initiatives in central and local government. We will use technology to cut red tape and make life easier for businesses and citizens. We are making imaginative use of touch screens and electronic forms to get rid of the notion that government is just about queuing and filling in forms.

Mr. Hoyle: I thank my right hon. Friend for that answer. Does he agree that there should be closer links between central and local government using IT? Such links would benefit the people of Chorley.

Dr. Clark: My hon. Friend is correct. My right hon. Friend the Deputy Prime Minister has established a joint working group between central and local government, which is trying to work out ways of co-ordinating services to our citizens. The use of IT and one-stop shops throughout the country can bring Government services closer to our citizens, making life more comfortable for them. Information technology is the key. *[Interruption.]*

Madam Speaker: Order. The House must come to order. It is far too noisy. It is all right agreeing with what is said, but let us have quieter conversations.

Mr. Ian Taylor: I am pleased that the Chancellor of the Duchy of Lancaster is carrying on the good work of the previous Government on IT. Has he extended the work that we were doing? Is he still getting support from industry for his efforts? Has the central information technology unit been able to advance any further ideas on how to distribute kiosks and other centres so that the public have easy access to them?

Dr. Clark: We are trying to develop the use information technology through various approaches. That will result in a better end product than the route followed in the United States, which has largely used the internet.

By using a mixture of touch screens and the internet, we will be able to provide IT that is not only very friendly to our citizens but will revolutionise their lives.

EU Presidency

11. **Mr. Alan W. Williams:** If he will make a statement on his Department's objectives for the UK presidency. [30874]

Mr. Kilfoyle: Three departmental objectives for the UK presidency have been set. The first is to convince our European partners, the Commission and the European Parliament of the importance of better regulation. That is vital if we are to free business to create jobs and wealth. The second is to ensure simplification of burdensome rules. Simpler EU rules will help bring the EU closer to its citizens. The third is to improve the EU's regulatory processes to ensure better quality regulations for business and citizens in future.

Mr. Williams: I thank my hon. Friend for that reply and for the initiatives that he has taken to simplify European recognition for business and the citizen. At the risk of being too pessimistic, may I ask whether he agrees that European regulation is over-bureaucratic and obsessed with red tape?

Mr. Kilfoyle: Although, as my hon. Friend says, there is certainly too much red tape, there is a commitment in the EU to overcome it. Indeed, my right hon. Friend the Chancellor of the Duchy of Lancaster will host a presidency event this weekend in Manchester—which will be attended by more than 200 people from throughout the EU—that is dedicated to supporting the European business test panel and the simple legislation for the internal market initiative, for example.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1.[30894] **Mr. Corbett:** If he will list his official engagements for Wednesday 4 March.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. Later today, I shall have further such meetings.

Mr. Corbett: In offering our sympathy to the families of the two men who were so brutally and senselessly murdered last night near Newry, will the Prime Minister confirm that he will not allow criminal fanatics to derail the peace process, which people from both communities so very much want to succeed?

The Prime Minister: Yes. We can all use the normal and right but ritualistic language about an evil atrocity, those appalling murders, and how senseless and wicked they are. They are all of those things. I think that the two men who were murdered last night—two friends across the community divide—in a sense symbolised the future in Northern Ireland. The gunmen, in the evil atrocity that they committed, symbolised the past. We have now got to make progress—real progress—in the talks. That should be our mission, so that the hopes of the future drive out the demons of the past. That is what we intend to do.

Mr. Hague: On behalf of the Opposition, may I echo and support the Prime Minister's remarks?

On a different subject, the Prime Minister says that he made clear throughout the election campaign that he would implement the Dearing recommendations on higher education. We have made clear that, if he does, we will support him. Why has he broken his promise?

The Prime Minister: We have not broken a promise at all. We have accepted substantially the Dearing

proposals, with this change, which was, in fact, made quite clear during the election campaign: we believe that it is better to replace the maintenance grants with help for lower-income families with tuition fees. There is a choice. We can have either no maintenance grants but help for low-income families with tuition fees or a flat-rate tuition fee, which is what Dearing suggested, and help with maintenance grants. I am afraid that we cannot have both.

Mr. Hague: The Prime Minister is breaking his promise. He said that he would implement the recommendations of the Dearing committee and he is not implementing the recommendations of the Dearing committee. Does he realise that, by not implementing Dearing, his proposals will mean that the poorest students will either be £2,000 worse off in total or will not go to university at all? What is his justification for that policy?

The Prime Minister: No, precisely the opposite is the case for the reason that I shall explain to the right hon. Gentleman. I repeat that we did not break any promise on this. We made it clear that we believe that the maintenance element should go. Under our proposals, one third of students will be exempt from tuition fees and another third will pay a reduced amount, so a large proportion will pay either no fees or reduced fees. Under the Dearing proposals they would all, irrespective of their income, have to pay the £1,000 tuition fees. That is why our proposals will help lower-income students, not harm them. In addition, as a result of the proposals that we have announced, whereas Dearing said that contributions should be repaid when people reached an income of £5,000 a year after leaving university, our figure is £10,000 a year, so we are giving additional help to low-income families in that respect as well.

Mr. Hague: Let us get this clear for the Prime Minister, because he clearly does not understand his own policy. It is no good his saying that he is not charging the worst-off students tuition fees. They do not pay tuition fees now—but they do get grants, and the Prime Minister is abolishing them. If one abolishes a grant that is most generous to the worst-off people, the worst-off people will be the hardest hit. Anybody in the country can work that out. If that is not the case, why have overall student applications fallen by 4 per cent. this year and applications by mature students fallen by 18 per cent? So much for lifelong learning. For the sake of thousands of students and families, will the Prime Minister now, before it is too late, implement the actual recommendations of the Dearing report, as he promised to do?

The Prime Minister: Let me explain it to the right hon. Gentleman again. The Dearing proposals, which he says we should support, are that everybody, irrespective of income, pays a flat-rate tuition fee. Under our proposals, one third are entirely exempt and another one third pay reduced fees. That is why our proposals are better for lower-income families. Secondly, we have to introduce the reform because under the Conservative Government there was a cap on student numbers, which means that only 30 per cent. of school leavers are entitled to go to university. As a result of our reforms, we shall get about 500,000 extra students into further and higher education over the next five years. That is why our reforms are a better deal for universities, for students and for the country.

Mr. Hague: The facts do not support the Prime Minister. Under the previous Government, higher education was hugely expanded, but now the number of applications is falling. Students and their families feel betrayed, and they are right to feel that way. They are right to be angry at the Government's deceit and double dealing. The Lords amendments passed on Monday night would give some help to the worst-off students. Even the Prime Minister cannot argue about the fact that those amendments would give more help to the worst-off students. Will he now acknowledge that the Government have got that part wrong and agree to accept the amendments?

The Prime Minister: The answer is no, for the very reason that I have already given the right hon. Gentleman—but let me give it to him again. Under his proposals, students who under our proposals will be exempt would pay tuition fees. He must accept the fact that they would pay that extra money. In addition, under his proposals, as under the previous Government, there would be a cap on student numbers—but we can now raise that cap. Also as a result of our proposals, an extra £165 million will go into higher education next year. That is why the vice-chancellors have welcomed our proposals.

The choice is simple. The right hon. Gentleman says that applications have fallen, but there will be more students in further and higher education next year because of our proposals. If we were to return to the system that he proposes, fewer students and less money would go into universities and fewer people would get the chance of a university education. That is why our proposals are better for Britain.

Mr. Hague: The Prime Minister talks only about tuition fees; he neglects to mention the grant, which he proposes to abolish. That is a key part of the equation. Before the election, the right hon. Gentleman said that he had no plans to introduce tuition fees; during the election campaign, he said that he would implement the Dearing report; after the election, he broke both promises. As soon as the Government got into office, power went to their heads, their principles went out of the window and their promises went in the bin. Is not their treatment of students a shabby tale of deceit from beginning to end?

The Prime Minister: As I explained in my very first answer, there is a choice. Either the situation is left as it is, with maintenance grants and full tuition fees, or we do not have maintenance grants but exempt the poorest students from tuition fees. We have chosen the latter course because it is better and fairer. As for lectures from the Tories about student poverty, they introduced the most discredited student loans scheme that the country has ever seen. Students know perfectly well about the raw deal they got under the Tories. That is why they will not believe a word of what the right hon. Gentleman says now.

Q2.[30895] **Mrs. McGuire:** Given the image of pastoral tranquillity before 1 May 1997 that has been painted by the Conservative party, would the Prime Minister be surprised to find that one of the last pieces of research on rural affairs from the Scottish Office under the Conservatives showed significant decreases in gross domestic product and incomes, and a massive increase in homelessness? Would it not have been more appropriate for the Conservative party to reflect on their government than to don a corporate Barbour jacket and plunge headlong into collective denial?

The Prime Minister: My hon. Friend is absolutely right. The Conservatives are in a state of denial about their record over 18 years. Following the Conservatives's period in office, 450 rural schools have been closed, only one in four parishes now has a bus service worthy of the name, crime is up, poverty is up and they gave the country BSE. [HON. MEMBERS: "Oh!"] Let me repeat it—they gave the country BSE.

On that point, fortunately, I have good news to report from Brussels today. There has been a majority for the Commission proposal which, if held at the Agriculture Council next week—I very much believe that it will—will mean that the export certified herds scheme is through. At long last, after long years of Conservative failure, there is at least some light at the end of the tunnel.

Mr. Ashdown: Can the Prime Minister tell us in what year of this Government he expects to start to make progress on his early pledge to reduce NHS waiting lists?

The Prime Minister: I want to make progress this year and further progress next, but that must be done against the background of keeping a tight discipline on public spending, sorting out the structural budget deficit we inherited and making sure the public finances are sound. As soon as that is the position we will be able to put into health the investment that we need to get waiting lists down.

Mr. Ashdown: The Prime Minister knows that he has not made progress this year—in fact, waiting lists have gone up by 100,000. Is he aware that NHS waiting lists went up by 250,000 during the whole term of the previous Government? It is predicted in a recent and respected report that this Government will achieve an increase of 250,000 in NHS waiting lists by the autumn. Does the Prime Minister understand the gravity of that? If that were to be achieved, would he count it a success or a failure?

The Prime Minister: Of course I do not want that to happen. Before the election, the Liberal Democrats asked for £1.1 billion extra health spending. We put in £1.5 billion, but they say it is not enough. We want to get waiting lists down, and we shall. I hope that when we achieve the reduction that we have promised we will get cheers instead of the cat-calls we get now. We have to do that against the background I described. The Conservatives doubled the national debt and we will now pay out in interest payments on that debt this year more than we spend on the whole schools system of the UK. It is precisely for that reason that the Chancellor—I entirely agree with him—has made it clear that investment in our schools and hospitals has to depend on sorting out the public finances.

Mr. Hayes: Tell that to the sick and the dying.

The Prime Minister: The Conservative party spent 18 years letting those people down. It will take time, but I can assure the right hon. Member for Yeovil (Mr. Ashdown) that, at the next election, the pledge we made will have been fulfilled.

Q3.[30896] **Mr. Livingstone:** Will the Prime Minister confirm that he has been lobbied by members of the Confederation of British Industry who want Labour to drop its commitment that trade union recognition should be granted when a simple majority of those voting in a ballot vote for recognition? The CBI proposes instead that there should be no change in the status quo unless an absolute majority of all workers—even those not voting—vote for it. Will he point out to the CBI that, if such a system had applied in the general election last year, the Conservative party would still be in government and that we have no intention of having one rule on ballots for ourselves and a different one for trade unions?

The Prime Minister: I thank my hon. Friend for that question. I think that we were both elected under the first-past-the-post system, but perhaps that is another argument. It is important to realise that I have been lobbied by all groups, not only the CBI, on this matter. The Government are considering the matter—we shall make our views known in due course. I hope very much that a different approach by the Government can bring business and trade unions together—as we have found on many issues, not least the social chapter and the minimum wage—on trade union recognition. If there are outstanding questions, we shall have to resolve them in the Government. We shall make our views known once that decision has been reached.

Mr. Pickles: Does the Prime Minister's new-found enthusiasm for the countryside apply to rural hospitals? If so, will he send a message of support to the staff of the Ongar War Memorial hospital and the surrounding community? Until 1 May last year, the hospital had a safe and secure future in the national health service, but, under the Labour Government, it faces closure. Do community hospitals have a safe place in the NHS?

The Prime Minister: It certainly was not the case that they had a safe and secure place until 1 May. As I said, we have spent £1.5 billion more than the Conservative Government were going to spend. In respect of the services that the hon. Gentleman mentions and others, we will do our very best within existing spending constraints. When we can, we shall put in the extra resources that are needed, but the Conservative Government, whom the hon. Gentleman supported, closed hundreds of community hospitals.

Q4.[30897] **Mrs. Fyfe:** As we approach International Womens Day, will my right hon. Friend take this opportunity to reaffirm the Labour party's commitment to the principle of an equal number of men and women in the Scottish Parliament? Has he come across the advice

of Noreen Burrows, the professor of European law at Glasgow university, who said that Europe would help, not hinder, our efforts to achieve that? Will he take such views into account before final decisions are made?

The Prime Minister: We certainly shall take those views into account. We fully support equal opportunities for women. Indeed, it is as a result of the changes that the Labour party made that so many women Members of Parliament are sitting on the Labour Benches. It is a change that we want to see elsewhere in the United Kingdom as well.

Mr. Keith Simpson: Will the Prime Minister admit that he misled the British public about students and that, as a consequence of the Government's action, the poorest students will now be worse off?

The Prime Minister: No, I will not confirm that, as it is not true. Moreover, our proposals differ from those of the Conservatives, not only because, as I said earlier, the Conservative party would charge everybody tuition fees, but because, under its proposals—if it accepts the Dearing report—students will start to make repayments after earning £5,000 a year whereas, under our proposals, they will do so after they have earned £10,000 a year. Our proposals will help, not hinder, the poorest students.

Q5.[30898] **Mr. Llew Smith:** The Prime Minister has expressed the importance of tertiary colleges in developing skills for the local work force. Will he comment on the tragedy facing Gwent tertiary college, which was probably the most successful in Wales? The previous principal, Sue Parker, with the support of the college's corporation, turned the college into a financial disaster almost overnight—indeed, it is now accused of misusing European funds. Will the Prime Minister support our demands for the corporation to be sacked and insist that investigations are carried out to ensure that projects that expect European money receive that money—and that that money is not spent on general running costs? Will he also support our demand that such corporations should be taken out of the hands of big business and put into the hands of democratically elected and accountable local authorities?

The Prime Minister: I certainly support what my hon. Friend says about the misuse of public funds. I am well aware of his long-standing interest in, and concern about, the situation and of the fact that he raised it in a recent debate in the House. I understand that the chair and the vice-chair of the college have resigned and that the principal has left. I understand that a recovery plan is in place and that the college is determined to turn things round.

I want to reassure my hon. Friend and the House that Welsh Office Ministers intend to keep a close eye on the situation. I understand that there is to be a meeting between one of those Ministers and the Gwent Members of Parliament within the next few days. I shall certainly insist that I am kept informed.

Miss McIntosh: The Prime Minister referred earlier to the certified herds scheme. Will he give us an assurance that the cost of setting up and running that scheme, not only in Northern Ireland but throughout the United Kingdom, will be met by the Government?

The Prime Minister: The limitations of the help that we have offered were set out in the statement made by my right hon. Friend the Minister of Agriculture, Fisheries and Food last week. We are well aware of the difficulties that farmers face because of increased costs on top of all the problems with BSE. That was the reason for the statement last week. I shall certainly consider how that fits in with the hon. Lady's point.

Q6.[30899] **Mr. Mullin:** When the time comes—in the distant future, one hopes—for my right hon. Friend to publish his memoirs, may we take it that he will be giving HarperCollins a wide berth?

The Prime Minister: That question might possibly be a trifle premature. I shall certainly seek my hon. Friend's advice. He may even merit a chapter; who knows? I understand that the Leader of the Opposition's biographer is having a little difficulty finding a publisher. Perhaps they can apply.

Q7.[30900] **Sir Geoffrey Johnson Smith:** It is clear from earlier exchanges between the Prime Minister and my right hon. Friend the Leader of the Opposition that the Prime Minister broke an election pledge. I say that because the Dearing report did not present a choice between the abolition of the maintenance grant and the introduction of tuition fees. Does the Prime Minister accept that the choice was made not by Dearing but by the Labour Government?

The Prime Minister: No. I do not accept that, for this reason: the same amount of money can be made to go only so far. If we did not have tuition fees for all students and we retained the maintenance grant, there would be something like a £500 million hole in the budget for student finance. That is why there is a choice between keeping the maintenance grant system or having tuition fees but exempting low-income pupils.

We decided that it was fairer to have exemptions from tuition fees so that two thirds of students will pay no fees or lower fees and will be in a better position on repayments, not having to repay any money until they are earning £10,000 a year or more. That is a choice within the given budget. It is the best choice for students and it is entirely in line with what we said in the general election campaign.

Q8.[30901] **Mrs. Gilroy:** Given the Government's key commitment to attacking poverty by rooting out long-term unemployment, will my right hon. Friend join me in thanking the 77 businesses that recently signed up to support the new deal in Plymouth, following the employers' launch? Will he also join me in congratulating the Employment Service staff in Plymouth on the energy, enthusiasm and determination with which they are making a success of the new deal, in partnership not only with business but with the private, public, voluntary and community sectors?

The Prime Minister: Yes, I congratulate the staff and the businesses that have participated. Indeed, we are

getting a superb response from businesses and people around the country. In the new deal so far—*[Interruption.]* I am sorry that the Conservative party opposes the new deal, but it is supported by the vast majority of businesses and the country. As a result of the new deal, 5,000 young people are already in unsubsidised jobs and more than 1,000 lone parents are off benefit and in work. That is a huge saving for the Exchequer, quite apart from an opportunity for them.

Q9.[30902] **Mr. Bercow:** Given the Prime Minister's—*[Interruption.]* I recognise that the children must settle down, Madam Speaker. Given the Prime Minister's professed support for a business-friendly Europe, can he give the House a specific example of one European directive or regulation that he will fight successfully to have repealed during the United Kingdom presidency of the European Union? Does he understand that if he cannot, for all the soundbites it will show that he has no influence in Europe?

The Prime Minister: As a matter of fact, I can. Last week, as a result of the work done by my noble Friend the Minister for Trade, we have secured a considerable liberalisation of the telecommunications regime, which means changing and getting rid of the European legislation that was hindering the development of the market. I very much hope that we can join hands across the divide and welcome that.

Mr. Bradshaw: Does the Prime Minister agree that the situation in Kosovo is extremely worrying? Does he also agree that it could become the worst thing that Europe has seen since 1945? Will my right hon. Friend tell the Foreign Secretary that when he meets Mr. Milosevic tomorrow he should leave him in no doubt that the international community has learnt the lesson of appeasement in Bosnia and that we will not stand idly by while he ignites another ethnic war in Europe?

The Prime Minister: The Foreign Secretary will give that message to Mr. Milosevic very strongly. The situation in Kosovo is extremely grave. That is why the Foreign Secretary has extended his programme to see Mr. Milosevic tomorrow and he will deliver him that message. That shows again the importance of the role that Britain can play, not merely in Bosnia but in the whole region in stabilising it, bringing peace and attempting to prevent conflict growing. I have no doubt that if there is substantial conflict there, or indeed in Bosnia, it will have an impact on us and on the whole of Europe as well as on that part of the world.

Ministerial Visits

Q10.[30903] **Mr. Baker:** When he next plans to visit the Lewes constituency.

The Prime Minister: I fear that I must give the hon. Gentleman the same reply as I gave him last time. I have no plans to visit his constituency yet. I am sorry about that.

Mr. Baker: I am disappointed and I shall keep trying. It is a great pity because many of my constituents who rely on public transport would like to meet the Prime Minister. Is he aware that, since 1974, the cost of rail travel has increased by 78 per cent. above inflation and the cost of bus travel has increased by 57 per cent. above inflation but the cost of private car travel has decreased by 6.5 per cent? Is not that an indictment of the previous Government and a green tax in reverse? Will the right hon. Gentleman give an undertaking that in the weeks ahead the Government will take action to ensure that bus and rail fares are cut?

The Prime Minister: I cannot give that undertaking, but I can give an undertaking that the White Paper on the integrated transport strategy will deal precisely with how we ensure that the different forms of travel fit in with one another and how we make a regulatory system that matches the needs of consumers. What impact that will have on fares in the long term it is too early to say, but that approach is the right one—rather than leaving it to market forces—and I hope that it will be welcomed by the hon. Gentleman's constituents.

Engagements

Q11.[30904] **Mr. Bill Michie:** I welcome my right hon. Friend's answer to the question asked by my hon. Friend the Member for Brent, East (Mr. Livingstone) on industrial relations and the forthcoming Bill. May I draw my right hon. Friend's attention to early-day motion 826 which concerns 350 workers who have been sacked by management even though they went through the proper legal procedures? Will the new legislation ensure a level playing field for workers and employers and prevent the present problem of the unions having to obey the law while, for some strange reason, employers can flout it?

The Prime Minister: The purpose of the proposals is to make it clear that there has to be fairness in the workplace. I know about the Magnet dispute since it happened just outside my constituency. I very much hope that the Advisory, Conciliation and Arbitration Service can be involved. I know that it was at one point, but it is not at present. I hope that the negotiations can resume. That is easily the best way to resolve the dispute.

Dr. Fox: Responsibility for abortion is not to be devolved to the Scottish Parliament, yet on 29 January, *Hansard* reported the Under-Secretary as saying—

Madam Speaker: Order. The hon. Gentleman knows that he may not use quotations at Question Time.

Dr. Fox: The Under-Secretary said that if there was to be change to the abortion law in Northern Ireland, it should be considered by a devolved assembly. Why should there be such a difference between Northern Ireland and Scotland?

The Prime Minister: Scotland and Northern Ireland need not necessarily be treated in the same way across the various programmes for devolution. One of the points of devolution is that what happens in Northern Ireland or in Scotland is a matter of debate and can be decided in different ways.

Q12.[30905] **Ms Beverley Hughes:** Does my right hon. Friend agree that the deal brokered by Kofi Annan to

allow access to presidential sites must be tested as soon as possible to ensure that Saddam Hussein does not renege on commitments that he has entered into? Does my right hon. Friend also agree that it is important that the policy of diplomacy backed by force remains in place?

The Prime Minister: My hon. Friend is absolutely right. Contrary to speculation, the Security Council resolution is a big step forward. It makes clear that the severest consequences will flow if there is any breach of the agreement. That is written into the resolution and it sends the clear message to Saddam Hussein that he must allow inspectors in, and testing to begin, or force will inevitably follow as a result of his breaching the agreement. The mixture of diplomacy and force has got us to where we are, and it is right to continue to use it. British troops, with American troops, will remain in the Gulf to ensure that the agreement that Saddam Hussein's Government have entered into is tested, adhered to and obeyed.

Legal Aid

3.31 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. Geoffrey Hoon): With permission, Madam Speaker, I should like to repeat a statement on improving access to justice that is being made in the other place by my noble and learned Friend the Lord Chancellor.

At present, the legal aid system is failing us all. The system is failing the millions of people on modest incomes who do not qualify for legal aid and simply cannot contemplate going to law because they would have to pay legal costs if they lost, and it is failing people on legal aid, because the Government cannot direct money to those who need it most and to those cases where there is a public interest in seeing justice done. Finally, the system is failing the taxpayer, who, year on year, is being asked to pay more and more, but can rarely get help from legal aid when it is needed.

Although legal aid is costing us more and more as costs run away, ahead of inflation, it is helping fewer and fewer people each year. It is, therefore, our intention to modernise the way in which civil cases are paid for. We want a system of civil justice which is there for everyone when they need it, not just the rich or the very poor. We intend to transform the legal aid scheme to ensure that we get good value for money from lawyers who are paid from legal aid, and so that we spend taxpayers' money on those who need it most and on those areas where it can do most good.

Achieving all our reforms will require the approval of Parliament through new primary legislation, but, even using existing powers, we can start the process of change. It is on that first stage that I wish to concentrate today.

The publication of the consultation paper marks the first stage of our modernisation of legal aid and legal services. When my noble and learned Friend the Lord Chancellor announced the programme of reform at the solicitors annual conference in October last year, he said:

"it is essential that the details"

of our proposals

"are right . . . We shall be consulting widely and openly".

That is precisely what we have been doing in the four months since October, and will continue to do for a further two months of the formal consultation period. This is a listening Government: we are listening to views on these proposals, and will continue to do so. We have had detailed discussions with the legal professions and with many interest groups—and more are planned. Their comments have contributed to the development of the proposals, but we shall not confine our listening to the legal profession, because our aim is justice for all.

The consultation paper invites views on a proposal that will allow the majority of people in England and Wales to secure access to justice. We propose to allow conditional fee agreements—no win, no fee agreements—to be used in all except family and criminal cases.

Conditional fees offer a new way for people to bring their cases. Lawyers share the risk of litigation with the client by agreeing to work without a fee if the case is lost. If the lawyer is successful, he is entitled to a success fee in addition to his normal fees. Although the maximum success fee can be up to 100 per cent., normally it is 50 per cent. or less. In nearly all cases, the lawyers also voluntarily limit the success fee to no more than 25 per cent. of the damages in any event. Conditional fees have been available since 1995 for a limited range of proceedings—personal injury, insolvency and human rights cases—and they are working well.

More than 30,000 people have taken advantage of this approach to bring personal injury claims. Many would have been unable to afford to pursue their claims without conditional fees. I refer to people who are only just above the legal aid limit—people who are far from well off. They constitute the great majority of the population who are in work, with families, mortgages and savings—or other assets—that mean that they are not eligible for legal aid, but who cannot contemplate the open-ended commitment of meeting lawyers' bills. Only the very rich can face the thought of lawyers' bills without any financial fears, and even they must worry sometimes. To continue to restrict narrowly the use of conditional fee agreements is to deny an avenue of access to justice to the majority of people.

The consultation paper seeks views on any changes to the current law and practice that might improve the operation and use of conditional fees—for example, by allowing the success fee and the insurance premium to be recoverable from the losing party. It also invites views on the Government's plans to begin modernising legal aid. Over the past seven years, the cost of civil and family legal aid has tripled to some £671 million. The average cost has grown from £1,442 to £2,684—53 per cent. above the rate of inflation. The number of acts of help funded in 1996-97 fell by about 39,000. Taxpayers are paying more and getting less. That cannot be right, and it cannot continue.

We need a modern legal aid system, in which only cases that cannot reasonably be funded in any other way, and which have the necessary priority, are backed by the taxpayer. It has never been our intention to abolish civil legal aid, as has been wrongly claimed. We want to focus taxpayers' money where it is most needed and can do most good—on matters connected with social welfare, such as employment, housing, dealing with debt, state benefits and actions against officialdom and bureaucracy. To achieve that clear focus on social welfare issues, the Government intend most money or damages claims to be funded through conditional fees in future. Consequently, they propose to transfer most money and damages claims currently supported by legal aid to the conditional fee system.

However, as my noble and learned Friend told the other place on 9 December, we do not intend to remove legal aid from housing cases, in which the main purpose of the action is often to achieve a home fit to live in. That is precisely the kind of case to which legal aid ought to be directed.

In addition, the ability to challenge public authorities through judicial review is a necessary check on the use of the power of the state, and a positive encouragement to maintain high standards in public administration or public bodies. The poor must also be able to exercise that right of challenge.

Legal aid will remain available for those who qualify. We also believe that legal aid must continue to be available when a person claims to be the victim of wrongdoing by public authorities—for example,

[Mr. Geoffrey Hoon]

the police. There, too, the ability to challenge misdeeds is an encouragement to maintain high standards and proper behaviour to those over whom public bodies exercise authority.

The extension of the availability of conditional fee agreements will provide an alternative means for people to bring most money or damages claims without public funding. Our aim is to create conditions in which anyone—regardless of financial status—can use conditional fees to bring cases, across the whole range of litigation in which the main remedy sought is money or damages. However, we recognise that the current financial structure of solicitors' firms may not allow that, and that the insurance and finance industry needs time to develop products to assist in the expansion of the use of conditional fee agreements. The Government therefore propose a measured approach to encouraging this change to take place.

The Government propose to remove most personal injury actions from the scope of legal aid by the middle of the year. Lawyers working in that area have considerable experience of taking cases using conditional fee agreements. Similarly, the insurance industry has developed products, with premiums that, in most cases, are about £155 or less. The Government will work with the insurance and banking industries to help them develop more and even better products to allow everyone, regardless of their financial standing, to bring cases using conditional fee arrangements. That combination—the experience of lawyers in that area of litigation, and developed insurance products—is sufficient to allow such cases to be alternatively financed through conditional fee agreements.

In addition, there are certain categories of proceedings that the Government believe no longer have sufficient priority to command continued public funding. It is important that scarce public funds are directed to where help is most needed. The Government are not persuaded that cases that involve, for example, disputes arising from the course of running a business, inheritance, partnerships or trusts meet that criterion. Nor do we believe that taxpayers' money should be used to help neighbouring landowners to settle boundary disputes. In those cases, there will be assets at issue, which would allow the case to be taken with a conditional fee arrangement. In any case, the issues will generally be too narrow or too specific to deserve the use of public money, when such support means less for other matters of greater public importance. The consultation paper seeks views on the proposals to remove those categories from the scope of legal aid.

The Government have been listening carefully to comments that we have received regarding medical negligence cases. The Government believe that many lawyers practising in that area need to modernise the way in which they run their firms, so that they can structure their finances to enable them to take cases on behalf of clients, regardless of their financial standing. However, we accept that it will take time. Therefore, the Government do not propose to remove such cases from the scope of legal aid for the present.

However, we intend to do what we can to reduce the high failure rate of such cases. It cannot be right that only in as few as 17 per cent. of the cases that are supported by a legal aid certificate is more than £50 recovered in damages. Medical negligence cases should be conducted by practitioners who are experienced in that field of litigation. We cannot any longer allow inexperienced practitioners to take such cases. I have no doubt that part of the reason why the failure rate is so high is that lawyers take such cases without the necessary experience. Therefore, they are unable to make timely, informed decisions on the merits of a case, or on whether an offer of settlement is appropriate, or reasonable in amount.

It serves no one's interests if cases are brought with little prospect of success—least of all the victims of the alleged negligence. Therefore, the consultation paper invites views on a proposal to allow only experienced practitioners to take cases on behalf of assisted persons in that field. We propose that the Legal Aid Board should establish contracts only with lawyers of sufficient experience. Anyone who is granted legal aid to pursue a medical negligence case will be required to use a lawyer who holds a contract with the board. We are keen to hear what criteria could be used to establish whether a lawyer is sufficiently experienced to hold a contract to take cases on behalf of those receiving legal aid.

We intend to remove the remaining money or damages claims from the scope of legal aid as experience of conditional fees among lawyers and insurers develops and they become more widely and readily available.

The Government recognise that, during a transitional period, help will be needed to assist in the transfer of funding away from legal aid. There may be some extraordinary cases among the categories to be removed that lawyers may not initially be able to support fully on conditional fee arrangements. The Government believe that, in time, it will be possible for such cases to be financed solely by conditional fee agreements. Therefore, the Government intend to establish a limited transitional fund. That fund would provide support, for example, in cases involving very high costs—few lawyers' firms are financially structured to carry such cases, because they could not afford the risk of losing—or where there are high investigative costs of establishing the merits of the case.

We expect the need for the fund to support such cases to cease because we believe that, in the long term, those cases will find lawyers whose practices are financially structured to take them on under conditional fee agreements. The transitional fund would also provide help in cases that we exclude from legal aid but which demonstrate a significant wider public interest. That would allow us to start to provide assistance in that type of case under the transitional arrangements, ahead of primary legislation to establish a public interest fund. The size of the transitional fund will be set each year according to other priorities for spending legal aid money and the diminishing extent to which the fund is needed.

The Government will develop a modernised legal aid system. We are working toward a system in which we can control expenditure; obtain good value for public money; and target legal aid where there is the greatest need and it will do most good.

In future, the Government's main priority for using public money to provide legal services will be to assist those who are excluded from society because they are unable to exercise their legal rights. The Government will achieve that through the legal aid scheme and through the creation of a community legal aid service.

The consultation paper sets out the steps towards that goal that can be taken now: making conditional fee agreements more widely available; targeting civil legal aid on social welfare matters; and creating a special fund for public interest cases.

We shall welcome responses to the consultation paper and will consider them carefully before arriving at considered decisions on specific proposals to bring before Parliament.

Mr. Edward Garnier (Harborough): I begin by thanking the Minister for giving me an advance copy of his statement after lunch, and for giving the press an advance copy after dinner last night. Does he accept that the Lord Chancellor's plans, which were announced at the Law Society conference in Cardiff in October, were ill thought out, socially divisive, economically illiterate and politically inept? Does he not recall that the Lord Chancellor proposed to abolish legal aid for money claims, largely personal injury cases, and to replace it with conditional fee arrangements? Does he agree that everyone, apart from the Lord Chancellor, knew that, far from increasing access to justice for the least well-off, his proposals would deny access to justice to a great many people who, thanks to legal aid, are currently able to get to court?

Does the Minister not agree that, far from staunching a financial haemorrhage in the legal aid budget, the Lord Chancellor was intent on abolishing the very part of the system that the hon. Member for Hendon (Mr. Dismore), an experienced personal injury lawyer, says makes the Treasury a profit, while doing nothing at all about legally aided family and criminal law cases which most certainly need to be looked at? That still seems to be the case, judging from the Minister's statement.

Does the Minister further agree that the Lord Chancellor launched his new policy in October without having had any real discussions with the insurance industry, the professions and consumer and welfare groups? Is it not the case that they are all deeply sceptical and that, as a result, the Lord Chancellor is deeply unpopular? The Minister will recall the speech by the present Lord Chancellor at the Bar conference in 1996 when he said:

"Supporters of legal aid must never cease to emphasise that it is a highly successful public social service."

Does he not recall the Lord Chancellor, then the shadow Lord Chancellor, saying:

"In civil cases which reached judgments in 1995 to 1996, there were judgments in favour of the assisted person in 81 per cent. of the cases. The proportion of cases where there was either a settlement or judgment in favour was 91 per cent"?

Does he not also recall the then shadow Lord Chancellor saying:

"Personal injury litigation as a category was conspicuously successful. Obviously the greater the success rate, the closer the legal aid system can approach self-funding. These success figures tell against any argument that legal aid is generally granted too readily"?

No doubt the Minister recalls those words very well.

The Minister says that, over the past seven years, the cost of civil and family legal aid has tripled to £671 million. What analysis has he done to discover the reasons for that increase? He made a similar complaint in the House in November. Surely by now he should have done his homework and found out why there has been that increase.

May I congratulate the Minister on having finally grasped the point that I put to him in November, which is that many solicitors' firms, especially those in the smaller towns and urban communities outside the big centres of population, cannot afford to carry conditional fee arrangement claims, and there is also no adequate insurance available to protect litigants? He says that the Government will work with the insurance and banking industries to develop products that will enable everyone, regardless of financial standing, to bring personal injury claims. Why did not he start that work last year?

I welcome the Minister's decision to think longer and harder about medical negligence cases—which, again, he should have done last year. Will he also look at industrial diseases claims in the same light? Will they remain within the scope of legal aid?

Will the Minister tell us more about the transitional fund? How long is "transitional"? How big will it be? Are there to be restrictions on its use? For example, will it be available only to assist in claims for £100,000 or more? The Minister says that it is available for public interest cases. Will they also be limited to claims for £100,000 and over? When will the preliminary legislation come before Parliament?

The Minister also referred to his consultation paper. In the context of the Lord Chancellor's Department, that must be an oxymoron. When, precisely, will the consultation period close? Last November, I described the Government's proposals—accurately, as it now turns out—as a thorough mess. Yesterday, the Lord Chancellor said that other events that he was being questioned about by the Public Administration Committee were no more than a storm in a tea cup. Does the Minister agree that if the hand on the saucer were a good deal steadier, we would not have to put up with these troubles, and nor would the hon. Gentleman have had to make this statement?

Mr. Hoon: I am just a little disappointed that the hon. and learned Member for Harborough (Mr. Garnier) chose to prepare his case on the basis of the rhetoric that he might use to address a jury, rather than on homework that he might have done were he to address a High Court judge.

On the hon. and learned Gentleman's first point, if he had read the Lord Chancellor's speech at Cardiff a little more carefully than he appears to have done, he would have noticed that my noble Friend said that it was the Government's intention to abolish legal aid for most money claims. Most money claims does not mean all money claims. Indeed, our proposals, if carried through, will result in 60 per cent. of money or money damages claims being removed from legal aid.

I am also disappointed that the hon. and learned Gentleman did not give the Government credit for listening carefully to the responses to a four-and-a-half-month period of consultation. In his speech at Cardiff, my noble Friend the Lord Chancellor stressed on no fewer than 12 occasions his determination to consult all those affected. Precisely because we have consulted and listened, we are able to bring forward this consultation paper today—which, in any event, will allow for a further two-month period.

[Mr. Hoon]

In answer to one specific question, I anticipate that the consultation period will end on 30 April, after which the Government will reflect upon the answers to the questions set out in the paper and bring forward proposals for Parliament ultimately to decide upon.

There is no doubt that the Government intend to look more carefully at family and civil law cases in general. I anticipate that, whenever opportunities arise, the Government will bring forward further proposals for primary legislation that will affect the existing rules on the granting of legal aid in this area.

I continue to be impressed, if I may say that, by the hon. and learned Gentleman's ability to avoid answering any questions on the subject. In particular, the House would be interested in his observations on legal aid and whether he judges that its present cost is too high, too low, or about right. In the course of the various opportunities that the Government have afforded to the hon. and learned Gentleman, he has not answered those quite important questions. It is quite easy to come before the House and criticise; I have yet to see any example of the hon. and learned Gentleman explaining the Opposition's policy in these important areas, which affect the great majority of citizens in our society.

The purpose of the transitional fund is to make available financial support for important cases between now and whenever primary legislation is approved by Parliament. That will not necessarily be limited to cases involving costs of more than £100,000, although clearly that is a useful guideline for the sort of support that might be available. In particular, the purpose of the transitional fund—as, indeed, will be the purpose of a public interest fund, assuming that Parliament approves such a proposal—is to allow those who have cases that are dependent upon important matters of public interest to bring those matters before the court and have those important issues resolved.

Mr. Gerald Bermingham (St. Helens, South): I welcome the Minister's proposals on legal aid, particularly as they affect housing cases. Perhaps we should consider whether, when a housing case is won against a public corporation or other body, it should be beholden upon lawyers to obtain costs on behalf of the legal aid fund. Is he aware that if, as is proposed, the small claims court extends its jurisdiction to cases involving up to £5,000, there is a risk that some housing cases might fall within the category in which legal aid would not be available and costs would not be recoverable?

Mr. Hoon: I am grateful to my hon. Friend for his remarks. I appreciate his concern, and assure him of the importance of housing matters to the Government. However, the jurisdiction of the small claims court is a matter for separate consultation. We are carefully considering the matter and have received representations on it. I shall certainly take his views into account.

Mr. John Burnett (Torridge and West Devon): Will the Government let us know, first, what research they have made into conditional fees—a system that is riven with conflicts of interest? Last year, the Policy Studies Institute concluded that it was far too early to gauge the effectiveness of those fees.

Secondly, who will pay the insurance premiums of the poorest and most deprived in our society, who will now be denied legal aid?

Finally, what are the Government's views on using a contingency legal aid fund as the best means of opening access to justice to middle-income Britain?

Mr. Hoon: Research has been conducted—the hon. Gentleman mentioned the PSI research, which was not nearly as depressing in its conclusion as he suggests. PSI's report stated:

> "Many of the potential problems identified before conditional fees were introduced seem to have been successfully addressed."

On balance, the institute felt that the operation of conditional fees had been successful.

I add to that a further piece of evidence: more than 30,000 cases have now been agreed to be taken under conditional fees. Moreover, the rate of negotiation of those agreements has increased month-on-month and year-on-year, presumably as lawyers get more accustomed to operating under such agreements.

My Department has not received a single complaint on the operation of conditional fees funding—in contrast to the complaints that I receive daily on the deficiencies of legal aid. Hon. Members on both sides of the House will have had constituents writing to them and appearing at their surgeries to complain about the operation of legal aid, whereas, in my knowledge, constituents have not been complaining about the operation of conditional fees funding, which seems to be remarkably successful.

We continue to study carefully proposals on the operation of various contingency funds which have made to us by the Bar and by the Law Society. However, as our consultation document says, we are concerned that if we allow development of conditional fees and the creation of a fund, there is a clear danger that the best cases will be dealt with on a conditional fees basis, leaving weaker cases to the fund—therefore making it unlikely that the fund will be financially self-sustaining. Both the Bar and the Law Society are attempting to deal with that problem, and we await with interest the outcome of their efforts.

Mr. Dennis Skinner (Bolsover): Does the Minister agree that one factor in the escalating cost of legal aid is the reduction in union membership? The fact is that, 20 years ago, there were 30 million trade unionists, every single one of whom would be represented free of charge—either by their union representatives, or by lawyers paid for by their representatives—in cases of personal injury at work, allowing them to make their case. Now, the number of trade unionists is just over 6 million, creating a gap that has undoubtedly made a massive contribution to the number of people in various types of employment who have to go to legal aid. We will have to take that factor into account.

Will the Minister take it from me, and from others, that one of the biggest issues in legal aid that the Government will have to address is that, regardless of what legal aid system is introduced, we are not convinced that people such as the Maxwells and the Levitts will be deprived of large legal aid sums—which should be going to the many thousands of people who want to fight their little case on its merits with the help of the legal aid system? That is

the problem. How will the Government deal with multi-million pound fraud cases? Will those cases continue to get those sums?

Mr. Hoon: My hon. Friend is absolutely right to draw attention to the excellent schemes operated by trade unions and their lawyers, which provide effective, specialist representation to a wide range of people who receive support as a result of their trade union membership. Indeed, my hon. Friend may well have seen towards the end of last year an interesting suggestion from John Monks on behalf of the Trades Union Congress that those schemes should be extended to people who are not trade union members, so that the expertise available could be used to benefit the generality. That is something to which we refer in the consultation document. It is an interesting development which I hope my hon. Friend would welcome.

On my hon. Friend's second point, about people in receipt of legal aid in large-scale fraud cases, I assure him that the Government will continue to bear down on those who seek to secure legal aid when they are not financially eligible. It is vital for the integrity of the scheme that we channel legal aid to those who need it, not to those who are disguising their assets overseas or elsewhere.

Mr. Douglas Hogg (Sleaford and North Hykeham): May I welcome the Minister's statement that his Department is looking further at the contingency fee fund concept? Within the profession, there is a feeling that if a choice has to be made between contingency fee funds and conditional fee agreements, there would be a strong preference in favour of the contingency fee fund because it avoids the conflict of interests already referred to and because it avoids the necessity of plaintiffs having to find the insurance premium.

On the question of medical claims and legal aid being confined to lawyers who have special expertise in that sphere, does the Minister understand that he will be creating monopolies, and that in many areas—for example, rural areas—there will be no lawyer to whom a plaintiff can turn for advice and assistance?

Mr. Hoon: I am grateful for the right hon. and learned Gentleman's support. On the question of a fund, I suspect that he is speaking unconsciously on behalf of the Bar, which would probably prefer a fund to the arrangements that are currently in place. I am not entirely sure that the Law Society would prefer a fund in place of the opportunity for its individual members to take forward conditional fee agreements. However, that is clearly a matter for the professions, and we would await with interest the outcome of their deliberations.

I also suggest that it might well be possible to create a fund in a narrower category of cases, that it might be appropriate to establish a fund in discrete areas of litigation. Indeed, the Government are seriously considering taking appropriate powers, whenever Parliament might approve such a course, that would allow the creation of such funds. That might well be a way of reconciling the right hon. and learned Gentleman's concerns with mine.

I appreciate the right hon. and learned Gentleman's comments about medical negligence cases. These are sensitive and difficult cases which require extensive investigation before any return can be made. That is why the Government are convinced that it is appropriate only for those who are experts to conduct such litigation. While the right hon. and learned Gentleman makes a good point about the importance of securing access to local justice and of having a lawyer available nearby, I hope he will agree that it is much better to have a lawyer available who knows what he or she is talking about and who has dealt with that kind of case before, rather than simply to go down the road to someone who might recently have done one's conveyancing but who knows nothing about medical negligence.

Mrs. Sylvia Heal (Halesowen and Rowley Regis): Having been a magistrate for more than 20 years, I am well aware of the value of legal aid and, indeed, of the rising cost of legal aid. However, I am also aware that many people do not qualify for legal aid. Can my hon. Friend assure me that the Government's proposals will be fair to those people who currently do not qualify for legal aid?

Mr. Hoon: I very much appreciate my hon. Friend's comments. The complaints that I referred to earlier, which people bring to their Members of Parliament in writing or at their surgeries, generally turn on financial eligibility for legal aid. The way in which successive Governments have controlled the cost of legal aid has been by bearing down on eligibility. Clearly, one option available to this Government to restrict the cost of legal aid is simply to continue to bear down on eligibility; to take out more and more people so that, ultimately, only a handful of people would qualify for legal aid. That was not the course on which we decided. We believe that it is much better to try to find the appropriate means of funding cases. That is why we propose an extension of conditional fee agreements. That will make the legal aid fund go further and allow us to concentrate it on those people and areas of real need. I hope that, in that way, I will be able to satisfy my hon. Friend's concerns.

Mr. Ian Bruce (South Dorset): The Minister will know that I have an interest in expert witnesses in personal injury cases. I wonder whether he can say more about how expert witnesses will be paid for. Some lawyers are telling them, "You should share the same risk as me, whether we win the case or not." That is inappropriate because the expert witness is supposed to be giving unbiased evidence to a court. What will the Minister do about that and how will he ensure that the losing litigant will not face a massive bill at the end? We must remember that the Department of Social Security is the first to be paid after a personal injury case is paid out.

Mr. Hoon: I shall confine my remarks to personal injury and I hope that that will satisfy the hon. Gentleman's concern about expert witnesses. Expert witnesses appear in a range of cases. I share the hon. Gentleman's reservation at the prospect of such witnesses sharing in the costs of a case. One of the great weaknesses that we have identified about the way in which civil litigation operates is the development of an expert witness industry, where expert witnesses are available for any argument that a lawyer wishes to advance. Too many cases are made expensive simply because both sides have teams of expert witnesses and, inevitably, have to pay for them.

[Mr. Hoon]

I look forward to a day—these are proposals contained in our consultation document on reform of the civil justice system—when expert witnesses are genuinely expert and give objective advice about a case. In those circumstances, it is important that their fees—as the hon. Member for South Dorset (Mr. Bruce) said, they can be considerable—are paid for. That is why we believe that it is important to establish the conditions in which lawyers, the insurance industry and, where appropriate, the banking industry can work in partnership to fund certainly the more expensive cases, and to seek the development of the insurance products that will allow for the cost of expert witnesses to be properly met.

Mr. Chris Mullin (Sunderland, South): I broadly welcome my hon. Friend's statement. The fact that he has obviously taken on board many of the representations made in the past few months is a cause for celebration, not criticism. It was always inevitable that there would be teething troubles with such a radical change. As long as he is prepared to listen to the representations made from benign quarters, I see no long-term problems with the changes.

On medical negligence, should not we be moving towards no-fault compensation for the most serious cases? They can sometimes drag on for up to seven years and that is in nobody's interest except the lawyers.

Mr. Hoon: Benign is not a word that I have often associated with my hon. Friend, but I can see that I am wrong. I appreciate his support. The figures for recovery in medical negligence cases show that only 17 per cent. of cases produce recovery of more than £50. The average recovery appears to be about £4,000, with £4,000 paid in costs to achieve that. That makes a strong argument for no-fault compensation.

There are other difficulties about no-fault compensation that we would have to address. This might be one of the areas where such an approach is appropriate and, together with colleagues from other Departments who have a clear interest in this matter, we will be considering carefully whether that is the appropriate way of taking these cases forward.

Mrs. Eleanor Laing (Epping Forest): While I welcome the Government's aim of reducing the burden of legal aid on the taxpayer, is not the Minister concerned that making solicitors' firms bear the financial risk in some cases is an unbearable burden for smaller firms and makes the lawyer personally involved in his or her client's case? Is he not concerned that there is a danger that the objective nature of the legal profession itself will be undermined?

Mr. Hoon: May I deal first with the point about whether solicitors can afford the costs of this sort of approach? The Government have commissioned some research by KPMG into the business case for solicitors' firms undertaking much of their litigation under conditional fees. The report has been received and will be published in due course. I hope that the hon. Lady will study it with care and decide, in the light of the research conducted, whether or not it is possible for small firms to conduct widespread conditional fee arrangements. We must bear in mind the fact that lawyers earn their money from a number of different sources, of which legal aid is one; and legal aid will continue to be available in range of cases.

Conditional fees, particularly as we propose to extend them to the great majority of cases, will extend the opportunities of the great majority of citizens to take legal cases before the court. I said that only the very rich and the very poor are currently in a position to take cases before the court. I hope that the hon. Lady will accept that our proposals will open up access to justice for the great majority of people in our society. That should provide lawyers with financial opportunities that are not currently available to them.

I appreciate the hon. Lady's concern about lawyers being involved in their clients' cases and that potentially affecting their judgment of what is appropriate. However, I hope that she accepts that there is no evidence so far of that happening under the conditional fee agreements that have been concluded to date.

Moreover, the fears to which I referred when replying to the hon. and learned Member for Harborough (Mr. Garnier) have not been borne out in any of the research. Indeed, in the more complex cases, there will in any event be a member of the Bar who ought to be able to bring a degree of objectivity to bear on the assessment of the case. We should see a degree of partnership developing between solicitors and barristers in the assessment of risk in given cases and the appropriate level of recovery.

Several hon. Members *rose—*

Madam Speaker: Order. We cannot continue with these long questions and very long answers. I understand the complexity of the statement, but I should like to call as many hon. Members as possible and for that we need to have shorter questions and answers.

Mr. Andrew Dismore (Hendon): As a specialist personal injury solicitor, may I ask my hon. Friend whether he agrees that, if fewer cases succeed under the revised proposals, the Government could be a net loser; and that the acid test will be whether more cases succeed? In that context, I welcome the proposal to extend the recovery of the success fee and insurance premium from insurance companies, as opposed to taking them out of the victim's pockets. Will my hon. Friend comment on whether block contracting will still be permitted as part of these developments?

Mr. Hoon: We anticipate that more successful cases will be brought as a result of these proposals, because one of the advantages of allowing lawyers to participate and risk their own funds in the prosecution of cases is that they will have an interest in selecting good cases to take forward. We believe that that is a good thing. As for my hon. Friend's various more technical points, I hope that he will accept that we are concerned to take forward a modernisation of the justice system and that contracting will be a feature of it.

Mr. Edward Leigh (Gainsborough): The Minister used the word "modern"—naturally—several times in his statement. Why is it necessarily modern or right to move

in the American direction, towards a highly litigious society plagued by unscrupulous lawyers, in which doctors and others who work in the public interest are saddled with huge insurance costs?

Mr. Hoon: I do not accept for a moment that we are moving in the American direction. I hope that the hon. Gentleman will accept that we are seeking to achieve a situation where only good cases are brought before the courts and our courts are not occupied by cases of dubious merit that are drawn out over weeks, months or even years. That will be precisely the opposite of the American experience. We do not intend to go down that route.

Ms Hazel Blears (Salford): One of the attractions of conditional fee agreements is that they should free considerable resources to enable us to extend our community legal service. That will be of great assistance to my constituents in the inner city, where legal advice is often thin on the ground. Will my hon. Friend tell us about the time scale for the community legal service and when we can hope to see some flesh on its bones?

Mr. Hoon: I am grateful for my hon. Friend's observations. Unless we can control the cost of the existing traditional legal aid system, we shall not have the resources to create a community legal service. Work is being conducted as a matter of urgency in the Department. A team has been established to develop proposals for a community legal service. I hope to be able to tell my hon. Friend the outcome of that work as soon as possible.

Mr. David Ruffley (Bury St. Edmunds): The Minister skated over the crucial issue of the affordability of insurance premiums for those poorer households that want to go down the conditional fee route. Which insurance companies has he spoken to? Have they given him reassurances that they can price insurance policies so that the premiums are affordable to the poorest?

Mr. Hoon: Ministers and officials in the Department have had meetings with a range of insurance companies. The speech in Cardiff last October in which my right hon. and noble Friend the Lord Chancellor set out the principles has concentrated minds remarkably. Lawyers are thinking more constructively. The insurance industry is interested in such work. The average cost of PI insurance is in the order of £155. Insurance products are being made available that will avoid those costs being borne by individual litigants who are unable to meet them. There are a variety of ways of funding insurance. A partnership between insurers and lawyers to sustain the costs of litigation in this developing market should satisfy the hon. Gentleman.

Mr. Michael Jabez Foster (Hastings and Rye): I congratulate my hon. Friend on having listened and on making it clear that this is not a cost-cutting exercise, but a means of redistributing the funds available. When litigants cannot afford to take out insurance, would it be possible for the premiums to be paid from the transitional fund? Would it be possible to extend legal expenses insurance, perhaps by tax relief, so that many more folk could choose solicitors without personal cost?

Mr. Hoon: My hon. Friend has made valuable suggestions in the past. I am grateful to him for acknowledging that we have listened to him. I hope that he accepts that I cannot give him an answer today on his further suggestions, but we shall look at what he has said.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I have mentioned previously two savings that the hon. Gentleman's Department could make without affecting anyone. First, an appointments system in magistrates courts would save £42 million at a stroke. Secondly, in family and ancillary relief cases, arguments over the slightest issues can often result in lawyers' fees 10 or 12 times greater than the sums being argued about. May I draw the hon. Gentleman's attention to those economies before he hits people who validly want to make personal injury claims and have no lawyer to take them on?

Mr. Hoon: The process of modernisation of the justice system will continue on a number of fronts simultaneously. I assure the hon. Gentleman that we shall consider carefully any proposals for saving money in the magistrates courts and on family cases. We shall establish a system of contracting, which will bear down on the considerable costs of family work.

Fiona Mactaggart (Slough): Does my hon. Friend agree that, in most areas of public expenditure, there are robust mechanisms to ensure the quality of the service that the public are paying for? Is the proposal for allowing perhaps only a limited number of expert firms to take on medical negligence work a first step so that in other areas where specialist legal knowledge is needed, we might examine ways of ensuring quality for people who depend on legal aid?

Mr. Hoon: That is exactly the direction in which the Government intend to go. I hope that the use of experts in relation to medical negligence cases will establish a useful precedent for the use of expert lawyers elsewhere. Once Parliament has approved any legislation that we bring forward, contracting will allow us to contract only with those who are expert and knowledgeable in particular areas of law. That seems a wholly welcome development, for the benefit of practitioners, and, above all, for the benefit of those whose cases go before the courts.

Mr. Richard Allan (Sheffield, Hallam): The Minister will be aware that many disadvantaged people use law centres to access the legal system. Law centres depend on voluntary workers, solicitors and bits of local authority spending. Does he envisage direct Government support for law centres as part of his legal aid reform package?

Mr. Hoon: Very much so. Indeed, in the summer, Parliament approved changes in statutory instruments that allow legal aid money to be used to pay the salaries of lawyers who work in law centres and for citizens advice bureaux and similar advice-giving agencies. As part of the community legal service, I look forward to an extension of that provision, to move the traditional legal aid away from simply supporting particular cases towards supporting institutions that are providing advice and assistance to those most in need.

Mr. Ross Cranston (Dudley, North): I, too, warmly welcome my hon. Friend's statement. Does he agree that, parallel to the changes in the legal aid system, we need to

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be thinking about new ways of resolving disputes? I know that his Department is involved in developing protocols, for example. Does he agree with the Woolf inquiry recommendation that private ombudsmen or alternative forms of dispute resolution need to be encouraged?

Mr. Hoon: My hon. Friend was a very distinguished member of the inquiry. He probably knows rather more about the details of the preparation than even I do. I am most grateful to him for his suggestions. The Government are determined to develop alternatives to going to court. Mediation is certainly one. A range of other options are available to us. Anything that can reduce the cost and time taken in litigation must be welcomed.

Mr. Dominic Grieve (Beaconsfield): Does the Minister agree that one of the consequences of the proposals is that the power of the state will be greatly increased? The system will involve discrimination by the state about which categories of litigation should command state support through legal aid.

In that context, the Minister made a differentiation in ring fencing housing cases but excluded, as an example, disputes between neighbours over boundaries. It is my experience that disputes over boundaries often involve the harassment of a person with no means by a neighbour with considerable means and a willingness to resort to litigation, which makes the life of the former a complete misery. How is the distinction between the two categories of housing and boundary disputes to be drawn?

Mr. Hoon: If the hon. Member will forgive me for saying so, I did not entirely follow his reasoning about the power of the state. That may be my fault. I assure him that legal aid will continue to be available to those who wish to bring actions against the state in its various guises.

On neighbourhood disputes, the issue is not whether the state has an interest in determining who should or should not bring a case but whether it is possible to fund such a case—whether by legal aid or some other means. We are simply proposing—I hope that the hon. Member will respond to the consultation—that, in disputes between neighbours, particularly over where a fence should be or how much land is owned by one party or the other, a fund is available which allows such litigation to take place on the basis of conditional fees, rather than having to expend taxpayers' valuable and scarce resources on paying for such private disputes.

Mr. Gareth Thomas (Clwyd, West): May I welcome my hon. Friend's statement? Those who have been involved professionally in this area know that radical reform to improve access to justice is long overdue. However, as I am sure that he would agree, difficult questions need to be resolved. Will any fixed costs under any fast track for litigation which may be developed take into account the fact that, to some extent, solicitors will be using successful cases to subsidise unsuccessful cases?

Mr. Hoon: My hon. Friend knows that the question of fixed costs and the regime that will operate are subject to separate consultations. He has made his views on the matter known on previous occasions. We are still considering the results of that consultation, and will continue to do so before bringing specific proposals before Parliament.

Mr. Steve Webb (Northavon): On affordability, the Minister suggested that the figure of £150 or so, which would be way beyond the means of the poor, might be covered by some sort of further insurance for legal expenses. However, as the poor typically cannot afford to insure even the contents of their homes, would not taking out further insurance—unless they were forced to do so—be the last thing that they would think of doing?

Mr. Hoon: I am sorry if I gave that impression to the hon. Gentleman. What, essentially, I would say about such cases is that there is no reason why innovative insurance products should not take up the cost of the up-front insurance—it is not always absolutely necessary for someone to pay the £150 in advance of litigation. Alternatively, there is no reason why a firm of lawyers, confident of the outcome, should not meet the cost of insurance in an appropriate case. I sought to explain that we expect partnerships to develop between lawyers and insurance companies, perhaps involving the banking sector, too, to allow such cases to go to court for such litigants.

Dr. Brian Iddon (Bolton, South-East): Like other Members, I am worried about medical negligence cases, especially the serious cases involving the death of a young breadwinner. Is my hon. Friend aware that many such cases are carried all the way almost to the day of entering court, when everything is almost proven, but that, at the last minute before the court hearing, solicitors try to put pressure on plaintiffs to drop cases or to accept paltry damages out of court, on the ground that the legal aid, which appears to have been capped, is running out? Does he agree that when so much legal aid money has been spent and the case is almost proven, it should go to court so that justice is seen to be done? I have given my hon. Friend an example of such a case, although obviously I cannot cite the details now.

Mr. Hoon: I appreciate my hon. Friend's concern, and I would certainly welcome from him in writing the details of any particular case; I hope that he will accept that it would not be appropriate for me to comment on a particular case at this stage.

It is unlikely that a legal aid certificate will run out. One of the problems with legal aid is often that once it is granted it supports a case to the conclusion of a court hearing, even when those who have heard the case might judge that it was not entirely appropriate for it to have been brought in the first place. The Department has received several representations from judges questioning whether legal aid should ever have been granted in certain cases.

I hope that my hon. Friend will accept that our proposals for medical negligence cases will guarantee access to legal aid for the moment for those who presently enjoy it, but will also point the way to significant change by ensuring that only those who are expert and specialist in the field will be able to act on behalf of plaintiffs. I hope that that safeguard will satisfy him that we are carefully considering the position of such plaintiffs.

Mr. David Kidney (Stafford): Several hon. Members have made suggestions about the best use of any savings

to public funds that may result from conditional fee agreements. Can the Minister confirm that such savings will be available for use, rather than being returned to the Treasury? If so, what will be the role of regional legal services committees in deciding their own regional priorities on such matters as extending eligibility and paying for more local law centres?

Mr. Hoon: I am grateful to my hon. Friend for his observations. I have made it clear that to fund our manifesto commitment to create a community legal service, the Government need first to bring the costs of traditional legal aid under control. When we have done so, we can consider ways of funding the community legal service. We see the regional committees as providing a local element in terms of identifying the needs of different parts of the country. In rural areas, there may be different needs and priorities, and we expect that the regional committees will be in a position to identify those and to communicate local needs and concerns to the Legal Aid Board.

Welfare of Broiler Chickens

4.29 pm

Mr. Bill Etherington (Sunderland, North): I beg to move,

That leave be given to bring in a Bill to protect the health and welfare of broiler chickens kept in indoor husbandry systems.

It is almost two years to the day since my hon. Friend the Member for Mansfield (Mr. Meale) proposed a similar Bill. I thank him for his endeavours, and I pay tribute to Lord Beaumont for his work in the Lords on this matter. I should also like to thank Compassion in World Farming, and its legal and political officer, Peter Stevenson, for their assistance, advice and encouragement.

To avoid any confusion, I should point out that two flocks of hens are reared in this country. One, battery hens, is reared purely to provide eggs. That involves birds being kept in small cages. I have seen this, and I was not terribly impressed by the system. The other flock is broiler chickens, which are raised purely for meat. Over 80 per cent. of those birds are kept indoors in captivity.

I propose the Bill because the only legislation on the matter—which, in my view, is totally inadequate—is the Welfare of Livestock Regulations 1994. Although the regulations cover battery hens, cattle and pigs, there is no regulation covering broiler hens. This matter needs to be addressed and corrected. All we have at the moment is a Ministry of Agriculture code of practice which is inadequate in the way in which it addresses the density of birds on the ground and, according to the British Poultry Meat Federation—which is not sponsoring the Bill—is not adhered to and has no legal status.

There can be up to 40,000 birds in large sheds deprived of natural light. As long ago as 1992, the Farm Animal Welfare Council advised legally binding regulations, rather than leaving the matter to what is little better than self-regulation by the breeders.

The underlying problem is the selective breeding and rich diet feeding of the birds, which enables them to reach maximum weight in only six weeks—twice the speed of 35 years ago. This leads to endemic problems with the strength of the legs of the birds, and the failure to match the increasing body weight leads to crippling leg failure. Academic research has estimated that as many as 180 million birds per annum suffer in this way. The Farm Animal Welfare Council working group found such problems on practically every farm it visited.

Professor Webster, of Bristol university's veterinary school, has been particularly scathing after carrying out extensive academic research on the matter. It has been found that rapid forced growth affects the heart and lungs of the bird, and that the problem of dirty litter exacerbates the leg injuries. However, the British Poultry Meat Federation has objected to the wording of the clause in the Bill which refers to clean and dry litter.

I do not want to get bogged down in statistical nit picking. That has been used for many years in this House, and everywhere else, to try to cloud arguments. I will go no further than to refer to a judgment made last year by Mr. Justice Bell, who was dealing with the McDonald's libel case. He found that the overcrowding of the birds was "intentional and unnecessary", and, in his judgment, cruel. He found that the leg problems affected at least 7 per cent. of broilers. He also said that the welfare of

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between 7 and 31 per cent. of the birds was compromised by leg problems. I am not too concerned whether the percentage is seven or 31—whatever it is, it is too much. Regulations are needed to eradicate this unnecessary and cruel system.

The judge also examined the issue of broiler breeders—the small number of birds that are kept only for breeding. As they are fed so intensively in the early part of their lives, they have, in effect, to be starved so that they do not become too weak to breed, which leads to intense hunger and great discomfort. The judge said that it was highly likely that the birds felt hungry in human terms, because they spent an inordinate proportion of their time foraging, and consumed large amounts of litter.

Finally and most damningly, he stated:

"My conclusion is that the practice of rearing breeders for appetite, that is to feel especially hungry, and then restricting their feed with the effect of keeping them hungry, is cruel. It is a well-planned device for profit at the expense of suffering of the birds."

In his summary, he said:

"I find that there have been cruel practices relating to . . . the restriction of feed for breeders, the leg problems of broilers bred for weight gain, the stocking density in the last few weeks of the females' lives at least, the catching and handling of the broilers when caught for slaughter".

He also criticised some aspects of slaughter, although I shall not refer to them, as that is not the subject of the Bill.

I have given a copy of the Bill to my right hon. Friend the Minister of Agriculture, although he has not commented on it to me. I have also given copies to the Royal Society for the Prevention of Cruelty to Animals—which, when I have talked to it, seemed to be in favour—and to others. I urge all hon. Members, if they have not already done so, to watch the video produced by Compassion in World Farming, which shows graphically, far better than I could hope to describe, that the industry is barbaric.

The industrial spokesman of the British Poultry Meat Federation, Mr. Bradnock, did not invite me to visit any of the farms to which he referred. I accept that there have been improvements—largely because of public pressure; the public now perceive more clearly than ever before the value of animal welfare—but the industry and its representatives have totally refused to endorse any of the Bill's provisions.

The Bill would ensure that

"the broiler chickens are stocked at a density which does not exceed 21 kilogrammes per square metre;

the flock size does not exceed 3,000 broiler chickens".

It would also ensure that the chickens have legs that are strong enough to bear their weight, so that they can live in comfort. Density needs to be reduced so that flocks can be thoroughly inspected at least twice each day—any chicken that shows signs of discomfort can then be dealt with humanely.

Another of the Bill's provisions is that the litter should be kept clean and dry at all times. I should have thought that all hon. Members would accept that—unfortunately, the poultry meat industry will not. I hope that my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, who is present, will introduce Government legislation, because, as everyone knows, ten-minute Bills have little chance of being enacted. Nevertheless, I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. Bill Etherington, Mr. Vernon Coaker, Mr. Ivor Caplin, Mr. Ken Livingstone, Mr. Chris Mullin, Dr. Nick Palmer, Mr. Harry Cohen, Angela Smith, Mr. Terry Lewis, Sir Richard Body, Mr. Roger Gale and Mr. Nigel Jones.

WELFARE OF BROILER CHICKENS

Mr. Bill Etherington accordingly presented a Bill to protect the health and welfare of broiler chickens kept in indoor husbandry systems: And the same was read the First time; and ordered to be read a Second time on Friday 13 March, and to be printed [Bill 136].

Mr. John MacGregor (South Norfolk): On a point of order, Mr. Deputy Speaker. Is it not outrageous that we should have only 50 minutes left to discuss by far one of the most important parts of the Scotland Bill, because of the deliberate positioning of a long Government statement before it? Is there any way in which, in the interests of the House, the time can be extended?

Mr. Deputy Speaker (Mr. Michael Lord): I understand the right hon. Gentleman's point, but we are governed by a resolution of the House.

Orders of the Day

Scotland Bill

[6TH ALLOTTED DAY]

Considered in Committee [Progress, 23 February].

[MR. MICHAEL LORD *in the Chair*]

Clause 81

SCOTTISH REPRESENTATION AT WESTMINSTER

Amendment proposed [23 February]: No. 258, in page 37, line 32, to leave out from the word 'is' to end of line 33 and insert the words

'120 per cent. of the electoral quota for England.'.—[*Dr Fox.*]

4.41 pm

Question again proposed, That the amendment be made.

The Second Deputy Chairman of Ways and Means (Mr. Michael Lord): I remind the Committee that with this we are discussing the following: clause 81 stand part.

Amendment No. 259, in clause 114, page 52, line 13, at beginning insert—

'Subject to subsection (3) below,'.

Amendment No. 260, in clause 114, page 52, line 17, at end add—

'(3) With the exception of an order relating to section 81, no order may be made under subsection (1) until each House of Parliament has approved any draft Order in Council which may be required to give effect to the first report of the Boundary Commission for Scotland to be submitted after 31st December 1997 under section 3(2) of the Parliamentary Constituencies Act 1986.'.

New clause 6—*Restrictions on voting rights of Scottish members of House of Commons*—

'As from the day on which the Parliament first meets, no member of the House of Commons representing a constituency in Scotland shall be entitled to vote in that House on any matter certified by the Speaker as relating solely to another part, or other parts, of the United Kingdom.'.

New clause 16—*Restrictions on voting rights of Scottish members of House of Commons (No. 2)*—

'Members of the House of Commons representing constituencies in Scotland may continue to participate in any vote in that House unless the Speaker deems the vote to relate to matters exclusive to England, or to England and Wales.'.

New clause 19—*Restriction on voting rights of Scottish Members (Committees on English Affairs)*—

'.—No member of the House of Commons representing a constituency in Scotland shall be entitled to vote in, or participate in any other proceedings of, any committee of that House established under any enactment or by the Standing Orders of that House, the functions of which are to consider matters exclusively in relation to England which are not reserved matters within the terms of Schedule 5 to this Act.'.

New clause 22—*Voting rights of Scottish members of the United Kingdom Parliament*—

'.—Scottish members of the United Kingdom Parliament shall by standing orders be entitled to speak but not to vote on matters which arise in that Parliament affecting only those parts of the United Kingdom other than Scotland.' amendment No. 259, in clause 114, page 52, line 13, at beginning insert—

'Subject to subsection (3) below,'.

Mr. Tam Dalyell (Linlithgow): The guillotine falls at 5.30 pm, so we have 50 minutes. I hope that the Lords have a serious discussion of the clause, because it represents a geological flaw in the Bill.

With the benefit of the marvellous advantage of hindsight, we can see that it is perhaps unfortunate that, in 1977, the late Enoch Powell invented the sobriquet "the West Lothian question" as shorthand for the real dilemma with which I wearied Michael Foot and the late John Smith, who was doing the job now performed with less overt bad temper by my hon. Friend the Minister for Home Affairs and Devolution. If my hon. Friend entertains exasperations when I speak, he is better at concealing them than John Smith was.

I have come to believe that Mr. Powell did the argument a disservice, because the shorthand tends to camouflage the real dilemma, which is not about parliamentary niceties or, as my right hon. Friend the Secretary of State put it, the Schleswig-Holstein question, but about the exercise of power and the principle of direct relations between government and the governed. Power devolved is not power retained.

Mr. John McAllion (Dundee, East): Hear, hear.

Mr. Dalyell: My hon. Friend says, "Hear, hear," and his interpretation is important; we do not want him, my hon. Friend the Member for Falkirk, West (Mr. Canavan) and my other hon. Friends to feel deceived.

In practical terms, I do not suppose that matters will come to a head during this Parliament, in which one party has a majority of 180. The size of the majority submerges the problem. As soon as Holyrood, or Strathclyde house, or whatever we call it, is inaugurated, the Chief Whip will have to get along without my vote on purely English business.

The self-evident problem becomes acute when a Government party has to depend on its favourable majority in Scotland to get its English business through the House of Commons. Then the Government really will be asked: how come whoever is the Member of Parliament for Linlithgow or for Livingston can vote—and vote decisively—on policies for Liverpool and London on matters that not only English Members but Scottish Members cannot trespass upon in relation to Linlithgow or Livingston, unless of course, clause 27(7) will be operated differently from how we have come to believe?

To put it in practical terms, I suppose that it is really the Two Feathers in Hebden Bridge question so beloved of Bernard Ingham. I will spare the House the expletives, but the Two Feathers question is this, "What are all those . . . jocks doing coming . . . telling us what to do when they've got a . . . Parliament of their own?"

That is the question that will be asked. Therefore, my question is, how long can such a situation last? It simply cannot endure in anything like the form that the Bill proposes. Whatever else it is, the Bill is not a settlement. The deal must not be seen by the English majority, either at the outset or as experience builds up, as giving Scotland one-sided privileges and advantages of an unacceptable type and scale.

[Mr. Dalyell]

We all have to curtail our speeches, so the House will forgive me for reading one quotation from Sir Michael Quinlan, one of the cleverest civil servants of his generation, who was called in by John Smith to tackle precisely those problems. Writing in *The Independent* on 2 January 1995, Sir Michael said:

"But this leaves the enormous and still unanswered 'West Lothian' question . . . If we take away from Westminster and give to a Scottish Assembly effective law-making power over, say, education, health and transport in Scotland by what possible right do the 70-odd"—

or 60-odd—

"Scottish MPs at Westminster continue to vote on education, health and transport for England? But if they are excluded, there stands to occur a situation—given particularly that, while Scotland is usually Labour, England is usually Conservative—in which there is a settled Labour majority at Westminster on some subjects and a Conservative one on others. (That would have been the case for certainly three and probably four of the five Parliaments in which Labour has governed since 1945.)

Such a political arrangement would not be coalition or even cohabitation. Given the interdependence, especially in tax and expenditure terms, of large areas of public administration, it is simply not possible to run coherent parliamentary government in this way."

That is the considered view of the civil servant who, along with Sir John Garlick, was asked by John Smith, Bruce Millan and Michael Foot to give his mind to the problem in the late 1970s. Sir Michael Quinlan's view at least has to be answered in depth, and it cannot be answered this afternoon before 5.30 pm. On Report or in the House of Lords, we should hear a considered Government answer.

Finally, judging by all the arguments so far, I see no reason to retract the view that I expressed constantly and daily during the referendum, that, unfortunately, we are on a motorway without exit to an independent state.

Mr. John Major (Huntingdon): I echo the remarks made by my right hon. Friend the Member for South Norfolk (Mr. MacGregor) about the utter unacceptability of the fact that the time permitted to discuss this, perhaps the most crucial and central part of the whole Bill—the part upon which this whole constitutional experiment may founder to the damage of the whole United Kingdom—has been squeezed by a statement that could have been left until tomorrow, and an important Bill on broiler chickens.

Mr. McAllion: Will the right hon. Gentleman give way?

Mr. Major: No, I shall not give way. I have things to say that are more important than answering the hon. Gentleman's questions.

I am delighted to speak after the hon. Member for Linlithgow (Mr. Dalyell). Throughout the consideration of the Bill, he has bravely identified the difficulties inherent in it, as he did with its predecessor many years ago. He and I do not always agree. In Hebden Bridge terms, there have been moments when others, not myself, might have referred to him as a . . . nuisance, but the way in which he has campaigned against a very bad and blatantly wrong Bill that is self-evidently damaging to the United Kingdom redounds strongly to his credit. I much admire what he has done.

This bad Bill will do more damage to the United Kingdom than any Bill for generations, and will institutionalise advantages for Scotland and for Scottish Members of Parliament. The Bill will do more: over time, it will institutionalise resentment against Scotland and Scottish Members of Parliament, which is not a light matter for those of us who care about the unity of the United Kingdom.

Sir Robert Smith (West Aberdeenshire and Kincardine): Will the right hon. Gentleman give way?

Mr. Major: If the hon. Gentleman will forgive me, I shall not. Many hon. Members want to speak, so I shall be brief.

The key point—

Mr. Andrew Welsh (Angus): The right hon. Gentleman has not attended a debate before today.

Mr. Major: The debate is brief because there is a guillotine at 5.30 pm, and the Government have outrageously wasted most of the available time.

The key point—what has become known as the West Lothian question—is the way in which the Bill will unbalance the constitution. As the hon. Member for Linlithgow said, what the Bill proposes is unsustainable. Bluntly, what justification is there for Scottish Members of Parliament being able to vote on education, health and other matters affecting my constituents in England, when they cannot vote on those matters as they affect their own constituents?

There is no logical reason for Scottish Members of Parliament being able to vote on matters that affect the English, the Welsh and the Northern Irish, when English, Welsh and Northern Irish Members of Parliament will be unable to vote on those matters as they affect people who live Scotland.

What would happen—the hon. Member for Linlithgow touched gently upon this point—if a Government party had an overall majority in the United Kingdom, but was in the minority in England?

Mr. James Wallace (Orkney and Shetland): What happened when the Government party was in the minority in Scotland?

Mr. Major: If the hon. and learned Gentleman cares to look back, he will see that previous Labour Governments have sustained a majority with Scottish Members of Parliament. The difference is that the Bill proposes that the Scottish Parliament will have exclusive responsibility for certain issues and the power to tax. If he does not understand that, he should listen to the debates and then contribute.

Mr. Alex Salmond (Banff and Buchan): Will the right hon. Gentleman give way?

Mr. Major: No, the hon. Gentleman can make his speech in a few moments.

Mr. Salmond: On a point of order, Mr. Lord. The former Prime Minister, for whom I have some regard, seems to be unaware that we are continuing a

debate that we were having 10 days ago. Is it in order to attend the second half of a Committee debate and refuse to take interventions?

The Second Deputy Chairman: It is up to right hon. and hon. Members to decide whether to take interventions.

Mr. Major: I shall deal with that point briefly. Of course the debate was going on the other evening, but it was agreed that there would be a further two hours of debate today. There has not been a further two hours of debate, and some hon. Members who want to speak on this issue will not be able to do so. I intend to be brief so that the hon. Gentleman can contribute, if only he will cease interrupting.

I return to the point about what will happen in England. Will the English be treated less favourably constitutionally than the Scots under this Bill and the Welsh under the Government of Wales Bill? That is not sustainable. With their majority, the Government can drive the Bill through the House, and show every intention of doing so. I beg the Minister for Home Affairs and Devolution to consider what that will do over time to opinion in England. Does he really want to arouse nationalism across an England that resents the Scots and the Welsh? I do not want that to happen; yet I fear that the nature of the Bill, and the way in which the Government are driving it through the Commons, will lead to such an outcome.

Is there a credible answer to the West Lothian question? Not without a rebalancing of the constitution once the Bill has become law, as it now almost certainly will.

Mr. Norman A. Godman (Greenock and Inverclyde): Will the right hon. Gentleman give way?

Mr. Major: If the hon. Gentleman will forgive me, I will not.

No one in the House has any doubt about my feeling on the issue over many years. I have never made any secret of the fact that I think that the sort of constitutional change that is proposed is very short-sighted. It is being introduced for party political advantage, and over time—a long time—it will backfire. I am concerned about the long-term future of the United Kingdom, not the short-term advantage of politicians who see some advantage in supporting the Bill at the present time.

The only gainers from the Bill, over time, will be those who genuinely favour—the hon. Member for Banff and Buchan (Mr. Salmond) does, and has made no secret of it—a separatist Scotland, a Scotland broken away from the rest of the United Kingdom. The Government, who claim that that is not their position, will have to answer at the bar of history for having brought about circumstances that may create exactly that eventuality.

If the Bill goes through, it will be necessary to bring about further constitutional change to minimise the damage and the resentment across the United Kingdom that the Bill will create. I do not know whether that means an English Parliament—which I do not myself favour—an English Grand Committee, or some other stratagem. Clearly, much more thought will be needed than we can give this afternoon, but changes there will undoubtedly need to be once the Bill is on the statute book.

I say that changes will have to come, because the constitutional vandalism of this ill-thought-out pig's breakfast of a Bill will demand further change elsewhere in the United Kingdom to protect the position of people elsewhere in the United Kingdom, and to protect the working practices of the House.

Sir Robert Smith: Will the right hon. Gentleman give way?

Mr. Major: Surely the hon. Gentleman heard me say that I would not give way. I want as many hon. Members as possible to be able to speak.

I have made it clear repeatedly over the past seven years, and over the past few months when the Bill has been contemplated, that I absolutely understand, and admire, the sense of national pride in Scotland. No one disputes that. I believe, however, that the Scots will find that the menu that has been laid before them is a menu without price. There is a price to be paid, in Scotland and elsewhere—

Mr. McAllion: You paid the price.

Mr. Major: If I did, I paid the price for standing up for what I thought was right for the United Kingdom. I did not stand up for what I thought was right for Labour party political interests, which is what the present Government have done.

Scotland cannot have extra privileges; it cannot have more public expenditure; it cannot have excessive representation in the House; and it cannot have constitutional advantages over the rest of the United Kingdom—if that United Kingdom is to remain united, as I wish it to. This is a divisive Bill. Let us not mince words. Not so much in the short term, as in the long term, the Bill will damage the unity of the United Kingdom dramatically. It brings change, and it will create a demand for more change. It is a constitutional whirlwind, and we will reap the harvest—not just in the House, where we can cope with our procedures, but in regard to something far more important and far more long-standing: the unity of the United Kingdom itself.

On that issue, the House may not be able to make changes in the Bill, given the majority in favour of it; but the time will come when those who railroaded it through will have to answer for what they have done, and others will have to correct the errors that they have made.

5 pm

Mr. Ian Davidson (Glasgow, Pollok): It is a privilege to follow the former Prime Minister. However, it is fair to say that he has espoused views that were espoused during the general election campaign; views that led to the Conservative party's representation in Scotland being reduced from 10 seats to no seats—"Nul points", as one would say in the Eurovision song contest—and which led his party to the biggest defeat in living memory in a British general election.

The British people have taken account of the arguments that the former Prime Minister makes, and rejected them decisively. The Scottish people had the opportunity to hear the views of the right hon. Gentleman and his colleagues in the debates before the referendum, and almost every part of Scotland rejected those views

[Mr. Ian Davidson]

overwhelmingly. Is it not significant that the only Scots that the right hon. Gentleman can find to argue his case are those who could not get elected in Scotland, but had to flee south of the border to find a safe seat in England? In Scotland there is no support for his views.

Those who seek to destroy the Union speak with the former Prime Minister's voice, and that of the nationalists. The status quo before the general election was not sustainable. Scots made it clear that they wanted to retain the Union, but that they wanted a system of devolved authority—which, I am glad to say, the Government are setting up.

However, I return, if I may, to amendment No. 258. I took the trouble to be in the Chamber during the previous discussions on this matter and, although I welcome the former Prime Minister's belated interest in these matters, it is significant that this is the first time, I believe, that he has attended the Committee.

The Conservative amendment suggests not that Scottish representation should be reduced to the same level as that in England and Wales, but that it should be reduced even below that, so that the electoral quota for Scotland should be 120 per cent. of that for England. Evidently the Tories have written off Scotland. They realise that they are, and will remain, unpopular there, so they intend to play the English nationalist card.

When my hon. Friend the Member for Linlithgow (Mr. Dalyell) mentioned Enoch Powell, I recalled how Enoch Powell used to deplore racism while he was stirring it up. Those who deplore English nationalism while stirring it up are doing the same thing. They are trying to pander to the worst in our society because they have no positive suggestions to make on this subject, or on many others.

I do not accept that England is an undifferentiated mass. I have been struck by the welcome given to Scottish devolution by many people in England who want something similar for their part of the country. I believe that differing speeds of devolution will develop throughout England and Wales. I believe that the constitution of this country can accept anomalies; that it can accept differences; that it can accept different ways of progressing.

If the House is supreme, I see no reason why it cannot decide that some matters will be devolved to Scotland, to Wales, to London or to the north of England, without shattering the essential community of the kingdom. It is not as though powers were being devolved in a way that bypassed the House. A decision of the House will devolve those powers. In that way, the House, having taken that decision, is consciously deciding to live with the elements of anomaly that might flow from it.

My hon. Friend the former Member for West Lothian, now the hon. Member for Linlithgow, made a very interesting contribution. I enjoyed his speech of resignation from the Labour Whip. I am struck by the extent to which all Labour Members except "Oor Tam" are out of step. The basis on which Labour candidates stood at the general election was quite clear, and we clearly presented our case to the electorate. It is also clear that his arguments about Labour Members feeling obliged to refrain from voting on other matters did not reflect Labour's policy.

The poll tax was imposed on Scotland by the votes of English Members. In Committee and in the House, I and many others watched local government in Scotland being butchered against the will of the overwhelming majority of Scottish Members by an English majority. That was accepted to some extent because Scotland was part of the Union, and Parliament had decided how such matters were to be arranged. Similarly, it is reasonable and fair to conclude that, when Parliament determines that there is to be devolution, those who were previously in government and who call themselves democrats should be prepared to accept Parliament's democratic will.

The tactics that are being adopted, especially by some of those who I thought had the seniority and experience to know better, remind me of the baby who throws his rattle out of the pram because it cannot get its own way. It is about time the Opposition accepted that they lost the election, that we and those who support us have a clear mandate to implement our policies, and that we intend to do that.

I welcome the fact that the Tories have written off Scotland, and that they will presumably decide not to put up candidates for election to the Scottish Parliament. That gives us an even greater prospect of a large Co-operative party representation in that Parliament.

Mr. Michael Ancram (Devizes): I join my right hon. and hon. Friends—

Mr. Salmond: On a point of order, Mr. Lord. To my certain memory, Scottish National party Members were standing in the earlier debate and were not called. They have been rising in this debate and have not been called. Has the Chair taken any cognisance of the fact that the Scottish National party currently has four times the public support of the Conservative party in Scotland and that we have a right to have our view heard in the Committee?

Sir Robert Smith: Further to that point of order, Mr. Lord. Liberal Democrat Members also rose in both debates, and we have a distinctive Scottish view to put to the Committee. That view takes some of what Conservative Members were trying to achieve but puts it in a constructive form to try to get something out of the Government. That voice has not been heard in Committee. Amendment No. 258 has not been exposed to scrutiny in terms of its threat to the Union because of the way in which it debases the Scottish voter on United Kingdom issues. Those issues should have been put to the Committee.

Mr. Edward Leigh (Gainsborough): Further to that point of order, Mr. Lord. Do you agree that it does not add to the dignity of Parliament when the most important constitutional issue that faces us will receive a total of one hour and 15 minutes debate?

The Second Deputy Chairman: It is for the Chairman to select who will speak and I remind hon. Members that points of order use up the little time that is left.

Mr. Ancram: I should like to respond to the points of order by the hon. Members for Banff and Buchan (Mr. Salmond) and for West Aberdeenshire and Kincardine (Sir R. Smith). It may not have occurred to

them that, for the first time in our discussions on the Bill, we are debating the impact of constitutional reform on the rest of the United Kingdom. For that reason my right hon. Friend the Member for Huntingdon (Mr. Major) and some of my hon. Friends who are not Scottish Members have a direct interest in the matter. I, too, deplore the fact that the debate has been curtailed. That does not bode well for the spirit of agreed programmes in future. I give notice that I shall seek to return to that issue on Report.

The debate on the amendment, which was ably moved by my hon. Friend the Member for Woodspring (Dr. Fox) is simply about unfinished business. We face a constitutional vacuum that has been created by a process of one-sided devolution. If that vacuum is left unfilled it will in time seriously destabilise our constitution. It is caused by the residual imbalance that has been left by unilateral devolution to Scotland and has become known as the West Lothian question, but which more accurately should now be known as the English dimension.

The debate is largely, if not exclusively, about the role of Scottish Members of Parliament at Westminster after devolution and the constitutional propriety of their being able to vote on English matters which, because of devolution, they cannot vote on in relation to their own constituents. It points to the inevitably part-time nature of the Scottish Member of Parliament at Westminster after devolution and the consequent dangers of de facto marginalisation. It foreshadows the potential for mutual alienation between Scots and English, which was so rightly foreshadowed in the remarks of my right hon. Friend the Member for Huntingdon.

It is because of those dangers and because of our interest in avoiding them that we believe that they must be faced up to now. If ever there has been a time for not burying the political head in the sand, this is it. Even if the manner of its announcement through the columns of *The Scotsman* this morning was a gross insult to the House, the Government's new-found readiness to take the question seriously, at last, must be welcomed.

This debate is not about doing down the Scots or stirring up the English, however much nationalists and others would like to portray it as such. That suggestion not only insults the intelligence of both Scots and English, but irresponsibly disregards the fundamental problem.

Sir Robert Smith: Will the right hon. Gentleman give way?

Mr. Ancram: No, I shall not give way as time is short. The hon. Gentleman knows that I am usually very good at giving way, but I want to make my speech and give others the opportunity to speak.

If we do not begin to explore now how the problem might be resolved, we will live bitterly to regret it in years to come. Even the Government, if *The Scotsman* was right this morning, now realise that. The amendments were tabled to begin the exploration. I am sometimes asked why we have only now started on this process. The reason is simple—the question has arisen only because of this Bill. What, in terms of the referendum, was a Scottish debate exclusive in its franchise to Scotland, is now a United Kingdom debate because the outcome of the Bill will impact upon the constitution of the United Kingdom as a whole.

There are no simple answers and no quick fixes. There are no off-the-shelf constitutional solutions. We must identify the options or the elements from which solutions might be drawn and then evaluate the feasibility and desirability of any particular approach. For those reasons, the amendments are, by definition, probing. They are the early pieces on the board. There is only one that we will press to a Division because of its immediate significance, as I shall explain later.

Amendment No. 258 deals with the number of Scottish Members of Parliament at Westminster after devolution. It stems from the principle already enshrined in the provisions of the clause that devolution removes the justification for the relative over-representation that currently exists in favour of Scotland in the Westminster Parliament. The clause would establish relative parity—but I have to say that changing the numbers will not, of itself, answer the West Lothian question. Numbers are the symptom rather than the cause. They are not, and never have been, a constant, but they can play an important part in creating both the perception and the reality of fairness and balance.

If we are to understand the dangers of the constitutional vacuum in relation to numbers, we must look at the role of the Scottish Member of Parliament at Westminster after devolution.

Mr. Eric Clarke (Midlothian) *rose—*

Mr. Ancram: I have said that I will not give way.

By definition, the Scottish Member of Parliament at Westminster, after devolution, will have far less to do than his English counterparts. Leaving aside the time-consuming constituency mail bag, which would largely disappear, the Scottish Member of Parliament would no longer be able to ask parliamentary questions on domestic constituency matters such as housing, health, education, roads, planning and so on, or take part in debates on those matters. How much of what is left will be taken up by English matters, questions, debates, votes and other issues relevant to the United Kingdom Parliament? If the English aspects are taken away, what will be left?

On any view, the Scottish Member of Parliament at Westminster, after devolution, will be part time and will be seen to be part time. Dangers flow from that. The lessons of Northern Ireland and Westminster during the Stormont years are salutary. Would the same effect of marginalisation of Scottish Members of Parliament occur after the Scottish Parliament is up and running? Would the part-time perception of those Members of Parliament further exacerbate resentment if strictly English business was carried on the backs of their votes? Those of us who believe in the Union Parliament see those as real dangers that must be averted. To do that, we need to look at the question of numbers in this context, even if, at this stage, it is only to probe.

There is one further important issue relating to numbers and boundary changes, which arises under amendment No. 260. Under the provisions of the Bill, there will be an inevitable reduction in the number of Members of Parliament after the boundary commission's report, which in turn will mean a commensurate reduction in both categories of Members of the Scottish Parliament. Under the Bill, within five years of being set up and Members being elected, the Scottish Parliament will be subject to a cull. Between 25 and 30 of the 129 MSPs will disappear. It is hard to see how that can be in the best interests of an infant Parliament striving to establish itself, knowing all

[Mr. Ancram]

the time that it is about to be reduced, but not knowing how or where, and with its Members constantly living under the threat of the axe.

It therefore makes sense that if such a reduction is to take place, it should happen before the Parliament comes into being. Our amendment would achieve that. It would not cause any delay because if the boundary commission immediately began its work under the revised criteria, there is no reason why it should not be completed and implemented in time for the elections to the Scottish Parliament. If the Government do not accept the amendment, I give notice that, at the appropriate moment, I will press it to a Division.

5.15 pm

I want to look at the pieces on the board relating to the English dimension. One that was mentioned by my hon. Friend the Member for Rochford and Southend, East (Sir T. Taylor) is the Government's initiative to create regional assemblies in England. He rightly warned that it would be the thin end of the wedge to the Europe of regions, and, indeed, there is no evidence of any widespread demand for such regionalisation in England. It does not arise out of the amendments before us, so I add only that it would not, in any event, answer the West Lothian question, unless those regions were given legislative powers which are not even available to the National Assembly for Wales. In fact, it is part of a different, if no less worrying agenda.

That leads me to the three most obvious options that offer themselves to resolve the constitutional vacuum, which is the main object of our amendments. The option of an English parliament, separate from this Parliament, was mentioned by my hon. Friends the Members for Rochford and Southend, East and for Woodspring. It was canvassed in a private Member's Bill in January by my hon. Friend the Member for Billericay (Mrs. Gorman). It would certainly resolve the immediate problem, but it would create others. This Parliament would be left effectively as a federal parliament which, without major reform, would contain none of the checks and balances that a federal system would usually require. It would encapsulate the problem that, of the four elements within the United Kingdom, one—England—would represent more than 80 per cent. of the whole. The imbalance would be overwhelming and almost impossible to resolve with any degree of overall fairness. I can think of no comparable example elsewhere from which we might seek answers to the problem, but it must nevertheless remain a piece on the board.

The concept of an English Grand Committee is raised in new clause 19, which again is designed to probe. It now appears suddenly to be the preferred option of the Government, possibly brought about by the honourable pressure exerted by the hon. Member for Linlithgow (Mr. Dalyell). I have already made clear my view of the deplorable way in which the Government made known that preference, but it begs certain questions about which I have already written to the Secretary of State. I am sorry that he is not here this afternoon to answer them. However, I want to reiterate them.

We want to know the status given to the proposal—we want to know if it is agreed Government policy. Has it been discussed by the Cabinet or is it merely something that has arisen internally from the Scottish Office? Why was the announcement of an English Grand Committee made public in a briefing from the Scottish Office, when it relates exclusively to non-Scottish matters? Are we to expect proposals to be put before the House to achieve that policy at the same time as the provisions of the Scotland Bill become operative?

There are a number of difficulties in that approach. What has been proposed would have to be more than the usual Grand Committee, which is ultimately subject to the authority of this House as a whole. For example, it would be required to take all stages of legislation relating to England, or England and Wales, if it were to resolve the West Lothian question. That would immediately raise questions about the status of the Westminster Parliament while the English Grand Committee was in session. It would also raise the financial questions alluded to by the hon. Member for Linlithgow last week. Without its own resources, what would be its relationship to the Treasury, which would inevitably remain a United Kingdom Department? In the event of financial conflict, which of the two would govern, and could a United Kingdom Government with a small majority reliant on Scotland actually pursue an economic policy of any consequence?

The final obvious option—which might be described as designation—merges in our new clause 16 and in new clause 6, which was tabled by my hon. Friends the Members for Rochford and Southend, East and for Aldridge-Brownhills (Mr. Shepherd), whereby Scottish Members could not vote on matters certified as being exclusive to England and Wales.

Designation is seemingly the neatest and simplest answer to the English dimension. However, it would immediately create two categories of Member of Parliament at Westminster and threatens the concept of a Union Parliament, in which all Members of Parliament are equal. It would also again beg the financial question: what restraint would be put on English Members in not undermining the overall economic strategy of the United Kingdom Government, while still allowing them to exercise their exclusive legislative rights? The potential for conflict immediately becomes apparent.

In yesterday's newspapers, the hon. Member for Linlithgow unilaterally declared a self-denying ordinance of voluntary designation. Although I have no doubt that he would honourably abide by such an ordinance, he knows—he alluded to it himself in this debate—that the pre-1972 Ulster experience was not so secure and was not without its price. That experience ran seriously into the shoals in 1965, when Northern Ireland Members attempted to reverse their marginalisation and to reassert their involvement in the major political and economic issues of the day by voting on steel nationalisation—which did not impact directly on Northern Ireland, although its wider economic effects certainly did. The unhappy reaction of the then Prime Minister, Harold Wilson, provides a good example of the difficulties of designating with any precision or fairness in those circumstances.

Therefore, there is no option which is not in some way constitutionally flawed—although that does not mean that we should simply jettison all options. There may be variants or combinations of options that are as yet unexplored. There may be other, undiscovered options with which current options can be melded. That is why

this debate, and the wider debate outside the House—which I hope that we are helping to generate—are so important.

The corrosive question of the English dimension will not go away. Its consequences may not be immediate, but that is no excuse for ignoring it. Neither is it sufficient to say that we would not have started from here, and simply walk away. An answer must be found, and that answer must be found before the problem arises. When the problem arises—as, one day, it inevitably will arise—it will be too late, and the fires of nationalism that will ignite on both sides of the border will tear at the heart of the United Kingdom.

We will not resolve the problem today; but the search for a solution starts today. We must not fail.

Mr. Salmond: I should like to spend a couple of minutes on the mean-spirited and foolish speech by the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major). On the Friday before the general election, I spent the evening in Northampton with the former Chancellor of the Exchequer, the right hon. and learned Member for Rushcliffe (Mr. Clarke), where we participated in a bout of "Any Questions"—during which I was cheered to echo in middle England, and the former Chancellor was booed off the stage. If there had been an election that night at that meeting, the Scottish National party would have won Northampton. On that programme, I asked the then Chancellor of the Exchequer if he could name one instance this century in which any piece of domestic English legislation had been dictated by the votes of Scottish Members, and he could not give one single example.

If we contrast that record with how, on one occasion after another, and on one issue after another, two successive Prime Ministers—Lady Thatcher and the right hon. Member for Huntingdon—forced down the throats of the Scottish people specifically Scottish legislation, the breathtaking temerity of the former Prime Minister in talking in this debate about the unacceptable theoretical possibility of the same happening in reverse is obvious.

I do not object to an English Parliament—I think that it would be a thoroughly good idea—and I have absolutely no objection to an English Grand Committee. In the House, I have never knowingly interfered in English domestic business unless it had a clear Scottish implication. What I find totally unacceptable is the mean-spirited and divisive nature of the former Prime Minister's speech—crowding out hon. Members who spoke in the first half of the debate, and showing the House the face not only of English nationalism but of English prejudice.

Sir Robert Smith: Amendment No. 258 deserves to be fully exposed for the threat that it is to the Union. The former Prime Minister, the right hon. Member for Huntingdon (Mr. Major) was very unwise to speak in a debate at the Bill's Committee stage without interacting with Committee members. Had he taken interventions, he might have been able to explain to voters in Scotland why—for some reason—he thought that, on United Kingdom issues, one of their votes should be worth only 83 per cent. of the vote of an English voter. If ever there were a threat to the Union, it must be amendment No. 258, and the thinking behind it. In speaking to the amendment, the right hon. Gentleman advocated denying Scottish voters the same representation in the House on United Kingdom issues as other United Kingdom voters enjoy.

It is far more important for the Government—in attempting to develop a way in which English Members of Parliament deal with only English issues—to take on board the spirit of new clauses 6, 16, 19 and 22. The history of the poll tax demonstrates, at least to Scottish Members, how bad it is for hon. Members to decide legislation that will not affect their own electors. Such a practice is bad in all circumstances.

In our declaration to the constitutional convention, we argued that if legislation has been devolved by one Parliament, it should not be voted on by representatives of that Parliament. We should like a slightly better settlement, by using the Judicial Committee of the Privy Council to decide disputes. We should like the Government constructively to consider our proposals.

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): I should like, by way of preamble, to say a few words about the speech by the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major). I do not think that phrases such as "constitutional vandalism" or "dogs' breakfast" are worthy of him. On 11 September, a very loud democratic voice was heard in Scotland—when 1.7 million people voted for a Scottish Parliament and 1.5 million people voted for tax-varying powers. The principle underlying that result should be respected by all hon. Members—regardless of whether they are a right hon. or hon. Member, or whether they are in or out of government. The people have spoken, and it ill behoves the House to undermine that in any way.

I tell the right hon. Member for Devizes (Mr. Ancram) that we have absolutely no plans to consider an English Parliament or an English Grand Committee.

Mr. Bernard Jenkin (North Essex): What about this article in this morning's press?

Mr. McLeish: There was absolutely no foundation in that article—*[Interruption.]*

The Second Deputy Chairman: Order. It is quite outrageous for the hon. Member for North Essex (Mr. Jenkin) to behave like that. He should know better. Will he, please; behave himself. An apology is called for.

Mr. Jenkin: I apologise without reservation.

Mr. McLeish: I am grateful to the hon. Member for North Essex for his apology.

The important issue in this debate is the concern of Conservative Members. In asking the Committee to reject this group of amendments, I stress that the official Opposition are attacking the fundamental rights in the House of Scottish Members in the post-devolution era. It simply cannot be right to go down that very dangerous road. In a speech last week, the right hon.

[Mr. McLeish]

Member for Richmond, Yorks (Mr. Hague) mentioned four aspects of the West Lothian question that he would like to explore, although I shall deal with only one. The second aspect he mentioned was

"the withdrawal from Scottish MPs of their voting rights over all legislation that does not apply to Scotland. In other words, the creation of a two-tier Westminster Parliament."

That is the nub of the speeches made by Conservative Members in this debate. New clause 19 would apply the same standards—to exclude second-class Scots from voting in the House.

There should be no two-tier mentality in the House. Conservative Members cannot get away with blustering and expressing synthetic indignation. The simple fact is that, under that smokescreen, they are attempting to move in a very dangerous direction. There is simply—

Mr. Nick Hawkins (Surrey Heath): On a point of order, Mr. Lord. Can you advise the Committee, Mr. Lord, whether it is in order for the Minister to say that something is utterly impossible, whereas the hon. Member for Linlithgow (Mr. Dalyell) has volunteered to do precisely what the Minister is criticising?

The Second Deputy Chairman: That is not a point of order for the Chair.

Mr. McLeish: I make a point of truth, Mr. Lord: in the Committee's previous five sittings, the official Opposition have scurried around, pretending that they are being supportive and respectful of the decision of 11 September—but nothing could be further from the truth. We hear talk of an English nationalist backlash. That worries me, but how real is that in the mind of the English people, as opposed to being solely in the mind of Conservative Members? If Conservatives pursue this idea, they are being anti-Union, anti-Scottish and anti the spirit of the devolution measures. Of course, that is the reality. They can pretend that they are concerned, but we have tonight exposed a core truth about the Conservative Opposition. They cannot face the results of 11 September or the fact that the Bill will strengthen the Union and is an excellent contribution to democratic accountability.

I ask the Committee to reject the amendments for the reasons that I have outlined so that we can move on and ensure that we have a strong Bill. That is the intention of the Government, the Liberals and the nationalists but not that of the Conservative Opposition—

It being half-past Five o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution [23 February], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 81 ordered to stand part of the Bill.

Clause 82 ordered to stand part of the Bill.

Sir Patrick Cormack (South Staffordshire): On a point of order, Mr. Lord. As a matter of courtesy, I have tried to give the Leader of the House notice of this matter. When the Select Committee on Modernisation of the House of Commons produced its unanimous report, my right hon. Friend the shadow Leader of the House and I commended it to the House and were glad to do so. We saw it as a constructive attempt to ensure better and more regulated scrutiny of business, and we were happy to agree to the programming of legislation.

When the Committee stage of the Scotland Bill was decided on, we readily agreed to the programming arrangements. We had no wish to frustrate the will of the Scottish people. We had no wish to filibuster, as has been evident from all the debates, but we were anxious to ensure proper, decent scrutiny of this most important constitutional legislation. However, this afternoon we have witnessed the frustration of the spirit of agreement into which we entered by the fact that the Government made a long statement which took up a full hour of the time allocated for a crucial element of the Bill.

Had the Government had to come to the House to make a statement about the situation in the Gulf or some matter of prime international importance, we would of course have accepted that it should take precedence. However, we do not believe—*[Interruption.]* I am seeking to make my point with cogency and courtesy, which cannot be said of the reaction of Labour Members.We do not believe that the statement this afternoon fell into that category. The spirit of the recommendations made by the Select Committee on Modernisation of the House is at risk because if what has happened this afternoon is what is going to happen to crucial legislation, we cannot co-operate.

The Second Deputy Chairman: They are not matters on which I can rule today, but I have no doubt that everyone has heard what was said and that those with responsibility for these arrangements will review matters in due course.

Mr. William Cash (Stone): Further to that point of order, Mr. Lord.

The Second Deputy Chairman: I do not think that there can be anything further to that point of order. We have dealt with it thoroughly.

Mr. Cash: With respect, Mr. Lord, you cannot know until you have heard my point of order. The Secretary of State for Scotland has just come into Committee. We have witnessed a disgraceful exhibition which was an attempt to curtail the debate, as my hon. Friend the Member for South Staffordshire (Sir P. Cormack) pointed out. The Secretary of State did not have the courtesy to reply to the debate. Is not that a matter of the utmost importance? Is not it also a disgrace and a discourtesy to the Committee?

The Second Deputy Chairman: The time allocated to the debate was decided some time ago.

Clause 83

CROSS-BORDER PUBLIC BODIES: INITIAL STATUS

Ms Roseanna Cunningham (Perth): I beg to move amendment No. 96, in page 38, line 25, after 'enactment', insert 'or by Royal Charter'.

The Second Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 256, in page 38, line 27, leave out from second 'functions' to end of line 28 and insert

'which relate to or affect Scotland'.

No. 93, in page 38, line 28, leave out from 'Scotland' to end of line.

No. 426, in page 38, line 28, leave out

'do not relate to reserved'

and insert 'relate to devolved'.

No. 97, in page 38, line 29, at end add—

'(7) Without prejudice to the generality of subsection (5), the following bodies are cross–border public bodies for the purposes of this Act—

(a) the British Broadcasting Corporation,

(b) the Independent Television Commission,

(c) Channel 4,

(d) Channel 5,

(e) the Radio Authority, and

(f) the Radiocommunications Agency.'.

No. 100, in schedule 5, page 66, line 28, at end insert—

'The functions of the Radiocommunications Agency in relation to Scotland (but not the international negotiations for the allocation of frequencies for the provision of radiocommunications services in Scotland).'.

No. 101, in page 66, line 28, at end insert—

'The disposal of that portion which is collected in Scotland of the total revenue from the imposition of fees for wireless telegraphy licences under Part I of the Wireless Telegraphy Act 1949.'.

No. 98, in page 75, line 32, after 'Corporation', insert

'except as regards the financing of services provided by BBC (Scotland), the appointment of a national governor representing Scotland, and the appointment and removal of the members of the Broadcasting Council for Scotland.'.

No. 99, in page 75, line 32, at end insert—*'Exceptions from reservation—*

The powers and functions of the Independent Television Commission in relation to—

(a) the licensing and regulation of regional television services for Scotland provided for under Part I of the Broadcasting Act 1990, as amended by Part III of the Broadcasting Act 1996,

(b) the licensing and regulation of digital television services exclusive to Scotland,

(c) the licensing and regulation of local cable services in Scotland, and,

(d) the promotion and funding of Gaelic television programmes services in Scotland.

The powers and functions of the Radio Authority in relation to—

(a) the licensing and regulation of radio programme services in Scotland,

(b) the promotion and funding of Gaelic radio programme services in Scotland.'.

No. 311, in page 75, line 32, at end insert—*'Exception from reservation—*

The appointment of the National Governor for Scotland of the British Broadcasting Corporation and the appointment of a Scottish member of the Independent Television Commission.'.

No. 413, in page 75, line 32, at end add—*'Exception from reservation—*

The promotion and funding of Gaelic broadcasting in Scotland.'.

No. 466, in page 75, line 32, at end add—*Exception from reservation—*

The Parliament may require the annual report of the British Broadcasting Corporation and the Independent Television Commission to be laid before it.'.

Ms Cunningham: I propose to speak to amendments Nos. 96 to 101 and No. 256 which stand in my name and those of my colleagues. I shall deal with them in two groups—one relates to clause 83 and the other to schedule 5—although they are all, in the main, to do with broadcasting.

I shall speak first to amendments Nos. 96, 97 and 256. This set of amendments returns us to the vexed question of the powers of the Scottish Parliament vis-a-vis bodies not dealing with devolved matters or bodies and individuals based outside Scotland. We had an extensive debate on the generality of this subject when we discussed clause 23, the amendments thereto and the powers of the Parliament to require the submission of evidence, both oral and written, so I shall try hard not to reprise the whole of that debate.

Clause 83, however, differs from clause 23 because it specifically designates bodies that are to be defined as cross-border public bodies. In the guidance notes provided when the legislation was published, clauses 83 to 85 were described as fulfilling the commitments given in paragraph 2.11 of the White Paper which, in my view, they manifestly fail to do.

I have read the paper placed in the Table Office yesterday. Among other things, it states:

"The White Paper . . . indicated that the Scottish Parliament will be able to require the submission of reports and the presentation of oral evidence from bodies"

which have devolved interests, but have United Kingdom or Great Britain remits at present. However, in the Bill, that particular power will relate only to devolved matters.

The paper goes on to state:

"The commitments given in the White Paper in respect of such statutory bodies are given effect to through clauses 83 to 85 of the Bill."

As I said, that is manifestly not the case.

Of necessity, I am going to have to repeat some of the sentiments expressed in the debate on amendments to clause 23. In particular, I want to cite once again paragraph 2.11 of the White Paper because it is important to remind hon. Members of what was originally promised. Paragraph 2.11 states:

"In certain reserved areas"—

I stress the word "reserved"—

"the activities of other UK/GB bodies which are accountable to the UK Parliament will continue to be significant in the economic or social life of Scotland, and therefore likely to be of interest to the Scottish Parliament. The Government propose that the Scottish Parliament should be able to invite the submission of reports and the presentation of oral evidence before its committees from bodies operating in reserved areas in relation to their activities in or affecting Scotland."

I emphasise the fact that the paragraph deals with reserved areas.

The definition of bodies given in paragraph 2.11 was that they would

"continue to be significant in the economic or social life of Scotland".

[Ms Cunningham]

The paragraph then gives some examples of such bodies. I shall not list them all—I have done that before—but, suffice to say, they include, inter alia, the BBC and the Independent Television Commission. Between the White Paper being published and the Bill being published, that has all disappeared.

The promises made in paragraph 2.11 of the White Paper are not allowed for in clause 23; nor are they in clause 83. Not a single example given in the White Paper of cross-border public bodies has found its way into any of the guidance notes, the list of what the Government regarded as cross-border public bodies when the legislation was published. As far as I can see, not a single one of those bodies appears in the list appended to yesterday's note that was placed in the Table Office.

I have asked before and ask again now, as I have not yet received a satisfactory answer, where, precisely, is the commitment given in paragraph 2.11 of the White Paper? Where is it implemented in the Bill? Why have the Government turned their back on their promise?

The Government have changed the whole definition without a single word of explanation and we are left with an emasculation of that commitment. Cross-border public bodies, as newly defined, must include among their functions those relating to devolved matters. That neatly excludes from the slightest accountability not just the entire list in the White Paper, but many other bodies as well, even the Scottish Law Commission; that must rank up there in the top 10 list of idiocies in the Bill.

Amendment No. 256—and amendment No. 93, which stands in the name of many Labour Members—would restore to the legislation the definition clearly envisaged in the White Paper, if not the whole of the original intent. The amendments would bring back into the definition the list in paragraph 2.11 of the White Paper, which includes the BBC and the ITC. In that way, we can be absolutely certain that we shall at least have reports laid before us, even if we are to be denied the ability to require the submission of evidence. We shall have to make do with "inviting" and hope that, in the case of some of the organisations, it does not mean inviting until the cows come home.

Amendments Nos. 96 and 97 are clear in their intent and move us on to the Scottish National party's concern about the position of broadcasting when the Parliament is up and running. Notwithstanding any other decision that might be made in respect of clause 83 or schedule 5, the BBC and the ITC would then have some minimum obligations to the Scottish Parliament—I stress the word "obligations".

Mr. Dalyell: The hon. Lady referred to the SNP's concern. I am not asking this in a hostile spirit, but what is the basis of that concern? I have not fully understood.

Ms Cunningham: The basis of the concern is the issue of accountability for vast areas of Scottish life that are incredibly important, but about which we shall not even have the ability to require people to come and give evidence.

This set of amendments is, in the main, to do with broadcasting, but it touches on a wider issue on which we have already had a substantive debate under clause 23. Clause 83 is about different groups of bodies. My contention is that the definition of those bodies clearly changed between the publication of the White Paper and the publication of the legislation.

Mr. Salmond: I have an advantage over my hon. Friend because I have been watching the visage of the Secretary of State during her speech. He seems to be puzzled by my hon. Friend's words. I am tempted to believe that this may be due to confusion on the part of the Scottish Office; perhaps it did not mean to miss out the list. Perhaps my hon. Friend will help the Secretary of State and point out to him, once again, how things have changed from the White Paper to the Bill.

Ms Cunningham: I simply refer the Secretary of State back to paragraph 2.11 of the White Paper which states that the bodies covered are bodies that deal with reserved areas but which

"will continue to be significant in the economic or social life of Scotland".

The long list of bodies appended to that paragraph includes, in every case, bodies whose interests and concerns are in purely reserved areas. None of that appears anywhere in the legislation. What was clearly envisaged was that, although the bodies do not cover devolved areas, there would be an element of accountability to the Scottish Parliament for their functions within Scotland. Effectively, that has disappeared. The Secretary of State still appears to be puzzled, but, perhaps when the debate is finished, he should have a careful look at the difference between the White Paper and the Bill.

Amendments Nos. 98 to 101 all relate to exceptions from the reservations contained within schedule 5. In their entirety, they would provide a measure of devolution of broadcasting which was a surprising omission from the White Paper and the legislation. It was surprising, because it is clear from all I have read that many people, including broadcasters, simply assumed that that would be included and were mightily surprised when it was not. Supporters of the call to devolve broadcasting to Scotland include a former BBC controller, Pat Chalmers, Ruth Wishart, who I believe is a close friend of the Secretary of State, and the broadcaster Colin Bell. They are all supporters of the pressure group, Voice for Scotland. I chose them particularly because I suspect that they cover a range of political opinion, but are united on this one issue.

Mr. Wallace: There does not seem to be a Tory.

Ms Cunningham: Finding a Tory in Scotland these days can be difficult.

All those people recognise that we are debating a scheme in which responsibility for the arts, education and Gaelic are all devolved, while responsibility for broadcasting is not. That means that all aspects of cultural life are covered, except broadcasting. There will be a separate Scottish Arts Council, but no body responsible for broadcasting.

5.45 pm

An article written by Ruth Wishart, which appeared in *The Herald* on 2 March, makes that cogent point. She points out that there is a

"natural logic in broadcasting being part of the devolutionary package."

Ruth Wishart uses the Scottish Arts Council as an example of what arguments can be put forward and how pointless they can be. She says that the arguments being used against broadcasting now are the same as those used against the Scottish Arts Council ceasing to be involved with the Arts Council of Great Britain. She says that it would be almost unthinkable to imagine a situation where the Scottish Arts Council was not in the position that it is now, especially given the advent of the Scottish Parliament. She says that broadcasting is in the same boat.

I am grateful to Ruth Wishart for pointing out another interesting example which she says—I agree with her—is an indication of what can be the big difference between Scotland and the rest of the United Kingdom. She says that consideration of any two newspapers produced in London and Scotland on the same day would show that the editorial priorities are obviously different. She says that if the same test is applied to television and radio, in many ways, Scotland is short-changed. Her view on that is fair and is held by a number of people.

Broadcasting is a key part not just of cultural life, but of the political process. Those of us who are politically active in Scotland—that is the Labour party, the SNP and the Liberal Democrats—already know that, in many respects, the political debate is quite different from the debate in the rest of the United Kingdom. The advent of the Scottish Parliament will make that difference even sharper. At least one Scottish journalist—Simon Frith writing in *The Scotsman* on 28 November 1997—questions whether, if we continue with the present arrangements, broadcasters will be able to play their role properly in that debate. There will only need to be another "Panorama" debacle for the issue to be at the forefront of the Scottish Parliament's concern. It will be nonsensical if the decision-making process is left to the London-based establishment after the Scottish Parliament is up and running.

The Secretary of State for Scotland (Mr. Donald Dewar): Am I to understand that the hon. Lady wants a devolved Scottish BBC? Will she explain how that would work? Would there be a separate royal charter for Scotland because the BBC is rather different from a statutory body? How would it be managed? On a boring, practical point, can she say a little about the financial arrangements? What would be the impact of the change on the financial arrangements?

Ms Cunningham: If the Secretary of State cares to look, he will see that one of our amendments deals with the issue of licence fee income and the repatriation to Scotland of that portion which is raised in Scotland, which is one way in which to deal with the matter. As for his other point, as I understand it, it is perfectly possible within the context of the current charter to devolve and it would be interesting if that debate were to take place. If there has to be a separate charter, let there be a separate charter, but that is something with which we can deal in the fulness of time.

Mr. Dewar: That is a very interesting point. The hon. Lady says a separate charter is not needed, because we can devolve broadcasting in Scotland within the BBC charter. I think that she is quite right. It follows that the matter has nothing to do with legislative devolution and a lot to do with persuading the BBC that there should be devolution within that body and likewise persuading other bodies of a similar nature. This issue is not about legislative regulation and the words in schedule 5, but about the spirit in which the BBC and other bodies approach the challenge of devolution and the consequences of that for the United Kingdom.

Ms Cunningham: The right hon. Gentleman may be correct. Perhaps those bodies will not need persuading and will do it off their own bat—if they did, that would be excellent. However, there is to be a review of the BBC's funding base in 2001 and a charter renewal in 2003 and, although the Scottish Parliament will be well into its deliberations by then, it will have no official role to play in those events—not a single word said in the Scottish Parliament will have any direct effect on either of those deliberations. No doubt, the Scottish Parliament will debate those matters and, no doubt, various persons from the BBC within and—I hope—outwith Scotland will respond positively to invitations to give evidence; but the bottom line is that the Parliament will not have any official input to any part of that debate.

I gather that there was a conference on Friday last week which was addressed by the Secretary of State, among others. It was referred to in the article by Ruth Wishart that I have already mentioned and in an article by Magnus Linklater, writing in *Scotland on Sunday* this Sunday past. Both writers picked up on the Secretary of State's comment that he was not saying that devolved broadcasting would mean kailyard programming. However, by making that statement, the right hon. Gentleman was the one to throw it into the pot and, having raised the possibility, however negatively, it becomes like the elephant in the courtroom—impossible to ignore. Such a view displays an astonishing degree of self-loathing, especially given some of the programming to which we are already subjected daily. I am happy to note that, according to Magnus Linklater, it was not the view of a majority of the conference that anything like that would happen if broadcasting were devolved.

Mr. Salmond: I am certain that it is not the view of the Secretary of State that devolved broadcasting would be kailyard broadcasting, but I seem to remember a speech by the Minister for Education and Industry, Scottish Office, at the Edinburgh festival last year, in which he forcefully advanced that argument. Although I do not recall his using that exact phrase, he argued that broadcasting would somehow be diminished if it were devolved.

Ms Cunningham: As I understand it, the Secretary of State for Culture, Media and Sport has in the past made similar comments, which have generated some criticism. That is the not the view held by the majority of the broadcasters of Scotland. They are confident that they would cope well if there were devolved broadcasting in Scotland. Given that confidence and the new cultural and political imperatives brought by the new Scottish Parliament, it is puzzling that in no circumstances is the devolution of broadcasting to be countenanced.

Rapid changes are taking place in broadcasting; in particular, there is the imminent arrival of digital television. Those changes have already provoked major adjustments to the ownership and control of the Scottish media—a matter in which the Scottish Parliament will have no real say in future. In the amendments, we are trying to look at the matter in the spirit of devolution, which is difficult for those of us who want more than that, but it is what we are trying to do. The truth is that, ultimately, the framework for broadcasting is set by

[Ms Cunningham]

politicians. We desire at least to create a framework for Scotland for what will happen and not only for what cannot happen.

We propose that there should be exceptions to the reservation in schedule 5 so that scheduling and finance, in so far as they relate to services in Scotland—for example, responsibility for BBC Scotland and its services within Scotland—are devolved to a broadcasting council for Scotland, whereas the BBC generally remains responsible for UK services. Equally, the Scottish Parliament would have powers over a Scottish ITC equivalent to the powers currently exercised by the Westminster Parliament over the ITC.

It would have been easier by far make a straightforward exception to the reservation of broadcasting as a whole, but I do not for a single minute pretend that every part of the Bill is necessarily straightforward. Amendments Nos. 98 to 100 make it clear that we are trying to confine the issue to those functions that relate particularly to Scotland and will not encroach on wider UK powers. Amendment No. 98, which deals with the appointment of a national governor, is another amendment which would restore the position to that stated in the White Paper. Amendment No. 101 is clear: it deals with the licence fee income raised in Scotland and, as I have already referred to it, I shall not spend any more time on it. I commend the amendments to the Committee. I ask hon. Members to consider the reality of the situation that will face us and to accept that the logic of devolution of broadcasting cannot be argued against.

Mrs. Maria Fyfe (Glasgow, Maryhill): I rise to speak in support of amendment No. 93, which stands in my name and those of my hon. Friends. When I tabled the amendment, I was thinking not about the BBC, but about the relationship between the Equal Opportunities Commission and the Scottish Parliament. The simplest way in which to bring the EOC's activities in Scotland under the scrutiny of the Scottish Parliament would be to include the EOC on the list of cross-border public bodies; however, it has not been included on that list. Clause 83, which relates to cross-border public bodies, states that such a body is one that has

"functions exercisable in or as regards Scotland which do not relate to reserved matters."

However, all aspects of the Sex Discrimination Act 1975 are reserved, so the EOC does not fall within the definition as currently set out on the face of the Bill. If the words,

"which do not relate to reserved matters"

were deleted, the EOC could legitimately fall within that category.

If the EOC is not deemed to be a cross-border public body, the Scottish Parliament will have no power in relation to it. Clause 23 states that the Scottish Parliament

"may require any person . . . to attend its proceedings for the purpose of giving evidence"

relating to devolved matters. However, it continues:

"That power is not exercisable in relation to . . . a person discharging functions of any body whose functions relate only to reserved matters".

In addition, clause 107, when read alongside clause 106, makes it clear that the EOC will not be required to lay its annual report before the Scottish Parliament. All that ought to be cleared up, because we must make it clear what we shall do regarding the EOC in respect of all the matters that are devolved, such as housing, education and careers, to name but a few.

In addition to concerns about the EOC, I feel a particular concern about disability discrimination. Enable has pointed out that the Government have appointed a task force to make recommendations for a UK-wide disability rights commission to enforce disabled people's rights under the legislation. The Bill as drafted would appear to prevent the Scottish Parliament from having any powers in relation to that prospective commission, yet many of the Scottish Parliament's activities—social work, education, housing, health, and so on—will be important to disabled people. Those are my reasons for tabling the amendment and I hope to hear a constructive reply from my hon. Friend the Minister.

Mr. Godman: I have a couple of questions for my right hon. Friend the Secretary of State relating to what the hon. Member for Perth (Ms Cunningham) said. I do not sympathise greatly with what she said, but several concerns about broadcasting in Scotland have been voiced to me. I hope that the Parliament and the broadcasting authorities can quickly establish a modus vivendi that enables them both to deal with such concerns.

Mr. Jack Gerson, the thriller writer who has written a number radio scripts, has spoken to me about his worries about the BBC and STV following the setting up of the Edinburgh Parliament. He told me recently that the drama departments of Scottish Television and the BBC were showing less interest in Scottish writers and Scottish drama. I hope that that will not be the case when there is a Scottish Parliament.

6 pm

Have there been any discussions—albeit we are at an early stage—about a dedicated channel for the Parliament? That could easily be achieved. Such a channel would be a boon for those in the highlands and islands and others who live a long way from Edinburgh. I hope that all the broadcasting authorities will have ready access to the Parliament. A modus vivendi must be established as early as possible to deal with some of the concerns that have been voiced about the growing remoteness of the broadcasting authorities from drama and documentaries in Scotland.

Mr. Wallace: May I say how pleasant it is to see you in the Chair, Mr. Winterton, for this important debate? I should like to make some points on cross-border public bodies before moving on to some of the issues of broadcasting that have been raised. The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) raised some important points about equal opportunities. Looking at the provisional selection of amendments by the Chairman of Ways and Means, we should have plenty of opportunity to go back to that issue in more detail later. I apologise to the hon. Lady if I do not deal with it in this speech.

The Government have made efforts to enable some cross-border public bodies that also deal with reserved matters to have responsibilities for non-reserved matters. However, there is no proposal to exempt the BBC and STV from the reservation. I echo what the hon. Member for Perth (Ms Cunningham) said, because there has been

an expectation that senior representatives of the BBC will be brought before the Scottish Parliament. If possible, that should not be a request, because I suspect that they would be able to spot the difference between a request and a requirement if they wanted to wriggle out of it.

The Scottish Law Commission is in the list in the draft order that has been placed in the Library. Will the chairman and members of that commission be appointed jointly by the Secretary of State for Scotland and the Lord Advocate, or will it be a matter for the Scottish Parliament? I accept that there will be occasions when the Scottish Law Commission may be asked to produce a joint report with the Law Commission for England and Wales or to advise on rules that relate to reserved matters, but there was an expectation that appointments to it would fall within the competence of the Scottish Parliament.

I understand that the social security commissioners are appointed by the Lord Chancellor on the advice of the Lord Advocate. What will the position be in that case? Will the Scottish Court Service still have responsibility for making provision for the administrative arrangements of the social security commissioners, even though social security will not be a devolved matter? Some clarification would be welcome.

Mr. Dewar: Really?

Mr. Wallace: The Committee would welcome clarification. The Secretary of State laughs, but I am sure that he agrees that it is better that the issue should be clarified now than at some time after 2000. We do not want a stushie between the Scottish Court Service and Westminster on who will pick up the tab.

There was some disappointment about the fact that schedule 5 has a blanket reservation on broadcasting. I am not betraying any confidences on how the Scottish Constitutional Convention reached its agreement on broadcasting. That was one of the last matters to be agreed. Hon. Members who were members of the convention may remember that, at one of the later meetings, it was agreed that all matters that fell within the responsibility of the Secretary of State for Scotland should be devolved. That was fine, until someone reported at the next meeting that the Secretary of State had no responsibilities for broadcasting—hence the blanket reservation.

With more consideration, more flexibility could have been shown on some issues. Some clarification of the position on Gaelic broadcasting would be helpful. Our amendment No. 413 would make an exemption from reservation with regard to

"The promotion and funding of Gaelic broadcasting in Scotland."

In a letter to my hon. Friend the Member for Argyll and Bute (Mrs. Michie), the Gaelic Broadcasting Committee suggested that

"the Scottish Parliament would control the funding of the Gaelic Broadcasting Committee".

I would welcome clarification on whether that will be the case. The reservation covers

"The subject-matters of the Broadcasting Act 1990 and the Broadcasting Act 1996."

The Gaelic Television Committee, which subsequently became the Gaelic Broadcasting Committee, has its statutory basis in those Acts. Section 183(1) of the 1990 Act says that the Secretary of State

"shall, for each subsequent financial year,"—

from 1992-93 onwards—

"pay to the Commission such amount as he may, with the approval of the Treasury, determine to be appropriate for the purposes of this section."

Schedule 19 to that Act says that

"the Committee shall prepare a general report of their proceedings during that year and transmit it to the Commission."

It further says:

"The Commission shall send a copy of each annual report received by them in accordance with his paragraph to the Secretary of State who shall lay copies of it before each House of Parliament."

It would be odd if something that is so much a part of Scottish culture were removed from the remit of the Scottish Parliament. I hope that there will be some acknowledgement of the role of Gaelic broadcasting and the fact that it would be appropriate for the Scottish Parliament to have a role. The budget in 1991–92 was £9.5 million, whereas it is £8.5 million in 1998–99. If there were no Scottish parliamentary input into that, there might be a fear that the sum would decrease further.

More generally, we are talking of the arts, sport, heritage, tourism and film as devolved matters, while broadcasting is not. I am not in favour of a separate Scottish broadcasting corporation; I do not think that it would make sense and I do not think that Scotland's viewing population wants it. We should look to areas in which there may be scope for devolved powers, such as in local television. The advance of technology in telecommunications allows greater provision of local television. Such provision would not interfere with wavebands or national broadcasting organisations.

The Institute of Local Television has said:

"By applying the principle of subsidiarity to the allocation of broadcast frequency channels and cable channels a coherent view can be adopted by the Scottish Parliament for the introduction of digital broadcasting services in the best interests of Scotland, to enhance local economic and cultural diversities".

There could be such provision at a Scottish level.

I would like to think that someone could continually press Channel 5 to ensure that its coverage reaches the many parts of Scotland which are without coverage at the moment, particularly as it is broadcasting Scotland's away games in the qualifying stages of the European nations championship. There is considerable resentment in many parts of Scotland, including my constituency, about not being able to receive Channel 5. It would be very welcome if the Parliament could do something to encourage Channel 5 to extend its coverage.

My hon. Friends and I propose that the appointment of the Scottish governor of the BBC and the Scottish member of the ITC should be a matter for the Scottish Parliament. The Scottish Parliament should also at least have the discretion to require the BBC and the ITC to lay their annual reports before it, as they have to before the Westminster Parliament. That small matter might seem narrow procedurally, but it would establish some chain of accountability between those important broadcasting organisations and the Scottish Parliament.

Mr. Dalyell: I do not want to be pedantic, but when the hon. and learned Gentleman says that the Scottish

[Mr. Dalyell]

Parliament should appoint the governor of the BBC, does he mean the Scottish Executive or the Parliament as a whole?

Mr. Wallace: Our amendment says that the appointment of a national governor for Scotland of the BBC and of the Scottish member of the ITC should be an exception from reservation. It would be a matter of whether Parliament approved or the Scottish Executive nominated. As the Bill stands, nothing can be done. We are trying to put the matter within the realms of the responsibility of the Parliament and the Scottish Executive, which is answerable to the Parliament. The amendment's intent is to improve accountability.

From experience of meeting Scottish broadcasters, I know that there is a great deal of enthusiasm for the approaching Scottish Parliament. They see opportunities, not least in the broadcasting of the Parliament. My expectation and hope is that the effects of having a Parliament again in Scotland will go far beyond politics to stimulate arts, culture and broadcasting in Scotland. I think that the Secretary of State said that when he intervened on the hon. Member for Perth. As much of the debate is about devolution in the BBC as it is about devolution in the United Kingdom. Anything that can be done to stimulate, encourage or prod London and the BBC to go down the devolutionary road would be very welcome.

Some of us remember the sheer insensitivity of those in London when they sought to broadcast a full "Panorama" interview with the Prime Minister only a few days before Scottish local elections. The matter was not only about the fact that the BBC did that, but that it did not see anything wrong in doing so and could not understand why people in Scotland might think that such a move upset the normal rules and balance of broadcasting before an election.

Five years ago, without consultation, the BBC removed resources from Scotland and centralised them in London, which caused quite a row at the time. Only last month, the *Financial Times* reported that John Birt is to put before governors a proposal

"to place large parts of its resources directorate—which includes all studios and technicians—into a wholly owned commercial subsidiary.

BBC staff unions . . . protested at an earlier version of the plan on the grounds that it would encourage privatisation of the BBC resources directorate".

The concern is that such a resource will be even further removed from any accountability to the Scottish Parliament. If the move were to lead to privatisation, there would be no separate Scottish privatisation. We have seen how separately privatised Scottish utility companies have been able to go from strength to strength, whereas some other privatisations in which no separate Scottish company was established have meant that Scotland has often had to bear the brunt of rationalisation, when decision making, senior technicians and senior management have been moved out of Scotland.

Looking further forward, there is an argument for ensuring greater appreciation in the BBC of the need to decentralise. That could be helped along the way by making the appointments described in the amendment the responsibility of the Scottish Parliament or the Scottish Executive and by, very simply, asking the BBC and the ITC to lay their annual reports before the Parliament. I ask the Secretary of State to consider that; it does not ask very much. Doing that might ring bells in London that things have changed and that people must be sensitive to a Scottish dimension. I hope that broadcasters and particularly the BBC rise to the challenge of devolution. They have a vested interest in its success. I very much hope that this debate and proper, fair consideration of the amendments will stimulate the BBC, particularly in London, to wake up to what is happening north of the border.

6.15 pm

Mr. Michael Connarty (Falkirk, East): It is a special delight to see you, Mr. Winterton, in the Chair. I know that you are the chairman of the United Kingdom-wide all-party media group and will therefore no doubt pay particular attention to some of this debate.

The metaphor "elephants in the courtroom" is certainly a new one on me—but then lawyers, who are so abundant in this place, probably recognise it. I thought of other little phrases that trip off the tongue, such as "bull in a china shop" and "snake in the grass"—the Scottish National party involvement in the debate made that jump to mind.

The debate is not about devolution. For those who have tabled the amendments, it never has been. SNP Members have softened their tone tonight, but they have not done so in public debates—nor have they in trying to give influence to the group named by the hon. Member for Perth (Ms Cunningham), A Voice for Scotland, which is quite clearly a voice for separate media in Scotland, separate broadcasting in Scotland and separate regulation and control of media and broadcasting in Scotland. That is the quite clear message that SNP Members put out in debates that I have had with them in public, on television and in private discussions. This debate is about separation of broadcasting and control of that separate broadcasting.

Ms Roseanna Cunningham: Will the hon. Gentleman give way?

Mr. Connarty: Not at this particular moment. I will let the hon. Lady in later.

Ms Cunningham *rose—*

The Temporary Chairman (Mr. Nicholas Winterton): Order. The hon. Member for Falkirk, East (Mr. Connarty) is not giving way. I am grateful to the hon. Lady for resuming her seat.

Mr. Connarty: So am I. I will allow her in later, so she can hold her wheesht at this moment.

I heard mention of what is in fact the Department for Culture, Media and Sport. It may have been the Department of National Heritage when, as the hon. Member for Perth thought, it made some unhelpful comments. Although I am a parliamentary private secretary for that Department, I am speaking not with a brief from it but as a Back Bencher and a Scot.

I am not precious about either of the Parliaments. It is quite clear that the people who are leading the debate are precious about a separate Parliament in Scotland and

therefore do not necessarily hold in any value the contribution of this Parliament to the questions raised by the hon. Member for Perth. Broadcasting is very much based on regulation on a European basis and will move quickly in the satellite and digital era into a world debate. That is the context in which we should be thinking—not about shrinking the debate into a Scottish debate as if, somehow, broadcasting can be controlled by some sort of border network of electronics that would prevent anything coming from anywhere else. I see the hon. Member for Perth pulling a face, but the debate is in that context for many people. They think that they can have control over the BBC in Scotland and the other media, such as the Scottish Media Group, and somehow make them bring out programmes that they find culturally and politically acceptable. That is the undercurrent of the debate and the political drive for the debate for many of the people in the Scottish National party.

It is wrong of those people to have that as an aspiration or to think that anyone in the media shares it. A few names were mentioned. One that is normally to the fore is that of George Kerevan, who speaks for that party. I believe that he is one of its vice-chairs, with responsibility for such matters. He makes it clear that the debate is all about having more Scottish programmes and developing the Scottish culture, as if that could not be done by the broadcasting media at the moment. In fact, I think that it is being done very well.

The hon. Lady made a point about Scottish newspapers, saying that their editions in Scotland are somehow acceptable, whereas other broadcast media programmes are not acceptable. I think that that was a demonstration of "Panorama paranoia", because one particular programme heated up the debate slightly in the pre-election days and was then seen as a touchstone for what could or could not be done.

The other point that the hon. Lady made, which I thought was particularly inept, was the concept that the BBC funding review in 2001 would be better debated in a Scottish Parliament in which Scottish Members of Parliament would contribute as the people taking the lead and making the controlling decisions.

That reminded me why it is important to send United Kingdom parliamentarians elected in Scotland down here to talk, debate and contribute on that and other matters at a UK level. If the right hon. Member for Huntingdon (Mr. Major) had been in the Chamber he might have agreed about that, although he does not want them to talk about matters to do with English local authorities, for example. The broadcasting point would be debated at the right level, in a UK-wide framework in relation to European regulation and European involvement in the control, regulation and development of the media—a context in which, as I am sure that you, Mr. Winterton, know, it will probably be debated more than ever.

A comment that I found rather weak was the idea that broadcasters "could cope well" with devolved broadcasting. What a strange phrase for someone who aspires to have an independent Scotland—that under devolved broadcasting it could "cope well".

Everyone in the media to whom I have spoken, and everyone who has responded in the discussions that I have been involved in, has been talking about a blossoming of broadcasting in Scotland at this moment under the present regulation. They have been saying, and I agree with them, that with a devolved Parliament the amount of interest in and impetus for the Scottish culture will be such an enormous fillip to their efforts that broadcasting will blossom.

The hon. and learned Member for Orkney and Shetland (Mr. Wallace), the leader of the Scottish Liberals, was saying how digital and local production would, we hope, blossom. Everyone I talked to saw that as being possible. Many parts of Scotland with digital channels would be able to broadcast and develop their own cultural base.

The Dundonians will come back into their own, and the people from Ayrshire, from the north and the islands—

Mr. McAllion: What do you mean, "Come back?"

Mr. Connarty: I have every confidence—but we shall have to learn how to understand. At first it would be just about as difficult to learn how to understand the Gaelic as to understand a true Dundonian accent. I know that.

Broadcasting in Scotland could blossom in all those respects in local areas. I am very much a supporter of local radio, and in the future, it is to be hoped, local television broadcasting will be added. That can all be done in the present context of UK regulation. The present controllers are not holding that back.

At one of the debates in which the listeners and viewers consumers panel held an open forum in Stirling, I debated with Mr. Kerevan and a representative of the Liberal Democrats—a Mr. Sullivan, I believe—who seemed to be taking a line similar to that of the Scottish nationalists, taking about a separate broadcasting regulation set-up. All the people were there from the media and the present controller of BBC Scotland was supportive of our position rather than that of the people from A Voice for Scotland.

In the early days, when the subject was debated and discussed, it was admitted that that might have been possible. I hear the White Paper quoted again and again to the effect that it might have been possible or even sensible to devolve regulation or some part of regulation. But when we looked at the idea in more depth it was clear that it would have been a narrowing of the base of Scottish broadcasting and therefore inappropriate.

The people from the Scottish Media Group, who now own a cross-media group of both written and broadcast media in Scotland, were also of the opinion that the present regulation situation, the present relationship, which is in the powers the Secretary of State has at this moment, which will be devolved, and the things that will remain as reserved, are the appropriate context in which they wish to develop. They see that as no barrier to making and selling programmes both in Scotland and outside Scotland. Therefore, it is a backward step to try to take any of that over the border and somehow shrink it into a Scottish Parliament context.

On the question of finance, the contributions from the BBC were interesting. The BBC believes that with its spare income—that is, the income that it does not spend on its own Scottish network—it can buy in network programmes, but that if the programmes that it buys in through the BBC network at this moment had to be bought on the market, it could not buy them in with its present income from the licence fee in Scotland.

The BBC would therefore have to reduce the programmes that it offers the people of Scotland if it had to be self-sufficient outwith the BBC network as it stands at the moment, and had a separate charter and licence collection.

[Mr. Connarty]

Whether people like it or not—personally, I am not a great follower of soaps—in percentage terms there is probably just as much interest in the population of Scotland as there is elsewhere in what goes on in "Coronation Street". My hon. Friend the Member for Glasgow, Pollok (Mr. Davidson) is not in the Chamber, but I know that he ensures that all the programmes are taped. He has not missed a part of "Coronation Street" since it started when he was a boy, he tells me. He has it taped so that he can watch it at the weekend.

Mr. Godman: The interest in the soaps is to be found throughout these islands. May I remind my hon. Friend that at the recent Irish election, an independent candidate in County Kerry won election to the Dail on his campaign for greater access to BBC and ITV programmes, especially "Coronation Street".

Mr. Connarty: I understand and sympathise with that. I do not follow the programmes, but I know that most people know where Albert square is.

Mr. Godman: Who is he kidding?

Mr. Connarty: I used to follow—

The Temporary Chairman: Order. the hon. Gentleman is going a bit wide of the amendment. I hope that he will take no more time in responding to that intervention.

Mr. Connarty: The intervention stands on its own, Mr. Winterton. People want to see the programmes on the network. They do not necessarily want to watch programmes made in Scotland about Scotland. That is not to say that they are resistant to those programmes or do not value the contribution made by the Scottish media and culture to Scotland, but Scotland exists within the UK and within Europe—and it has a big international world view. Scotland sees itself not as a nation that wants to be shrunk but as a nation that wants to be expanded.

Unfortunately, the proposal smacks of trying to reduce broadcasting and the other media in Scotland to something controllable. I think that that is the agenda. There is a spectrum. Accountability has been talked about, and I think that we have that. It lies here in the UK Parliament.

I believe that the controller of one of the broadcasting organisations said that if invitations were issued, not only would his organisation accept, but it would be pushing to be heard by the Committees and Sub-Committees of the Scottish Parliament. That is correct. The organisations want to broadcast what they have to offer.

The spectrum starts with accountability, then moves over to regulation. Regulation is not necessarily being discussed or put forward now, because it does not stand up, but it is the aim of the Scottish National party. The Liberal point of view—having control of who is appointed—still worries me because we would take that out of the context of a UK broadcasting network and take it into a Scottish Parliament.

What happens to the people who are down here who see the remit as a United Kingdom remit and then have to see it given just to the Scottish Parliament? That would begin to create the very fracture that the right hon. Member for Huntingdon warned us about. That scares me in its political context. It is about generating separation and conflict and about generating English and Scottish nationalism—even in the context of a devolved Parliament. That worries me.

It is a question of control. The amendments are motivated mainly by the wish to control the broadcasting media and to control what it puts out to people. It is an attempt to grab the minds of the people and to use the media to foment in them a sense of separation and nationalism that would benefit only those who follow the separatist view. It is the beginning of a very dangerous move—one which I hope the Secretary of State will resist. I am sure he will do so this evening.

6.30 pm

Mr. Jenkin: We have listened to an interesting debate about whether there should be further devolution in broadcasting and other matters than is provided for in the Bill. I shall return to the comments of the hon. Member for Falkirk, East (Mr. Connarty).

In moving the amendment, the hon. Member for Perth (Ms Cunningham) referred mainly to clause 83 and to cross-border bodies. Clause 83—one of three that deal with such bodies—provides for cross-border bodies as set out in the draft order the Secretary of State has most helpfully provided for the debate. It includes such august bodies as the British Library Board, a lot of obscure ones and controversial bodies such as the Meat and Livestock Commission and meat hygiene appeals tribunals. Matters arising from those bodies are subject to devolution to the Scottish Parliament, raising questions about the coherence of UK policy. That is an issue we have not yet gone into.

I should say that amendment No. 426 is merely a clarifying amendment to which I shall not refer at any length.

The draft order contains an interesting assurance on behalf of the Government. It states:

"The Government envisage however that the Scottish Parliament will want to continue most such arrangements in the light of the advantages of sharing knowledge and expertise on a UK or GB basis and of the greater efficiency in the use of resources."

That expectation seems to be confounded by today's debate. The amendments set out to challenge not just whether the bodies should continue to be administered on a joint UK basis but whether bodies that have interests in reserved powers—notably the BBC—should continue on a UK basis.

The hon. Member for Perth expressed disappointment that paragraph 2.11 of the White Paper has not, in her view, been fulfilled. I am afraid that the hon. Lady is simply making mischief. The operative word in paragraph 2.11 is "invite". At no point does the White Paper raise any expectation that the Scottish Parliament will hold over any body any obligation that has solely to do with reserved powers. That is clear, and I want to put it on the record that we will support the Secretary of State on this matter. In our attempt to create a stable settlement between the Scottish Parliament and the Westminster Parliament, we cannot argue on the basis of fantasy or on the basis of what the hon. Lady would like to have had in the White Paper.

I wish to refer to the substance of the amendments about broadcasting. Many matters of concern to Scottish Members of Parliament will be replicated in the Scottish

Parliament. As I listened to discussions on the degree of devolution within the BBC or the insensitivity of the BBC in London to Scottish issues, I reflected on the fact that here we have, in miniature, the same debate that we are having about the administration and accountability of the UK Government.

The more the Scottish BBC has had delegated to it, the less the BBC in London has been involved with Scottish issues. A consequence of that is that the BBC in London is likely to become less sensitive to Scottish needs. That will drive the demand that the Scottish BBC should be more accountable to the new Scottish Parliament. That seems to be the road down which we are going.

The amendment tabled by the hon. Member for Perth and, to some extent, the amendments tabled by the Liberal Democrats, which suggest that the BBC and broadcasting as a whole should, to some extent, be answerable to the Scottish Parliament, are, in view of the shape and intent of the Bill, entirely logical. They are an extrapolation of the Bill that many will regard as only half a Bill. The hon. Member for Perth said that the amendments were tabled in the spirit of the Bill—the spirit of devolution. Her game is obvious: she finished by talking about ownership and control. Those may well become issues of concern to the Scottish Parliament.

It is difficult to imagine how the Westminster Parliament will block its ears to demands from the Scottish Parliament for a say over some of these issues. It will be a cheese-paring operation. The Parliament will begin by wanting a say over the appointment of the governor, then it will want a say over appointments to the Independent Television Commission, but that will not satisfy the frustrations that the hon. Member for Perth and others will continue to express.

The Government have tried to reduce the question of devolution to a simple yes-no question, but the amendments graphically demonstrate that devolution is a matter of degree. The argument about the degree of devolution has started even before the Bill has become an Act. Now that Scotland is to have control over so much of its affairs, why should it not have a greater say on broadcasting?

I have some idea what the Secretary of State will say. I can hear him argue that it would not be right for the Scottish Parliament to have the power to alter legislation governing broadcasting and its regulation. I can hear him say that this is not because of a lack of faith in the Parliament or in Scottish broadcasters, but because the single UK market and the regulatory regime will be difficult to break up without creating inefficiency, which would harm the interests of Scottish viewers and listeners. It is a rational case.

The Secretary of State will warn, no doubt, of additional costs to Scottish broadcasters if, for example, a Scottish regulatory authority were to take a different view from that in England. Producers of television programmes would effectively have to work to two different codes if their programmes were, as is commonly the case, shown in England and Scotland.

Mr. Connarty: I am enjoying the hon. Gentleman's star gazing, but what do he and his party think?

Mr. Jenkin: We have tabled a probing amendment and we are witnessing the beginnings of a tussle that will not end with the passing of the clause and the Bill.

I expect that the Secretary of State will explain how everything about British broadcasting works very well for Scotland at the moment and that there is plenty of talent. No doubt he will argue that devolution will give a fillip to Scottish broadcasting. He will say that quality production in Scotland is already capable of succeeding in the UK market and that maintaining the common UK market will aid progress, whereas fragmentation would hinder it. That will be the burden of the Government's case.

Does not the Secretary of State think that fragmentation will also hinder progress in policies on fishing or agriculture, for example? The hon. Member for Falkirk, East said that broadcasting was becoming a global business, but that applies to many matters—the environment, for example—that will be devolved to the Scottish Parliament. Why do not the arguments about extra costs and inefficiency apply to all the bodies that are listed in the draft order and to many of the functions that are being devolved?

This debate has shown that the arguments that the Government have deployed to advance the case of devolution will be used by those who want further devolution. Broadcasting, like many other issues, will quickly become a bone of contention for the new Parliament. Stability will be most difficult to achieve.

Mr. McAllion: Earlier, the right hon. Member for Huntingdon (Mr. Major) warned the Committee—such was his concern about the constitutional implications of the Bill and such was his outrage at the lack of time that had been allocated to debate it—that we were all doomed, constitutionally speaking. I note that his concern and outrage were such that he has now found something far more important to do than to stay in the Chamber to listen to the debates—he has gone away to do something that he regards as far more worthy of his precious time. We can judge his earlier speech by his absence now—it is symptomatic of what is wrong with the Tory party and why it is not represented in Scotland.

I speak in support of amendment No. 93, which I tabled with my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) and others. Like her, I received a letter from Enable, the Scottish Society for the Mentally Handicapped, supporting the amendment. It said that the Scottish Parliament must have powers and responsibilities in relation to cross-border bodies such as the Equal Opportunities Commission and the disability rights commission that is to be set up. It pointed out that it would be anomalous that the Scottish Parliament should have responsibilities for social work, housing, education and health, which directly affect people with disabilities, but no formal power over the Equal Opportunities Commission or the disability rights commission.

My hon. Friend the Member for Maryhill will be delighted to know that I also received a letter from the Dundee Trades Union Council supporting the amendments that she tabled on equal opportunities and on gender equality. I hope that she will remember that Dundee expects her to argue strongly for gender equality and that she will press the amendments to a Division if necessary. I note that my right hon. Friend the Secretary of State seems to have become alarmed at the prospect of Dundee once again raising its ugly head.

There is no uniformity of views within or across parties on the role of broadcasting and its relationship to the Scottish Parliament. The hon. Member for North Essex

[Mr. McAllion]

(Mr. Jenkin) accused the hon. Member for Perth (Ms Cunningham) of fantasising about the White Paper. I hope that the hon. Lady's life is more exciting than that and that she does not have to fantasise about White Papers on constitutional change. It was an unfair barb.

Mr. Godman: She is a lawyer.

Mr. McAllion: Perhaps lawyers do fantasise about these things, but my right hon. Friend the Secretary of State is also a lawyer, and I am sure that he would refute such a suggestion.

My recollection of the White Paper is that it recognises that cross-border bodies such as the BBC and the Independent Television Commission will continue to be significant to the economic and social life of Scotland, and so will be likely to be of interest to the Scottish Parliament. I hope that hon. Members from all parties will agree that broadcasting will be a matter of direct interest to those who are elected to the Scottish Parliament—it would be nonsense to suggest otherwise.

Clause 83 will provide the Scottish Parliament with a number of limited powers in relation to cross-border bodies. For example, bodies that are required to lay reports before the UK Parliament will also be required to lay them before the Scottish Parliament. Will my right hon. Friend the Secretary of State make it clear whether that requirement will be laid on the BBC and ITC? Similarly, there will be consultation about Scottish appointments to cross-border bodies, but will the BBC and ITC be required to consult the Scottish Parliament about such appointments?

6.45 pm

The Scottish Parliament will not have the power to require people to give evidence or submit documents, which I believe is a grave weakness. The Select Committee on Scottish Affairs, of which I am a member, recently required—it did not invite—the Scottish Arts Council to give evidence to it. Such was the reception that the council received at the meeting that I am sure that some bodies would rather not appear before a Select Committee of the Scottish Parliament—if they had the choice—because of the grilling that they might be subjected to. The fact that the Scottish Parliament will not have much greater powers over broadcasting is, I believe, a serious weakness.

Some of my hon. Friends have spoken of kailyard broadcasting, which I think is an insult. I tell them that the Scottish Parliament is being treated like a kailyard institution, as it will have no rights to summon representatives from one of the most important industries in Scotland—it will not be able to question the people who are responsible for broadcasting on the expenditure of Scottish taxpayers' and licence holders' money. That will be an anomaly, and it should not be allowed to happen.

The hon. and learned Member for Orkney and Shetland (Mr. Wallace), who is no longer present, recollected that the Scottish Constitutional Convention executive had agreed that the powers of a Scottish Parliament should be exactly the same as those of the Secretary of State for Scotland—the convention realised only subsequently that those powers did not include broadcasting.

My recollection is that, in appendix 4 of the convention's final document—I think it was called "Scotland's Right, Scotland's Parliament"—broadcasting is clearly listed as one of the Parliament's functions. That was agreed by the Labour party, the Scottish Liberal Democrats, the Scottish Trades Union Congress, the women's organisations and the Churches—by everyone who took part in the convention's debates. We need an explanation of why what we agreed in the convention will not be implemented by the Bill.

I was recently sent the book, "Devolution and the Scotland Parliament"—I assume that other hon. Members were also sent it—written by two respected constitutional lawyers, C. M. G. Himsworth, who is a solicitor and reader in law at Edinburgh university, and C. R. Munro, who is professor of constitutional law at Edinburgh university. Hon. Members who are not lawyers or constitutional experts should take their views seriously—I accept that my right hon. Friend the Secretary of State is a lawyer and a constitutional expert, but he is perhaps not as learned as these Edinburgh university academics. *[Interruption.]* Well, perhaps he is as learned; I do not know.

The authors argue that it is not self-evident that the laws of Scotland and England should not differ on broadcasting. They do not believe that it is essential to have a unitary broadcasting authority vested in the United Kingdom Parliament. They say that there is nothing wrong with the idea that the Scottish Parliament could enact legislation on broadcasting that is different from the legislation that applies in the rest of the United Kingdom. Their views should not be as cavalierly cast aside as some hon. Members have suggested.

People who do not want the Scottish Parliament to have power over broadcasting argue, for example, that there should not be double accountability—that the BBC and the ITC cannot be accountable to both the United Kingdom Parliament and the Scottish Parliament. They argue that such double accountability would lead to confusion and would be unfair to the BBC and ITC.

On the other side of that coin, is it right that the Scottish Parliament should have no accountability whatever for broadcasting in Scotland? That cannot be a serious argument. We all recognise that, once the powers have been devolved to the Scottish Parliament, the role of the Secretary of State and the Scottish Office in the United Kingdom Parliament will, by necessity, be diminished.

The Secretary of State's influence over broadcasting policy and in the Cabinet generally will be equally diminished at Westminster, so it is essential that the Scottish Parliament has a role, to ensure that the Scottish arm of broadcasting is subject to the same accountability as under the present unitary system. We will not have a unitary system when the Scottish Parliament is up and running: we will have two Parliaments running in tandem, and it is important that they should both be able to hold to account those who are responsible for broadcasting.

Mr. Connarty: My hon. Friend knows that I respect his views on these matters, but it seems to me that he is suggesting that he agrees with those who argue that Members of this Parliament who represent Scottish constituencies should be given less weight, and that their responsibility, powers and respect in Westminster should be diminished. I am extremely worried by that theory.

If responsibility for broadcasting stays here, with United Kingdom Members of Parliament elected for Scottish constituencies, surely they should have the same weight as they have now.

Mr. McAllion: They cannot have. The Secretary of State for Scotland is responsible for the budget of the Scottish Office and for all the powers that it exercises, but, after devolution, he will lose that responsibility, which will transfer to the Scottish Parliament. By definition, he will carry less weight in the Cabinet. Indeed, it has been argued that there could be only one constitutional spokesman for Scotland, Wales and Northern Ireland after the devolved bodies are set up.

It is natural in those circumstances that the Scottish Parliament should be given powers over broadcasting. Otherwise, a large industry in Scotland would not be subject to proper democratic scrutiny. Those of us who worked in the Scottish Constitutional Convention intended the Scottish Parliament to be responsible for that scrutiny. We cannot say in 1996 that it is essential that broadcasting be the responsibility of the Scottish Parliament and then say in 1998 that we did not really mean it. We should honour the commitment that we gave.

My hon. Friend the Member for Falkirk, East (Mr. Connarty) raised the prospect of the Scottish Parliament trying to control broadcasters in Scotland. That is not what anyone is calling for. We want to replicate the arm's-length relationship with broadcasters that the United Kingdom Parliament has. No one suggests that the Department for Culture, Media and Sport controls the BBC, the ITC or *The Sun*. In fact, some might argue that *The Sun* controls the Department. It is a false argument to suggest that because the Scottish Parliament wants some powers over broadcasting, it wants to control it completely. It wants to subject it to democratic scrutiny, and that is a legitimate aspiration.

I take offence when people say that there is a danger of parochialism if broadcasting is overseen by people elected in Scotland by Scottish voters. They suggest that it will be kailyard broadcasting; that the Scots cannot be trusted to look after these weighty affairs; and that a Scottish "Coronation Street" or "EastEnders" would be of poor quality and no one would want to see it.

The Scots are every bit as capable of holding broadcasting to account as anyone in this Parliament. Members of Parliament who represent Scottish constituencies will be in no way better than Members of the Scottish Parliament representing the same constituencies.

Mrs. Fyfe: I am a bit concerned about my hon. Friend's line of thought. I am not aware of anyone—among Labour Members, at least—making such a claim. In fact, it would be absurd. BBC Scotland produces excellent programmes, some of which have achieved worldwide renown.

Mr. McAllion: I agree 100 per cent. that my hon. Friend would never make such an assertion, but unfortunately there are some who would argue in those terms. It strikes me that there is a metropolitan tendency that, for some people, is unavoidable in the Westminster Parliament. They think that if it is not done in the London region it cannot be good enough and that the regions outside London are, by definition, less sophisticated. That is insulting and should be resisted by every Member of Parliament.

The idea of devolution is that government can be carried on in every corner of this island just as effectively as it can be carried on here in London. Indeed, the whole argument behind devolution in the first place is that government can be conducted more effectively in that way.

British broadcasting is already over-centralised. I recently came across the statistic that only 3 per cent. of what is carried by the BBC network is from Scotland, although Scotland has 17 per cent. of the network's audience. That is not good enough: BBC Scotland is doing well, but not well enough, and more Scottish programmes should be on the BBC network, so that they can be watched throughout the United Kingdom. It would help towards that end if the Scottish Parliament had powers over broadcasting.

My hon. Friend the Secretary of State is screwing up his face. I do not know what that means. Perhaps he wants me to shut up and sit down.

Mr. Hawkins: I have been listening carefully to the hon. Gentleman. The influence of Scotland on national broadcasting goes well beyond programmes that are commissioned and made in Scotland. When James Naughtie is on an opinion-forming political programme, the Scots have a real influence over national British politics.

Mr. McAllion: If the hon. Gentleman is saying that the only way in which Scots can influence national politics is to leave Scotland, that is a very strange argument. I am glad to hear that he is following my argument closely. He must be the only Member who is.

Mrs. Margaret Ewing (Moray): James Naughtie is a former constituent of mine, having resided in Keith for a considerable time.

Does the hon. Gentleman recognise that reporting what happens in the Scottish Parliament is important not only within Scotland and that we must look outwards and ensure that the broadcasting facilities take the messages that come from that Parliament into the international community? Those messages should not necessarily have to be sieved through the procedures of London state broadcasting.

Mr. McAllion: The hon. Lady makes an interesting point. One of the big issues will be the way in which the broadcasting authorities deal with the Scottish Parliament. The United Kingdom Parliament is ultimately responsible for the BBC and the Independent Television Commission, and can exercise influence over those who decide how parliamentary business is broadcast.

As I understand it, it is suggested not only that the Scottish Parliament should have no influence over how it should be broadcast but that this Parliament should decide what the coverage should be. That would be a matter of great concern for me, because I believe that the Scottish Parliament should be treated equally.

I hope that the BBC and ITV in Scotland, and the other Scottish media, will treat the Scottish Parliament with the same respect and interest that are accorded to this Parliament. Again and again, we come back in these debates to the old story that Westminster wants to send the message that the Scottish Parliament is in some sense

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inferior and that its proceedings should not be covered to the exclusion of our proceedings here. I do not agree with that.

Mr. Connarty: I wish that my hon. Friend had carried on his logic, so that I could have followed him in the quantum leap that he made, suggesting that if the Scottish Parliament makes broadcasting more accountable to it, we in Scotland will, by some process or other—osmosis, perhaps—end up being able to sell more of our programmes and producing more than 3 per cent. of the BBC network output in Scotland. I am worried by the idea that he believes that politicians have a right to interfere in the process of creativity in broadcasting. He seems to think that giving the Scottish Parliament accountability will make the programmes more acceptable to the network. I do not know how that could happen.

Mr. McAllion: As I mentioned, the Scottish Arts Council appeared before the Select Committee on Scottish Affairs. Some artists from Scotland appeared before the Committee this morning, including Mr. David MacLennan of Wildcat Stage Productions and Mr. John McGrath of Freeway Films. They said that they were delighted that, for the first time in 30 years, elected politicians would become involved in the politics of art and culture in Scotland. They thought that that would give a much higher profile to their arguments and hold an unelected quango to account, because elected politicians could ask the quango members why they had taken certain decisions.

The BBC in Scotland should be subjected to more democratic scrutiny, and that is more likely to be done in a Scottish Parliament than here. This body does not have the mechanisms for holding BBC Scotland to account. The Select Committee is more likely to be concerned about the BBC as a whole and its leadership down here in London than with Scotland. The fact that the network has only a 3 per cent. Scottish output is not a big issue for this Parliament. It would be a major issue for the Scottish Parliament and would lead to much improved argument and debate on the issues and, hopefully, the BBC in Scotland would start to perform much better.

We have already agreed that the Scottish Parliament should have responsibility for the arts, heritage, sports, tourism and film. Why can we not agree that it should also have responsibility for broadcasting? The BBC has written to hon. Members—it wrote to me, so I assume it wrote to every other hon. Member—to point out that it invests more in the cultural life of Scotland than the Scottish Arts Council. We are happy for the Arts Council, the arts, theatre, opera and ballet to be subject to the scrutiny of the Scottish Parliament. Why on earth can we not be happy for broadcasting, which is much bigger, to be subject to its scrutiny? It does not seem sensible.

7 pm

The summary sent to us by BBC Scotland tells us how well it is doing. Across Scotland, it has 10 centres and 1,000 staff. It brings in £157 million in licence fee income, has invested a total of £83 million recently in its programmes and has 670 hours of television programmes specifically for viewers in Scotland and 920 hours for the United Kingdom radio networks. Why on earth can we not say that the Scottish Parliament has a clear role to hold to account a body that is so important and has such a big impact on life in Scotland and to ask about the way in which it exercises its responsibility?

My right hon. Friend the Secretary of State asked whether we wanted a separate Scottish BBC. No one is arguing for that, although I would certainly not be averse to a devolved Scottish BBC. We are arguing for accountability. Those people who operate and spend the money in Scottish broadcasting should be held to account, and the Scottish Parliament should not be excluded from the role of holding them to account. In fact, it is much better suited to holding such bodies in Scotland to account than the Westminster Parliament. That is not my merely my view, but that of the Scottish Constitutional Convention and when it drew up the blueprint for a Scottish Parliament it certainly expected that to happen.

The tabloid argument that people in Scotland are happy to watch "Crossroads", "Coronation Street" or "EastEnders" is a complete red herring. No one suggests that anyone in Scotland should be deprived of any programme on the BBC network. I see some of my hon. Friends are laughing, but one of our hon. Friends argued that earlier.

Mr. Godman: My hon. Friend is kidding.

Mr. McAllion: I do not watch any of those programmes anyway. No one is denying anyone access to the BBC UK network. We are saying that BBC Scotland should be accountable. Clearly, that must be the case.

The hon. and learned Member for Orkney and Shetland mentioned the insensitivity of the BBC hierarchy in relation to the party political broadcast put out in Scotland immediately before the election. I could cite other examples. My hon. Friend the Member for Dundee, West (Mr. Ross) will confirm that the BBC has taken away resources and manpower from stations in Dundee. Who holds it to account for that? We are merely the two local Members of Parliament. I would rather have a powerful Broadcasting Committee in the Scottish Parliament, which could summon the controller in Scotland and ask questions, such as why this office is being closed or that reporter taken away, or why certain investments were being reduced. That is what should be happening, but it will not happen in this Parliament. It should happen in a Scottish Parliament.

What about listed events? Because of Sky Television and the tendency nowadays to auction to the highest bidder coverage of sporting events, we have had to list a number of major events that cannot be put out to contract or to the highest bidder, including the Scottish cup final. The Scottish Parliament would be much more likely to defend major Scottish events than would the Westminster Parliament. Therefore, I plead with my hon. Friends not to dismiss entirely the idea that the Scottish Parliament should have a major role in monitoring and overseeing broadcasting in Scotland. Throughout the debates in the convention, we always intended that that should be the case, and the Government should not be backing out now.

Mr. Hawkins: The hon. Gentleman mentioned listed sporting events, in which I have taken a big interest, along with a number of his hon. Friends. Does he agree that

one thing on which there has been agreement between the previous and the new Governments is the importance of listed events? The Secretary of State for Culture, Media and Sport has set up a new panel, which has accepted that there should be listed events. The only issue is which events should be listed. While I agree that national sporting events, both in Scotland and the rest of the United Kingdom, are of vital importance, I suggest that that Cabinet Minister's decision to accept the principle of listed events, which we set up, does not support the hon. Member's argument.

Mr. McAllion: That all depends on the balance of power inside the panel set up to defend the listed events and whether it regards the Scottish cup final, or indeed the Scottish junior cup final, as a priority. The hon. Gentleman is probably grateful for the fact that the England-West Indies Test series is not a listed event and he does not have to watch it, unless he has Sky Television.

This is a serious issue. Specifically Scottish events are far more likely to be defended by a Parliament based in Scotland than by a Parliament down here which is dominated by English Members, and rightly so because of the size of the country. That is a simple point, and I hope that the my hon. Friend the Minister will take it on board.

Broadcasting was intended to be a responsibility of the Scottish Parliament. At some stage, a decision was taken to reverse that intention. I do not know why the decision was taken, what consultation was carried out beforehand or the arguments for it. I hope that my right hon. Friend the Secretary of State will make those matters clear when he replies to the debate.

Mr. Donald Gorrie (Edinburgh, West): First, I reaffirm that the Liberal Democrats fully support the amendment of the hon. Member for Glasgow, Maryhill (Mrs. Fyfe), which would ensure that the Scottish Parliament controlled equal opportunities and which will reappear at a later stage. We also support many of the arguments of the hon. Member for Dundee, East (Mr. McAllion), which is not unusual.

What is unusual is that I thought that the speech by the hon. Member for North Essex (Mr. Jenkin) contained a lot of good sense. As other hon. Members and I have often criticised the Conservative contribution to these debates, it seems only fair to say that, although I did not agree with all of it, it was constructive and on the right wave length, if that is the right expression in this debate. I hope that by complimenting the hon. Gentleman on it, I will not ruin his political career.

We support the first of the amendments tabled by the Scottish National party. It is regrettable that Scottish politics is such that because that party has proposed it, some hon. Members—certainly some Labour Members—feel that they have to oppose it. The Scottish nationalists may not have got all the right answers, but we agree that there must be some sort of say for the Scottish Parliament in broadcasting. It is not realistic for the Scottish Parliament to be precluded from having any opportunity to debate and discuss broadcasting and to call people before it for consultation.

The line taken by the hon. Member for Falkirk, East (Mr. Connarty) that if the Scottish Parliament had some say in broadcasting it would diminish this Parliament, is not correct. That is the faulty argument, often put up by the Conservatives, that sovereignty is indivisible. We can cheerfully have two or three different bodies—I am sure that the European Parliament discusses such things—with some input into the control of broadcasting.

The Liberal Democrats certainly do not want political control, censorship and all that sort of thing, but we think that it is reasonable to say that democratically elected Members of the Scottish Parliament could make a contribution on the subject of broadcasting, which impinges on so many other things that that Parliament will control—for example, education, the arts, sport and Gaelic. It would be ridiculous if the Scottish Parliament was promoting some considerable change in education to which broadcasting could contribute, but was not allowed to tell the broadcasters that certain types of programme would be a great help. What if the Parliament wanted to promote the arts? As the hon. Member for Dundee, East said, Scottish broadcasting puts in much more money than the Government via the Scottish Arts Council. It would be ridiculous if, for example, the broadcasting people did not give some great festival in Scotland adequate treatment, but the Scottish Parliament could not discuss with them how they could do more.

We have concentrated on ITV and the BBC during the debate, but there have been great developments in local television and radio, and in new technologies, which I do not understand. Other hon. Members must have been asked for their views by television and radio stations that they have never heard of. I have no idea whether anyone watches or listens to their programmes, but such organisations are multiplying, so not allowing the Scottish Parliament to discuss the conduct of the local radio station in Auchtermuchty, if one exists, is ridiculous.

The hon. Member for Falkirk, East was worried about political control. We should turn the argument round: all of us worry about the control exercised by media moguls such as Mr. Murdoch, and it is possible that broadcasting in Scotland might be seriously influenced by a tycoon who was thought by most Members of the Scottish Parliament to have had an adverse effect on events in Scotland.

The Scottish Parliament must be able to defend itself against the political tyranny of a media tycoon. Our amendments address that point modestly, and the Government should accept them. We suggest that the Scottish Parliament should discuss the annual reports of the BBC and ITV. Specifically, the Scottish Parliament should have a say on Gaelic broadcasting and the appointment of BBC governors in Scotland.

Our amendments and those tabled by the Scottish National party put down a marker and send a message to the broadcasting centralisers in London. The arts world in particular is over-centralised. I meet London critics who come up to the Edinburgh festival and think that it is great to get out of London for a week or two. Unless an artist appears in London, he does not appear at all so far as they are concerned. Such over-centralisation must be challenged. If the Government refuse to accept the amendments, they will be sending the message, "London rules broadcasting, OK!", which is wrong.

In the previous debate, the people who said that we had not been given enough time to debate earth shattering issues did not push them to a vote. I am a newcomer to

[Mr. Donald Gorrie]

the House, and I found that incomprehensible. I hope that the hon. Member for Perth (Ms Cunningham) will press the amendments to a vote.

Mr. Malcolm Chisholm (Edinburgh, North and Leith): I support amendment No. 93, which was spoken to by my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) and deals with the Equal Opportunities Commission. If it is rejected on the ground that it would catch other bodies, I hope that my right hon. Friend the Secretary of State will take alternative action to deal with the commission's unique circumstances.

Before the White Paper was published, there was a big debate about the EOC's position. We accept that the commission will be a reserved body, because of its employment remit in particular, but, apart from its law enforcement functions, it works proactively with several organisations in devolved areas. Devolved matters are the key to issues of equality. Therefore, it is vital that the EOC has a locus in relation to the Scottish Parliament, and that objective would be met if the EOC were designated a cross-border body.

Paragraph 2.10 of the White Paper states:

"The Scottish Parliament will have the power to require submission of reports and the presentation of oral evidence on the activities of such bodies".

Such bodies will be accountable to the Parliament, which is particularly appropriate as we are approaching the second stage of the EOC review, and it is likely that the Scottish office of the EOC will have far greater autonomy. Making the EOC a cross-border body would also help to ensure that equality issues are taken account of by the Scottish Parliament, although other amendments will address that point.

I assume that the EOC is one of the bodies dealt with by paragraph 2.11 of the White Paper, to which the hon. Member for Perth (Ms Cunningham) referred, and that it is not necessary to include those bodies in the Bill, simply because the Scottish Parliament can only invite them to submit reports.

We will miss an opportunity if we do not recognise the unique status of the EOC. If our amendment is unsuitable, I hope that other action will be taken to achieve its aims.

7.15 pm

Mr. Dalyell: As the tail-end Charlie of the debate, I hope that the Committee will forgive me for being a little bewildered as to what all the fuss is about. Wild horses would not stop Members of the Scottish Parliament approaching the broadcasting authorities. It is not in the nature of Members of Parliament to feel so restrained, and I should be astonished if anyone at Queen Margaret drive or anywhere else refused to heed representations.

I understand from the press that the current proposal differs from the original convention agreement. I am curious to know by what alchemy that happened. I look forward with curiosity to hearing the explanation.

Ms Roseanna Cunningham: Does the hon. Gentleman accept that we are concerned not about whether Mr. John McCormick would accept an invitation to speak to the Scottish Parliament, but about the very different matter of whether Mr. John Birt would accept such an invitation?

Mr. Dalyell: Mr. John Birt is a civil man, and if he were asked in a civil way, I am sure that he would accept. These matters should remain informal, unless there is another agenda—I acquit the hon. Lady and her hon. Friends of subscribing to it—under which the Parliament would control broadcasting and the media. She shakes her head vigorously. As long as such control is not the agenda, I do not see the problem.

Ms Cunningham: Does the hon. Gentleman accept that this Parliament can summon Mr. John Birt to appear, and that the Scottish Parliament will be unable to do that? I accept that a wonderful measure of good will might see us through, but he has frequently pointed out that invitations might be refused. The Westminster Parliament can require attendance, but the Scottish Parliament will be unable to do anything about a refusal.

Mr. Dalyell: I do not want to extend the discussion, because we have entered the grey area of concordats. I should not trespass into subjects about which I know little. I should just register the fact that there will be great difficulties over predatory pricing, but that, too, is a grey area.

Clause 83(5)(b) provides that subordinate legislation will detail cross-border public bodies. When will such a statutory instrument be introduced, and what consultation is being carried out on its terms, not only in Scotland, but in England? The Law Society wants that question asked, and I hope that an answer will be forthcoming.

Mr. Dewar: I have listened to the debate with considerable interest, and have been somewhat entertained as well. I do not know about Auchtermuchty local radio, but I feel that I should spring to the defence of Auchtermuchty, which—if I remember rightly—produced The Proclaimers and Jimmy Shand. Probably, in terms of the clapometer of public opinion, it has made a large contribution to Scottish culture. *[Interruption.]* I recognise that The Proclaimers have many interesting connections. If the hon. Member for Moray (Mrs. Ewing) writes to me, we will consider these matters with all proper care.

I enjoyed the performance of the hon. Member for Banff and Buchan (Mr. Salmond). I am sorry that he has left the Chamber, because he is becoming a tremendous facilitator. I note that, if he thinks that his hon. Friend the Member for Perth (Ms Cunningham) is not speaking clearly enough, he repeats her question so that it can be explained again. That is an interesting tactic on the part of the leader of the pack, and I enjoy watching it.

Let me make a fundamental point. We are trying to bring about a stable division of responsibilities between Westminster and the Scottish Parliament. My hon. Friend the Member for Dundee, East (Mr. McAllion) has said that that will turn the Scottish Parliament into a second-class Parliament—an inferior Parliament, which will be patronised. I do not agree. Some responsibilities will remain at Westminster, for what strike us as good reasons; others will go to the Scottish Parliament.

It is perfectly fair for people to argue that the division of responsibilities should be readjusted, but, following a devolutionary settlement, there will always be some matters that are not within the remit of the Scottish Parliament and others that are. That is not a mark of disrespect, or the expression of a lack of trust. It is a question of how we achieve the breakdown in a way that has a strength and an internal logic that will serve our constitution well.

I accept that there is always room for legitimate argument. I am familiar with the point made by my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe), who has a long track record—I hope that that does not sound like a sinister threat to her future—of pursuing the issue, and who has a perfectly arguable case. I take the view that one of the essential elements of the split to which I have referred is our wish to create a level playing field in the United Kingdom. That level playing field can be defined in a number of ways.

I do not think that anyone who believes in the devolution settlement would argue that company law in Scotland should be different from company law in England. Few would argue that there should be different labour laws north and south of the border. Obviously, the important financial services sector in Scotland would be enormously disadvantaged if financial services regulation differed north and south of the border. That is common sense. On balance, we have concluded that equal opportunities legislation should be on a British basis.

That does not mean that Scotland does not have an active interest in such matters; after all, we are talking about a regulatory framework. I hope that the real role of the Scottish Parliament will be to ensure that we follow best practice in Scotland, and that, in the many areas of practical politics that the Parliament will control—education, housing, law reform, and so forth—we are mindful of the need to live up to what we are trying to achieve in terms of equal opportunities. In the next few weeks, we are likely to engage in some interesting debates about the practical aspect of that.

The fact that there will not be an immediate transfer of power in relation to the regulatory mechanism does not shut us out of the field of equal opportunities. To assume otherwise is to take too defeatist a view, although I recognise and respect the energy with which the point has been put.

Mrs. Fyfe: We shall debate equal opportunities in general at a later stage, but I should like my right hon. Friend to clarify the role of the Equal Opportunities Commission in relation to the Scottish Parliament and its devolved powers. Would it act as an advisory body if the Parliament wished to proceed with legislation relating to equal opportunities in housing or training, for instance—a subject that was definitely within its remit?

Mr. Dewar: It is slightly puzzling—although I understand why it happens—that, because something has not been devolved, it is sometimes assumed that a Chinese wall has been erected and communication must stop. That is not true. It should not be thought that the EOC will not be interested in what is happening in Scotland, and will not go to Scotland to look and learn, and, perhaps, teach and encourage. Of course that process will continue, as it should. Scottish legislation will have to take account of the framework that the EOC constructed. There will be a continuing dialogue, which I welcome.

Mr. Welsh: May I ask a straightforward question? If the devolved Scottish Parliament wished to take evidence or gain information from the broadcasting media, and the media refused, what could it do, apart from saying, "Pretty please"?

Mr. Dewar: Although the hon. Gentleman is entitled to present such a doomsday scenario, I think that extremely unlikely. If it did happen, it would create a difficulty that would make the policy completely unproductive. I believe that, thus slighted, the Select Committee in the Scottish Parliament would think that its luck was in: it would probably gain more notice and more leverage. That, however, may be a cynical view.

One point that was important to the hon. Member for Perth was tackled very fairly by the hon. Member for North Essex (Mr. Jenkin). I am not in a partisan mood tonight, and I listened carefully to what the hon. Lady had to say. Moreover, I listened to the reprise, which resulted from a request by the hon. Member for Banff and Buchan that the hon. Lady restate her position.

I entirely understand that the hon. Lady does not like what is in the White Paper, and she is entitled to argue her case; but I am not being difficult when I say that I fail to comprehend on what basis she argues that we have retreated from what is in the White Paper, or that we have betrayed the spirit of the White Paper. We have translated exactly what is in paragraph 2.11—observing the distinction between that and paragraph 2.10—to the Bill. It may be wrong, but I do not understand how it can be suggested that we are guilty of in-and-out running—that, to put it in colloquial terms, we have ratted. In that regard, I think that I am at one with the vast majority of hon. Members.

In paragraph 2.10, we refer to public bodies that deal with United Kingdom matters but also with devolved areas of responsibility. We make it clear that the Scottish Parliament, in those circumstances, would have the power to require the submission of reports and the presentation of oral evidence. We go on to make a clear distinction. That will not be the position for the other United Kingdom and Great Britain bodies that will be operating entirely in a reserved area. The Scottish Parliament will be able to invite the submission of reports and the presentation of oral evidence from those bodies.

The hon. Lady will say—indeed, I have heard her say it many times—that this is a betrayal, a tragic mistake or a lost opportunity. She can use any phrase she likes, but it is certainly not a retreat from the White Paper. I hope that she will not go around saying, in Scotland and elsewhere—on the basis of evidence that no one else can understand—that there has been a betrayal.

Mr. Dalyell: I am the last person in the world who ought to ask this question, but it was clear that the Scottish Constitutional Convention felt that responsibility for broadcasting should lie with the Scottish Parliament. There has been a change, and I am curious to know why.

Mr. Dewar: My hon. Friend's curiosity is famous, and it can be a very dangerous and damaging experience to be exposed to it, so I do not want that to happen to me. The answer to his question is, quite simply, in the logic of the point that I have just been making—that we reached the conclusion that broadcasting was part of the regulatory framework, and that it was best that it should be left on a Westminster basis.

Mrs. Ewing: Will the Secretary of State give way?

Mr. Dewar: I really must make some progress.

Mrs. Ewing: What did you mean by "we"?

7.30 pm

Mr. Dewar: May I make a little progress? No doubt the hon. Lady will get in later if she wants to.

It seemed to me that it was best that broadcasting was organised on a Great Britain basis. We are moving into very interesting areas of technological development. I am not sure to what extent satellites and the digital revolution observe the boundary between Scotland and England. In an age when I am told that one of the great improvements to the quality of my life will be that I shall be able to switch on 40 different television channels in my house—I feel exhausted just thinking about it—I am not sure that it makes much sense to break out of the regulatory structure of the country as a whole. The decision was taken on that basis.

It is difficult for people outside the House to follow this argument, because there is not much to devolve in broadcasting. There is an interesting and important public debate about how we can put a Scottish face on the broadcasting that is received in Scotland, and about whether we can build on the excellence of Scottish broadcasting to encourage cultural life, encourage expertise and bring back the Scottish diaspora of the broadcasting world. In all those respects, devolution gives great opportunities and great grounds for optimism.

However, in terms of statutory power—the legislative power that is at the heart of the Scottish Parliament—there is very little that could be devolved. Even the BBC would be extremely difficult to devolve, because, as I said in an intervention, it is a creature not of statute but of royal charter. Therefore, in effect, we are discussing very little.

That is not to underestimate, belittle or sweep to one side the importance of broadcasting as a cultural force, as a medium for the exchange of information, or as a way of giving people a picture of the world and giving the world a picture of Scotland. All the issues that we are discussing should be discussed; it is simply that they do not necessarily depend on the legalistic argument about the regulatory mechanism.

I do not agree—although it is arguable—that it is advantageous or important for matters concerning the maintenance of fairness and balance in programming to be handed to politicians or be directly influenced or controlled by them. I take the view that, in most of these areas, politicians—for good reasons, irrespective of party—have put in buffer organisations. We say that we do not want to be a country where, if we do not like what we see on our television set, we get on to the controller of that television channel, and say, "I am the Minister and that had bloomin' well better not happen again." It seems to me that, by doing so, one threatens democracy and essential freedoms that we all understand. The role of politicians is to set the regulatory framework—hold the ring, so to speak—and allow broadcasters to use their imagination, verve and innovative powers to produce the programming we all want.

There is an important difference of approach between those who have supported the amendments in the group before us. My hon. Friend the Member for Dundee, East made it clear that he did not want a separate Scottish BBC. He wanted scrutiny by the Scottish Parliament of what the BBC was doing. Of course, the hon. Member for Perth wants something very different—she wants separate Scottish broadcasting. She wants, to use an odd phrase, to repatriate the licence fees in Scotland. Presumably the Scottish BBC would then live on its own resources and on the excellence of what it can earn in addition to those resources, by selling its programmes abroad.

Those are two totally different approaches to the problem, and it is important for us to try to understand which we are going for. My view is that, if one did devolve, one would almost certainly do what my hon. Friend the Member for Dundee, East proposes, but he should not underestimate this Parliament's ability to influence events, to deal with the realities and to encourage and promote broadcasting in Scotland.

The hon. Member for Perth, in an interesting and startling juxtaposition, said that all sorts of things could happen in the field of broadcasting. She said that there would be not a single word from the Scottish Parliament, but that no doubt it would debate the issues. Of course it will debate the issues if it considers that those issues are relevant to it, but I do not think that we need to follow her down the road of suggesting that we want to divide, and build a boundary between, broadcasting in different parts of the United Kingdom. If we wanted to do that, it would require a great deal of discussion, thought and preparation.

I know that many friends of mine in the BBC and in other parts of the broadcasting industry would wonder about such a separation. They would worry about what would happen if they relied on Scottish licence fee income. Transmission costs in Scotland are very much heavier than in some other parts of the United Kingdom. If they were not spread over the network, they would become a specific charge.

Scotland is first class at making top-class drama, and has produced many distinguished contributions to the national network, but it costs the same to make a programme for an audience of 5 million or of 60 million. One would need to rely on the programme being bought by the big channels south of the border, but there would be no guarantee of that. Therefore, there are many uncertainties and unknowns if one follows the hon. Member for Perth down that route.

Nevertheless, my main contention is that we must accept that it is better to leave the regulations on a British basis, but that we should do all we can to encourage and promote excellence of production and of operation for broadcasting in Scotland. Of course there will be a big debate. One gets into trouble by mentioning it, because people immediately think that one is running down Scottish broadcasting. However, anyone who takes a cursory interest in these matters knows that there will be such a debate. It does not depend on whether the matter is formally devolved in terms of schedule 5 or not. The argument will take place about what is right for the viewing public, and perhaps for those who are producing for the viewing public.

Many people think that we should opt out of 9 o'clock and 10 o'clock national news bulletins and produce our own in Scotland. Others fear that it would be a regressive step, which we should not take. I am not trying to pass judgment, but that debate will continue. The real debate is about how we organise, promote and innovate within

the existing regulatory framework. I am confident—very hopeful—that we shall be able to persuade, for example, the BBC that devolution is also a matter for it: that devolution within the BBC is a matter of prime importance, which it must take very seriously.

I did attend the seminar the other day. I was glad that Sir Christopher Bland was there, and that people from other parts of the network were there to listen and, I hope, to think about the consequences of what is happening and how the BBC, in terms of its charter, its aspirations and its great traditions, can respond, reflect and service the new confidence in Scotland and the broadcasting industry in Scotland.

I should like to think that devolution will give a big boost to the possibility of bringing to fruition the scheme to put a new headquarters building on Pacific quay in Glasgow, moving the headquarters from Queen Margaret drive and expanding the production facilities in a way that will be advantageous to broadcasting in Scotland.

Production facilities may be made available to independent producers. A great deal is happening there. I know of many people of talent who are returning to Scotland because they are attracted to the buzz, the movement and the excitement of the changes that will follow the constitutional reforms that I hope the House and this Parliament will agree in the next few months.

It is much more important to ensure that we do a good job in those terms than to get hooked up on a technical argument about breaking the regulatory framework of the United Kingdom without doing much to aid the really important cause of better broadcasting—better servicing of the viewing and listening public. I look forward with immense confidence, because I have a great deal of faith in the ability of the Scottish broadcasting fraternity to respond.

I hold to the view that, in a sense, the split is not as fundamental as some people have made out. A great deal will happen in the weeks ahead which I hope will be helpful in setting the pattern and making it clear that Scotland has an increasingly important and independent role to play—in a non-political sense—within the framework of United Kingdom broadcasting. The Government have made proposals for strengthening the link between the Scottish Parliament and broadcasters. The BBC, the Independent Television Commission, the Radio Authority and the Broadcasting Standards Council should remain under reserved matters in schedule 5, which means that formal accountability will remain at Westminster.

The draft executive devolution order requires consultation with Scottish Ministers in connection with the appointment of the Scottish member of the ITC, and we propose similar provisions for appointments to the Broadcasting Standards Council and the Radio Authority. That will require some adjustment to the powers of appointment to those bodies, because there is currently no separate provision for a Scottish member. That will be a new and considerable influence, which, under present arrangements, is not within the power of the Secretary of State. It will be a matter for the Scottish Executive and, ultimately, the Parliament.

There is much happening, and I think that those broadcasting bodies will lay their reports before the Scottish Parliament. Discussions on those matters are continuing, and we may later be able to report on them.

Mr. Godman: As always, I am listening carefully to my right hon. Friend. I agree that the overwhelming majority of the people I know in Queen Margaret drive are excited about the prospects of political devolution and its implications for broadcasting. I am concerned about the BBC hierarchy in London, which for years has sought to centralise the BBC. I hope that it will take on board what my right hon. Friend has said.

Mr. Dewar: There has always been tension within the BBC over how it uses its resources. To be fair, it has been under increasing pressure, perhaps because of the reluctance of politicians to increase the licence fee or to look at other forms of financial support. We appreciate the difficulties, but I agree with my hon. Friend: we must persuade not just the BBC but many other broadcasters that they have a responsibility to respond to the challenges of devolution. There are signs of that happening.

I sometimes meet people whom I have not seen in Scotland for some years, and I say, "What are you doing here?" The reply is, "I have just got a job as the new Scottish political correspondent, a job that has just been created." People in the commissioning business tell me that they are getting increased budgets and that they will be doing more business, hopefully, with independent Scottish production units in Scottish broadcasting.

The BBC is governed by royal charter, not by statute, and the Government intend that the appointment of the national governor for Scotland will be made after full consultation with Scottish Ministers. Those are important safeguards. When we compare the powers of the Secretary of State on those matters with what will be provided for the Scottish Parliament, it is clear that the cupboard is anything but empty and that considerable and welcome changes are to be introduced.

I appreciate that long speeches are not necessarily right, so I shall quickly deal with some of the issues that were raised in the debate. The hon. and learned Member for Orkney and Shetland (Mr. Wallace) asked about local television. Independent cable operators are controlled by the ITC. As I have said, we intend to strengthen the Scottish input to that body by ensuring that one of its members will represent Scotland. The ITC has a Scottish office, and takes an appreciated interest in what is happening.

My hon. Friend the Member for Greenock and Inverclyde (Mr. Godman) asked about a dedicated channel for Parliament. There have been no specific discussions on that, but there is much contact at the moment with the broadcasting authorities about how the new Parliament building will be serviced, and how a media centre or some such facility that will be adequate for the undoubted interest can be created. No doubt we shall look at such matters in due course.

7.45 pm

The question about the Scottish Law Commission was an interesting one. Perhaps it would be infra dig to say that it was produced like a rabbit out of a hat, but it is important.

The Scottish Law Commission was included in the draft order because it will continue to have functions that will affect United Kingdom Ministers and the law that relates to reserved matters. The contact is multi-faceted because law reform proposals in the domestic law of Scotland are bound to have a significant knock-on effect. Under current arrangements, the appointment of the chair and members of the commission are matters for the Secretary of State. We want to look at that, and I entirely agree that it is an important matter in the context of a body that is central to Scottish law.

The topic of the Social Security and Child Support Commissioners was even more unexpected as a subject for discussion. Of course social security is a reserved matter, and it will remain outwith the remit of the Scottish Parliament. It will be the preserve—I think that that is the appropriate word—of the Lord Chancellor. There will be provision for proper consultation, which will be achieved by means of the executive devolution order. The draft order was published on 5 February. It is another interesting interface for which reasonably proper and sensible provision has been made. It is clear that the debate will continue for a long time.

Mr. Wallace: The Secretary of State seems to be coming to the end of his speech. Will he answer some of the questions about Gaelic broadcasting and funding?

Mr. Dewar: I have taken some advice about that and it seems that the amendment on it is not needed. We would not have opposed it if its intention had not already been achieved. The Government's grant to the Gaelic Broadcasting Committee comes from the Scottish block, and decisions on the allocation of the fund are matters for the committee. As the Scottish block will be under the control of the Scottish Executive and, ultimately, the Scottish Parliament, that can be varied.

Mr. Dalyell: I asked about clause 83(5). There would be subordinate legislation detailing cross-border public bodies. I think that the Minister has the answer.

Mr. Dewar: I do not want to be a smart alick, but I have to say that my advisers are not there to prompt my hon. Friend. The working draft of the Cross-Border Public Bodies (Specification) Order 1999 was published yesterday, and I am sure that it can be made available to my hon. Friend. I shall check, and if there is any doubt, I am sure that we can resolve it by conversation.

There is provision in the draft executive devolution order for Government funding for Gaelic broadcasting to be the responsibility of the Scottish Executive within a regulatory framework, but the matter falls to the Scottish Executive. It will be open to Scottish Ministers, subject to the agreement of the Parliament, to vary the annual allocation of funds to the Gaelic Broadcasting Committee.

We do not need to make further provision. If there is better advice, or if some substantial worry is drawn to the attention of the hon. and learned Member for Orkney and Shetland, he can in turn draw it to my attention. My advice is that he would be safe to let the matter drop, in the knowledge that his purpose has been well met in the existing arrangements.

I do not doubt that there will be a long argument and debate, but I am somewhat consoled by the fact that it will not be tonight, as we have only 11 minutes left on this group of amendments. I do not take a defeatist view of the debate—in fact, the very opposite. No group in Scottish life has more to gain from the changes—apart, perhaps, from politicians—or will get greater satisfaction out of the arrangements.

The Scottish people will not be forgotten. They are the masters at the end of the day, as the Conservative party knows to its cost.

Mr. Jenkin: The right hon. Gentleman is so easily amused.

Mr. Dewar: I take it from the hon. Gentleman's tone that he is not amused, which gives me some considerable satisfaction. However, we can discuss this on another occasion.

I cannot recommend the amendments to the House. I am sure that we will have much to celebrate in Scottish broadcasting in the years that lie ahead.

Ms Roseanna Cunningham: The Secretary of State surprised me with his final remarks—I think not. I draw to his attention the arrival in the Chamber of my hon. Friend the Member for Banff and Buchan (Mr. Salmond), who the right hon. Gentleman appears to think has come to ensure that I say precisely what he would have me say. I have known my hon. Friend for some 20 years and he has never yet succeeded in achieving the aim that the Secretary of State fondly imagines him to have. Perhaps the right hon. Gentleman is right, and my hon. Friend's appearance in the Chamber is part of his continued attempt to achieve that control. However, I say to the assembled masses here that, if he has not succeeded in the past 20 years, he is certainly not going to succeed in the next 20 years. He will certainly not succeed tonight.

The fact is that I, my hon. Friend the Member for Banff and Buchan and my other hon. Friends agree because we agree, not because we are told what we must or must not think. This may surprise members of other political parties, but members of my party are able to come to some agreement. My hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Morgan) is away on a parliamentary trip—

Mr. Desmond Swayne (New Forest, West): Where has he gone?

Ms Cunningham: My hon. Friend is in Japan with the Select Committee on Trade and Industry. I am sure that he is having a wonderful time, but not as wonderful a time as we are having.

I want briefly to refer to the aspects of the amendments that relate to clause 83. Although the overall intention behind the amendments relates to the devolution of broadcasting, some other issues have been raised. I note

what has been said about amendment No. 93, which is not an SNP amendment. I support the remarks about the Equal Opportunities Commission, and I look forward to the debate that we will undoubtedly have on another occasion.

Although the comments on amendment No. 93 related to the EOC, they also expressed the same underlying concern about the clause that I expressed in relation to broadcasting. I do not know whether the Secretary of State wants to accept it, or whether he wants to continue looking puzzled, but the truth is that there is concern about what all this ultimately will mean.

I hear what the right hon. Gentleman says about paragraph 2.10 of the White Paper. However, paragraph 2.11 has not been translated into the Bill. The Secretary of State is shaking his head. He is clearly trying to tell me that it does not need to be in the Bill. In that case, its inclusion in the White Paper was misdirection, which is a pity.

Our amendments are about the definition contained in clause 83. We envisage anomalies arising from that. It is all very well to say that, with good will, matters will work out—the truth is that invitations can be politely, graciously but frequently declined. We all decline invitations on occasion.

I am astonished that the debate about the devolution of broadcasting is seen as a threat to democracy. I have already quoted a number of prominent broadcasters who support our concept. I hope, and have every expectation, that Scottish broadcasting will thrive in the coming years.

I want to quote someone who is as well known to the Secretary of State as the other people I mentioned earlier. I refer to Nigel Smith, whom the hon. Member for Falkirk, East (Mr. Connarty) may think is a wild-eyed separatist, along with all the other people he thinks are wild-eyed separatists. In fact, this particular wild-eyed separatist is on the Labour party vetting committee for Scottish Parliament candidates. He is also a former member of the BBC Scottish broadcasting council, and chairman of Scotland Forward.

In a letter, Nigel Smith gives a list of issues that a Scottish Parliament could debate, but over which it would have no related powers. I recognise that some of the issues have been raised by hon. Members, but Nigel Smith's list includes Channel 5 coverage in Scotland, the sale of BBC transmitters in Scotland, cross-media takeovers and the BBC licence in Scotland. Those are all issues that Nigel Smith thinks are important. He believes not only that the Scottish Parliament should be able to debate them, but that it should have the power to do something about them.

Nigel Smith is hardly someone whom the Government would regard as a star-gazing, wild-eyed revolutionary. If they did, he would be surprised to hear it. I have already referred to the comments of the hon. Member for Falkirk, East and his attack on "Voice for Scotland", which he claimed was following a separatist agenda. I am not sure to whom he was referring. Perhaps it was Pat Chalmers, who I understand was a Liberal Democrat councillor. I am sure that he would be surprised to discover that he was thought to be a wild-eyed separatist. Equally, Ruth Wishart would be surprised to discover that, in the eyes of the hon. Gentleman, she is a wild-eyed separatist.

Mr. Connarty *rose—*

Ms Cunningham: I have only three minutes left, so I will not give way to the hon. Gentleman.

It was Ruth Wishart who provided me with the newspaper analogy that the hon. Gentleman seemed to find so threatening. Perhaps he should direct his concerns and fears to that eminent person, who is undoubtedly well known to the hon. Gentleman.

Nigel Smith's letter was written to the Secretary of State for Culture, Media and Sport. He directly referred to the existing arrangements as indirect, diffuse and bound up with Scotland's small share in British broadcasting. His view is:

"If . . . Devolution is to breathe new life into Scottish affairs some care should be taken to see that vitality is properly reflected in the most important medium of the Age"—

broadcasting.

It was daft to claim that we would not get the soaps in Scotland. People who suggest that should get a grip. I am happy to go on record that my preferred soap is "EastEnders". I make absolutely sure that it is taped if I am unable to watch it, as I do not want to miss it. However, it is a trivialisation of the debate to use those terms.

Nor is the debate about control—it is about having powers equivalent to those that Westminster currently has. Frankly, if it is so bad for the Scottish Parliament to have those powers, why is it acceptable for Westminster to have them? I quote Nigel Smith on that matter. He said:

"This appeal should not be misrepresented as an argument for controlling broadcasting."

As I said, Nigel Smith is busy helping the Labour party to vet potential candidates for the Scottish Parliament. I therefore think that his views on the matter are very instructive and useful to share. I thank him.

I am grateful also to the hon. Member for Dundee, East (Mr. McAllion) for his useful contribution in explaining the position of the constitutional convention. He is an example of the cross-party support for our amendment.

The international context is important, and we need more programming in Scotland that reflects Scottish interests in overseas matters. I specifically commend "Eorpa" on meeting that need week after week. It is one of the best factual programmes on Scottish television—in Gaelic, but subtitled for the rest of us who watch it avidly. It is another programme that I tape and ensure—

It being Eight o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution [23 February], put forthwith the Question already proposed from the Chair.*

Question put, That the amendment be made:—

The Committee divided: Ayes 42, Noes 287.

Division No. 190] **[8 pm**

AYES

Allan, Richard
Baker, Norman
Ballard, Mrs Jackie
Beggs, Roy
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Cunningham, Ms Roseanna *(Perth)*
Ewing, Mrs Margaret
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gorrie, Donald
Hancock, Mike
Harris, Dr Evan
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Kirkwood, Archy

Livsey, Richard
Llwyd, Elfyn
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Tyler, Paul
Walker, Cecil
Wallace, James
Webb, Steve
Willis, Phil

Tellers for the Ayes:
Mr. Andrew Welsh and
Mr. John Swinney.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Ashton, Joe
Austin, John
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Church, Ms Judith
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davies, Rt Hon Ron *(Caerphilly)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dewar, Rt Hon Donald
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Win *(Bridgend)*
Grogan, John
Gunnell, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Michael, Alun
Michie, Bill *(Sheff'd Heeley)*
Milburn, Alan
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Palmer, Dr Nick
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Purchase, Ken
Quin, Ms Joyce
Quinn, Lawrie
Rammell, Bill
Reid, Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*

Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Wood, Mike
Wooles, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Ms Bridget Prentice and
Mr. Kevin Hughes.

Question accordingly negatived.

THE CHAIRMAN *then proceeded to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Clause 83 ordered to stand part of the Bill.

Clause 84

POWER TO ADAPT CROSS-BORDER PUBLIC BODIES

Dr. Liam Fox (Woodspring): I beg to move amendment No. 461, in page 38, leave out lines 32 to 35.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 463, in page 39, line 7, at end add

'and it has been passed by an affirmative resolution of both Houses of Parliament'.

No. 428, in clause 85, page 39, line 31, leave out 'has' and insert

'and such other persons or bodies as the Parliament may determine have'.

No. 462, page 39, line 31, at end add

'and it has been passed by an affirmative resolution of both Houses of Parliament'.

Dr. Fox: In his long and winding winding-up speech, the Secretary of State referred to the cross-border public bodies specification paper made available to hon. Members a couple of days ago, a paper whose naive optimism shines through. It talks about the Government envisaging that the Scottish Parliament will want to continue these arrangements. It is very optimistic, to the extent that one would have to have powers well in excess of those of Mystic Meg to be able to predict anything of the sort.

8.15 pm

Clauses 83 to 85 give power to the part of the White Paper that deals with the statutory right to consultation. I want to know from the Minister what one or two of the terms in this part mean, which is why we have tabled these probing amendments.

I should like the Minister to give us the plain person's plain English guide to what "subordinate" actually means in clause 84 and how it relates to other clauses, especially clause 101(8). Everything seems to hinge on there being agreement. Clause 84(1)(a) is most extraordinary. It refers to

"enabling powers to be exercised or requiring duties to be performed by the Scottish Ministers instead of by a Minister of the Crown, or by the one or by the other, or by both jointly or by either with the agreement of or after consultation with the other".

Thus the provisions in paragraph (a) gradually become watered down. They remind me of what a friend of mine said after a particularly bad night. She said that she was never going to drink again;, well, not during the day; well, not in the morning, except for white wine—before she had a bloody Mary before breakfast. Paragraph (a) waters down the provision, but amendment No. 461 would delete that paragraph.

I am looking forward to hearing what the Minister has to say. Can subordinate legislation

"make provision in relation to a cross-border public body"

by agreement or after consultation? Does "after consultation" mean that even if no agreement is reached, it can all go ahead anyway? Does it mean that under subordinate legislation the Parliament can do exactly what it wants?

Amendment No. 462 deals with perhaps the most interesting aspect of the matter. We want to ensure that there will be sufficient scrutiny by the House, so we wish the Bill to state that no subordinate legislation shall be made under the clause unless the cross-border public body concerned has been consulted and an affirmative resolution has been passed by both Houses. That would give the House sufficient power to protect the future of the cross-border bodies and would prevent the ping-pong and recipe for friction that are all too apparent in the clause.

I especially look forward to the Minister defining exactly what "subordinate" means in the clause so that, as the Secretary of State said at the outset, we can avoid the worst-case scenario in which we get into utterly unnecessary scraps about the future of these bodies once the Parliament is up and running.

Mr. Dalyell: Clause 84(3) requires the cross-border body concerned to be consulted before subordinate legislation is made to adapt it under the clause. What form is this consultation going to take?

Mr. McLeish: Before speaking specifically to the amendments, I should like to take up and deal with the points made by the hon. Member for Woodspring (Dr. Fox). First, the notes on clauses contain an explanation of the various subsections. Secondly, we anticipate coming back on Report with some technical amendments that will clarify and simplify some of the issues raised. Thirdly, in an attempt to be courteous and helpful, I will send a letter to the hon. Gentleman about the raft of clauses that deal with subordinate legislation, giving an insight into how they are constructed and hang together and what the impact will be on, for example, consultation. I hope that that is helpful.

Dr. Fox: Apart from writing to me, will the Minister make the letter available to all parties, and will he ensure that copies are available in the Library for the benefit of all right hon. and hon. Members?

Mr. McLeish: I apologise for that oversight. Copies will be sent to the spokespersons of the parties and to right hon. and hon. Members who have attended our proceedings and taken an active interest in them.

The amendments relate to important considerations dealing with subordinate legislation. In the context of amendments Nos. 461, 463, 428 and 462, clauses 84 and

[Mr. McLeish]

85 are essential elements of the provision which the Bill makes to implement the proposals in the White Paper for dealing with those public bodies that are concerned with both devolved and reserved matters. These are the cross-border public bodies that we have been talking about.

Amendment No. 461 would delete an essential part of clause 84—that which enables ministerial powers and duties to be exercised in a way appropriate to the body concerned, either by transferring them to the Scottish Ministers or providing that they will be exercised jointly, after consultation or with agreement. The amendment would entrench the position under clause 83 whereby the functions are exercisable only by a Minister of the Crown, albeit with a requirement to have consulted the Scottish Minister in certain cases. For some bodies, that position might be appropriate, but for many it is only right that the Scottish Ministers should exercise appropriate control.

It would, for example, make sense that a Scottish Minister should alone be able to exercise a power of direction in relation to devolved matters in or as regards Scotland. The bodies are, after all, concerned with devolved matters for which the Scottish Executive will be accountable. Of course, if we fail to make provision for a fair and equitable reallocation of powers in the way provided for by clause 84, it will make it all the more likely that the Scottish Parliament will decide to legislate to set up a separate body. It seems to be far more sensible and efficient instead to create the conditions under which cross-border bodies can continue to serve both United Kingdom and Scottish Ministers.

I hope that in the light of that explanation the hon. Gentleman will agree that his amendment would introduce an undesirable rigidity into the arrangements that can be made for enabling these public bodies to continue to operate on a cross-border basis, and that he will withdraw the amendment.

Dr. Fox: Subsection (1)(a) reads:

"either with the agreement of or after consultation with the other".

Does "after consultation" mean that if no agreement is reached, powers can still be taken under subordinate legislation to go ahead, even if one side or party is unwilling that that should be so?

Mr. McLeish: We intend to have consultation and, we hope, agreement. We are talking of cross-border public bodies as defined in the relevant clauses. We hope that agreement will always be the result. If not, the procedures that are provided by the Bill in the light of failure to agree would be set in motion. Such procedures are contained in other clauses. It is important to recognise that we are talking about subordinate legislation in both houses. We are talking also about agreement with the principal parties concerned. If we talk about a cross-border public body, we talk also about reserved and devolved matters involving the same body. Therefore, the responsibilities of Holyrood and those of Westminster would proceed on the basis that I have outlined.

Amendments Nos. 463 and 462 are similar in effect. They would require subordinate legislation under clauses 84 and 85 to be subject to affirmative resolution of both Houses of Parliament. First, I should assure the hon. Gentleman that I fully share his concern that there should be adequate scrutiny of any subordinate legislation that is made under clauses 84 and 85. However, I contend that amendments Nos. 482 and 483 would be unnecessarily restrictive. As for clause 101, any order made under clause 84 must be laid both in this Parliament and in the Scottish Parliament. In terms of clause 102, these powers are open powers, which means, among other things, that the order may be subject to affirmative or negative procedure.

In practice, we think that the subject matter of these orders will often not require debate. It is surely not being suggested that, for example, where the order is concerned only with a power to certify the accounts of a particular body, it should be subject to affirmative procedure. We certainly do not think that it would be appropriate to make every such order subject to affirmative procedure, as amendment No. 463 would do.

Again, we are talking about flexibility and considering the specific issue that will be the subject of subordinate legislation. I think that flowing from that would be a decision taken by both Houses on the procedures to be adopted. In the light of what I have said, I ask the hon. Gentleman not to press amendments Nos. 482 and 483.

I move on to amendment No. 428. We are putting in place provisions to enable public bodies to continue to operate on a cross-border basis, but we must take account of the fact, that where matters are not reserved, the Scottish Parliament will be able to legislate to provide that such a body should no longer exercise its functions in relation to devolved matters in or as regards Scotland. Most probably, this would be in the context of a decision to set up separate Scottish arrangements. Clause 85 enables the practical consequences of such a decision to be dealt with, by enabling the transfer of appropriate property.

Again, it is all about flexibility being built into the future. The current settlement on cross-border public bodies could change. The proposed facility will allow both Parliaments closely to examine the distribution of the powers and responsibilities and allow sensible decisions to be made in the light of what is happening around the bodies concerned.

The clause imposes a requirement for the body concerned to be consulted before an order is made, and that is absolutely right. Amendment No. 428 would, in addition, require prior consultation with other persons to be determined by the Scottish Parliament. Presumably the hon. Gentleman would want the United Kingdom Parliament to have a similar role. However, in the Government's view such additional requirements are unnecessary. As I have said, the procedure for subordinate legislation under the clause requires agreement between the UK Government and the Scottish Executive, and orders will be laid before both Parliaments. That surely will be enough to ensure that all those with a legitimate interests will be aware of what is proposed. I cannot see the point of the additional mechanism that would be imposed by the amendment.

In the light of those comments, I hope that the hon. Gentleman will agree that amendment No. 428 is unnecessary and that he will not press it.

Mr. Dalyell: What is my hon. Friend's answer to my question on subsection (3)?

Mr. McLeish: I have answered the point. The question is about subordinate legislation, and we are talking about a process where subordinate legislation will be processed by both Houses. It is clearly the position that no action can be taken until the cross-border public body has been consulted on the changes that are envisaged. The process will ensure consultation between the body and the Parliament. It allows for discussions, if necessary, between the Scottish Executive and Westminster Ministers, and from there would flow the appropriate legislation to enact that which was being suggested. It will be a comprehensive process of consultation. Again, this is reflected in other parts of the Bill, and the Committee will remember our discussions on various other procedures affecting the change from Westminster to Holyrood.

Dr. Fox: I find myself somewhat disconcerted and almost speechless given the Minister's new-found flexibility. In almost his opening sentence, he agreed with the Opposition that the current descriptions and explanations of "subordinate" are virtually incomprehensible as they are written. We are glad to be told by the Minister that the Government will require to bring technical amendments before the House of Commons so that the provisions can become understandable. That information is gratefully received by those of us who are not lawyers, who thought that we simply could not understand the Bill.

I welcome the Minister's plan to write to all Members who have taken an interest in these matters, to set out explanations of how the Government will proceed. That having been said, I have reservations about references to subordinate legislation remaining in the Bill, but on this occasion we shall give the Minister the benefit of the doubt. I look forward to his explanations. No doubt we can return to these matters at a later stage. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Question proposed, That the clause stand part of the Bill.

Mr. Dalyell: I know that you will rule me out, Sir Alan, if what I am about to say is out of order. I tell my hon. Friend the Minister immediately that I do not expect a full answer.

With all this laying of orders it would seem to be assumed that there will be available to the Scottish Parliament the expertise that we often take for granted of the Clerks of the House of Commons. I do not know whether this is the right moment to ask the question, but are there proposals for seconding members of the expert Clerks Department? We are talking of refined expertise. Certainly, 20 years ago there was a good deal of controversy about this. I do not know the answer to the question. If my hon. Friend says, "I shall give you the answer but not on clause 84", I would take that as acceptable.

In parenthesis, there is the question of transferring the expertise of a Fees Office. I shall not stray out of order but I am wondering about these practical matters.

Mr. McLeish: I am tempted to say that the transfer of the Fees Office or some equivalent might rank higher in the priorities of some hon. Members. I should like to give my hon. Friend this simple reassurance. We are establishing a serious Parliament in Edinburgh. Through our civil servants, we receive some of the best advice available and we have set up a committee of the consultative steering group to look at technical procedures. My hon. Friend can be absolutely assured that we intend to provide a professional operation at Holyrood from day one, which means that we will need to look at all the issues he mentioned. I have no reason to doubt that expert advice will be available in Edinburgh at the appropriate time. We have it available in this House and it will be available in Holyrood.

Question put and agreed to.

Clause 84 ordered to stand part of the Bill.

Clause 85

POWER TO TRANSFER PROPERTY OF CROSS-BORDER PUBLIC BODIES

Question proposed, That the clause stand part of the Bill.

8.30 pm

Mr. Dalyell: I have a small point, which comes from the Law Society of Scotland. It is concerned about clause 85(5) and wants an amendment ensuring that the obligation to consult on subordinate legislation affecting cross-border public bodies will be adequate and not limited to the body concerned. The reason is that the Law Society is of the view that wide consultation on proposals to make subordinate legislation is necessary, especially in relation to cross-border bodies. Does the Minister have any reflections on that request?

Mr. McLeish: The Law Society has made some constructive points, but, again, I give my hon. Friend the assurance that those points are covered. There is already consultation with the cross-border public body affected, but wider consultation will invariably happen, because we shall be dealing with two serious orders that have to be processed through Holyrood and Westminster. In that process, there will be wider consultation than is envisaged in the direct consultation between the cross-border public body and the two Parliaments.

Question put and agreed to.

Clause 85 ordered to stand part of the Bill.

Clause 86

MALADMINISTRATION

Mr. Gorrie: I beg to move amendment No. 410, in page 39, line 34, leave out 'to its members'.

[Mr. Gorrie]

The Chairman: With this, it will be convenient to discuss amendment No. 411, in page 40, line 4, at end add—

'(4A) The Parliament may, by subordinate legislation, alter the list of authorities within its investigatory jurisdiction in so far as it relates to matters which are not reserved.'.

Mr. Gorrie: The purpose of the amendment is quite clear: it is designed to make it simpler and more tidy for the Scottish Parliament to set up its ombuds-system.

As it stands, the Bill suggests that provision should be made for the

"investigation of relevant complaints made to its members".

As I understand it, the system at Westminster is that all requests for investigation to the ombudsman have to go through a Member of Parliament. In the case of local government, it stated that any request had to go through a local councillor, but the system was changed to ensure that requests could go direct. We are suggesting that, in the case of the Scottish Parliament, any form of application can be used, so that people can go direct to the ombudsperson, or to their Scottish Member of Parliament, or to their Westminster Member of Parliament, or to their European Member of Parliament, or to a local councillor.

In that way, people will not be put off or confused about which of the different people they should approach. Some members of the public will not distinguish between powers held at Holyrood—or Glasgow—and powers held here at Westminster. There is confusion among hon. Members of this House, so there is bound to be greater confusion among members of the public. It is much tidier if any route can be used.

Mr. Godman: Would it not make better sense to allow the Scottish Parliament itself to determine how complaints should be brought to an ombudsman?

Mr. Gorrie: Our amendment would allow that to happen. We suggest removing the words "to its members", so that the clause would read:

"The Parliament shall make provision for the investigation of relevant complaints made . . . in respect of any action taken".

It would then be up to the Parliament to set out the precise system. Under the Bill as it stands, people would have to contact their Member of the Scottish Parliament.

An additional issue is that in the Scottish Parliament, there will not be the same degree of ownership, if I may call it that, of a complaint by the constituency Member. That is because there will also be the list Members, many of whom will be well-known in the area and who may be approached by the public to pursue a case. We think that our suggestion is extremely constructive and would help to speed matters along the way.

Mr. Oliver Heald (North-East Hertfordshire): The local government ombudsman is able to take complaints direct from the public. Is that the model that the hon. Gentleman prefers and is proposing that the Scottish Parliament should use?

Mr. Gorrie: We accept the point made by the hon. Member for Greenock and Inverclyde (Mr. Godman) that it would be up to the Parliament to determine the precise arrangements, but we have no objection to an individual citizen being able to contact the ombudsperson directly, if that is what is decided.

As I understand it, the view in ombuds-circles is that it would be more helpful if people were able to go direct to the ombudsman, rather than having to go through their Member of Parliament, so we think that that is a good route. However, our main point is that the Bill is too prescriptive: it should be open to the Scottish Parliament to decide what system it wants to use and we should not prescribe that complaints should have to go through a Member of that Parliament.

Amendment No. 411 merely suggests that the Scottish Parliament should be able to alter fairly easily the list of duties covered by the ombudsperson, so that if new duties emerge, there will be no great difficulty in adding to the list. We feel that our amendments are helpful and uncontroversial, and I am happy to commend them to the Committee.

Mr. Heald: It is a curious aspect of the Bill that some matters are left so vague, and that is certainly true in respect of the ombudsman for Scotland.

As hon. Members will know from their own experience dealing with the Parliamentary Commissioner for Administration, the local government ombudsman and the health ombudsman, there is already a good deal of overlap between the jurisdiction of the various authorities that have been established. One of my concerns, which prompts the first of my questions to the Minister, is to ask what is going to happen in respect of the various Scottish authorities which are already covered by the parliamentary commissioner, for example, the Scottish Environment Protection Agency, Scottish Homes, the Scottish medical practices committee, Scottish Natural Heritage, the Scottish tourist board and the Sports Council for Scotland? It is not clear from the wording of clause 86(1) whether those bodies come under the terms of the clause and are bodies which act

"on behalf of . . . a member of the Scottish Executive".

I should be grateful if the Minister could explain what will happen to the various authorities under the new arrangements. He may say that the Government want to leave a good deal of discretion to the Scottish Parliament. What would be the legal effect of the clause without the amendment? Would the Parliament be able to take on the responsibility of having its own commissioner for those important bodies in Scotland?

My second question is whether it is possible for the job done by the health ombudsman for the United Kingdom to be severed so that the Scottish part of the job is dealt with by the Scottish ombudsman. Is that the Government's proposal?

Thirdly, what about the functions of the various other authorities that have responsibilities similar to those of the ombudsman? Fourthly, will it be possible for a Scottish ombudsman to take over a range of responsibilities for various authorities in Scotland, or will scrutiny in an area of devolved responsibility be dealt with by the UK Parliament?

Finally, the Scottish Parliament may take responsibility for tourism in Scotland. Two of the reserved matters in the Bill are the subject matter of the Timeshare Act 1992 and the Package Travel, Holidays and Tours Regulations

1992, which are central to tourism. What would happen if the Scottish tourist board were dealt with by the Parliament, but the UK ombudsman dealt with scrutiny of the Scottish tourist board?

Mr. Dalyell: I shall treasure the collective suggested by the hon. Member for Edinburgh, West (Mr. Gorrie) of ombuds-circles. I like the idea of moving in ombuds-circles.

Mr. Menzies Campbell (North-East Fife): An alternative to crop circles.

Mr. Dalyell: Maybe, but we all have a problem. Come the Scottish Parliament, what about our surgeries? Endless people will come to us as at present. When they turn up, it is difficult to say, "That has nothing to do with me, go to your Member of the Scottish Parliament."

Mrs. Anne McGuire (Stirling): That happens anyway.

Mr. Dalyell: It will be a difficult situation for all of us.

Mr. Godman: I have some sympathy for the amendments, but if the avenue along which complaints are made is widened, how will the ombudsman—or ombudswoman, presumably—deal with vexatious or ridiculous complaints? Constituents currently bring complaints for the parliamentary ombudsman to their Member of Parliament. That is not a bad system. Not so long ago, I had occasion to forward a complaint to the parliamentary ombudsman—I think that it was Mr. Reid at the time—from a pregnant 17-year-old girl who was given no help by the Department of Social Security. Local social workers had also achieved nothing on her behalf. The Department had acted very badly towards her. I forwarded her complaint to Mr. Reid. The then Secretary of State for Social Security, Mr. Tony Newton, came to the Dispatch Box to apologise to my constituent through me.

The fact that a Member of Parliament can forward a complaint carries some weight. The Member of Parliament might have to tell the constituent that their complaint is not one of maladministration. We may have to be more delicate than to say that it is a vexatious complaint, but it really should not be taken to the ombudsman.

Mr. Heald: Does the hon. Gentleman agree that the system is well understood? Someone who has a complaint about a public body goes to their Member of Parliament. They both know that the threat of reference to the ombudsman is powerful. Would it not be wrong if confusion crept into the system, with different ombudsmen for different matters? Is not the definition of an ombuds-circle what happens if someone goes to their Member of Parliament, is referred to the Westminster ombudsman and is then told that the matter is one for the Scottish ombudsman, so it goes to the Member of the Scottish Parliament, who sends it to the Scottish ombudsman, who in turn says that it is a matter for the health ombudsman?

Mr. Godman: The hon. Gentleman is now referring to this circle. With the creation of a number of ombudsmen and ombudswomen, the public are gradually becoming aware of the spheres of responsibility of respective administrators.

My concern is that the amendment takes away the involvement of a Member of Parliament. On the matter of a local authority ombudsman, it is reasonable enough to argue, as many of us did, that local authority tenants, for example, sometimes found difficulty in complaining about the local authority housing department to the local councillor who may well have been a member of the housing committee. In all conscience, I believe that, given my experience of the workings of the system—not the circle—the hon. Member for Edinburgh, West (Mr. Gorrie) ought to withdraw his amendment.

8.45 pm

Mr. Wallace: This is a matter of practicality. I do not know whether the hon. Gentleman is standing for the Scottish Parliament. Assuming that he is not and he is a Westminster Member, would he say to a constituent who came to him with a complaint and who wanted to go to the ombudsman—given that the hon. Gentleman immediately identifies that the matter is within the Scottish Parliament's jurisdiction—"Sorry, I cannot take this complaint to an ombudsman. Go and find your MSP"? The same would apply if the hon. Gentleman received the complaint by correspondence. Would not he be creating an extra layer of correspondence?

Mr. Godman: Not at all. People come along to our surgeries every day with complaints about housing, and we have to say that it is not our responsibility but the responsibility of their local councillor. Similarly, if people come along with concerns about social work matters, we have to say, "This is a matter for your councillor." If someone came to me with a complaint of maladministration and I thought that his or her complaint would be best dealt with by my local MSP, I would advise them to go to their MSP's next surgery. The matter would be the MSP's responsibility, not mine.

Mr. Ernie Ross (Dundee, West): The hon. and learned Member for Orkney and Shetland (Mr. Wallace) clearly wants to defend his hon. Friend the Member for Edinburgh, West (Mr. Gorrie), but he is not thinking clearly. He knows that, at the minute, if one of the constituents of my hon. Friend the Member for Greenock and Inverclyde (Mr. Godman) wanted him to pass a complaint to the local authority ombudsman, my hon. Friend could not do so. He would have to see a councillor, who would send it on. That is the way that it works.

Mr. Godman: That regulation was of course changed not so long ago, and I agreed with that change. There were times when the local councillor might have been involved directly in the decision making against which the complaint was being made. That does not happen with Members of Parliament, unless they are Ministers. I do not see the problem that the hon. and learned Member for Orkney and Shetland (Mr. Wallace) raised about referring a complaint made in a Westminster Member's surgery to a Member of the Scottish Parliament.

There is good sense in a Member of Parliament channelling the complaint to the ombudsman. I have made a number of such complaints. In most cases,

[Mr. Godman]

the ombudsman has said that they were not cases of maladministration. However, I have given the example of the young pregnant girl who was treated very callously by the local social security department, which forced Mr. Tony Newton—who was only too willing to do so—to apologise to her at the Dispatch Box. He was a first-class Cabinet Minister, despite being a Conservative. He also wrote to me saying that he agreed with the ombudsman finding against his Department. That is a powerful tool that is used by Members of Parliament on behalf of their constituents. We should leave clause 86 as it is, yet allow for the Parliament to decide in the course of time to modify the system if it wishes. I like the idea of a Member of Parliament being involved in such complaints.

Mr. McAllion: I had not intended to intervene in the debate, but a certain confusion is evident on the part of everyone who has taken part so far. I think that we have all agreed that it is wrong that councillors, for example, should have to refer complaints against the council to the local government ombudsman, because there is an obvious conflict of interests when councillors complain against their own council.

However, exactly the same applies to Members of this Parliament as applies to Members of the Scottish Parliament. The complaint may be against a Housing Minister or a Health Minister in the Scottish Parliament, and that person may be a Labour Minister. If one's local Member of the Scottish Parliament happens to be Labour too, do we not see a conflict of interests? A Labour Member of the Scottish Parliament would have to put forward a complaint against a Labour Minister in a Labour Government in the Scottish Parliament. The same conflict of interest arises there as arises now with councils.

Therefore, there is an element of confusion. I would have no objection to taking the phrase "to its members" out of the clause, because that would leave the Scottish Parliament to draw up its own code of guidance about how the right could be exercised by individuals throughout Scotland.

In the modern age, we always have to beware of the party system. We must remember that this Parliament is dominated by the party system. The Scottish Parliament is likely to be less so; none the less, it will still be evident—

Mr. Heald: Was the possibility that the hon. Gentleman had in mind that in a regional list system, if someone who was No. 1 on the list misbehaved, he might be No. 9 next time?

Mr. McAllion: To be No. 9 in a list would be a big step up for me. The lesson applies both ways. It is not only list Members to whom pressure can be applied. Pressure can also be applied to Members who stand in constituencies, and that is done most effectively, I can assure the hon. Gentleman.

My point is serious. If members of the public have the right to complain against an Executive in Parliament, the road for making the complaint should not lie solely through the Members of that Parliament, because the party system will come into play and there will be pressure on Members not to further the complaint if to do so would work to the detriment of their party. I am speaking not about the Labour party alone, but about whichever party happens to be in power at the time.

This is an interesting debate. I would like to hear why we should not open up the ways in which people can complain about the activities of Ministers in Parliament, because I am in favour of individuals having the maximum right to complain about Governments.

Mr. Davidson: My hon. Friend the Member for Dundee, East (Mr. McAllion) does himself and his colleagues something of an injustice when he says that most Members would have reservations about sending something to the ombudsman if it might embarrass their party. The ombudsman is empowered to deal not with policy matters, but only with maladministration, and the overwhelming majority of Members would completely disregard the party loyalty of the Minister involved when deciding whether to put forward a particular case.

Nobody seriously believes that any Minister directly, himself or herself, does all the administration on individual social security or housing cases, or on anything else, so I do not believe that problems would be put directly at the door of individual Ministers, as my hon. Friend suggested.

However, I still have reservations about what is being proposed, because I worry that if a complaints procedure is open to all and sundry, it leaves the system open to what are described as vexatious litigants. I have several constituents who come to me at the moment wanting matters to be pursued with the ombudsman—or the ombudsperson, or even ombuds-circles, to coin a phrase.

Mrs. Eleanor Laing (Epping Forest) *rose—*

Mr. Davidson: Let me give my examples, and then I shall let the hon. Lady intervene.

One lady is especially upset because the Benefits Agency does not provide additional benefit for people with dogs. She believes that a supplementary payment should be made to those with dogs. I have tried to indicate to her that this is a policy matter, and not an administration matter; it seems clear to me that the elected Member of Parliament has a responsibility to cut such matters out of the system.

Similarly, a lady told me that she wanted to see her referendum paper. She wanted to know where it was, and she believed that the fact that she was not allowed to see it was an example of maladministration which she wanted pursued. That sort of thing could easily clutter up the entire system unnecessarily.

Another constituent asked me how she knew that I had been elected. It is a good point, which has had me somewhat confused. I explained that she could write to the returning officer, but she had done so. He had written back, but she asked how the returning officer knew that I had been elected. How did she know that the votes cast were cast for me? How did she know that the counters counted the votes correctly? I can see this being an issue that would take up considerable time of the ombudsman, whatever system was used. It would clog up the system. We should leave the system as it is and look to see how the matter progresses in future.

Mrs. Laing: I would like to ask the Minister whether he is taking seriously the new vocabulary being used

during our discussions on the Bill. We are quite used to the idea of an ombudsman—it is the title given to someone who looks at alleged maladministration. The word comes from German. [HON. MEMBERS: "Swedish."] Members of the Scottish National party say it comes from Swedish. It is from that sort of language.

Mr. John Swinney (North Tayside): European?

Mrs. Laing: European, but not Latin-based—that is the point I am making. It has been brought into our language and accepted.

Is it not taking gender balance too far to start talking about ombudspersons? I do not know the Swedish word for woman, but if one was going to be perfect about it, one would have to have an ombudsfrau rather than an ombudsman. The whole point about an ombudsman is that it is not a man or a woman—it is someone who carries out a certain duty. I suppose that Labour Members would like twinned ombudspersons, so that if there were one ombudsman, there would have to be one ombudsfrau. If they want to use that system in the Parliament, they must want it to be used in all aspects of public life. It is nonsense.

Mr. Desmond Swayne (New Forest, West): The point about the gender balance is to engender a new politics of consensus, but we all know how bogus that is. Indeed, Mr. Martin, you will remember that, only three weeks ago, when we had the debate on the Foreign Secretary's diary secretary, the worst offenders in terms of the most disgraceful politics were the new Labour women.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): Order. The hon. Lady must not pursue that matter. I hope that the hon. Gentleman in future will not draw the Chair into his arguments.

Mrs. Laing: I will not pursue that matter.

The serious point is that, once again, we have considerable confusion. The hon. Member for Dundee, East (Mr. McAllion) said that people would be confused about which ombudsman to go to, and about which cases go to which ombudsman. One will not know to whom to complain—the Member of Parliament, the Member of the Scottish Parliament, the Member of the European Parliament or the local government representative.

Moreover, the duties that Members of Parliament currently carry out for all their constituents will be discharged either by themselves, MSPs or someone else. That highlights the fact that Members of Parliament representing Scottish constituencies at Westminster will not have a full job when half their work is done by MSPs.

Mr. McLeish: I shall first comment on the points that the hon. Member for North–East Hertfordshire (Mr. Heald) raised on how the various bodies will be affected by the advent of the Scottish Parliament. Conservative Front Benchers always want to make life more difficult than it will actually be. We should return to the first principles that we have talked through in our consideration of various clauses. There are reserved bodies and cross-border bodies, and we are now specifically talking about investigations into maladministration in parliamentary activities. It should be obvious that such a wide range of bodies that will be accountable to the Holyrood Parliament will fall into the three categories that I have mentioned.

The important point about commissioners is that the Scottish Parliament will be able to establish a body responsible for examining maladministration. It will be able to develop the roles of the health service and local authority ombudsmen—the specifics will be taken care of in that instance.

9 pm

Hon. Members have asked about the practicalities of the relationships between MSPs and Westminster Members of Parliament. Again, that will inevitably work itself out with experience—that has happened with local councils just as, before local government reorganisation in Scotland, it happened with regional and district councils. I never had any problems sorting out where responsibilities lay and, given the common sense of the participants, I do not foresee problems arising when the new system is established.

Mr. Dominic Grieve (Beaconsfield): As I know from experience, people bring local government matters to the surgeries of Members of Parliament, partly because they believe, perhaps mistakenly, that Members of Parliament have extra clout to deal with the problem because, ultimately, they can go to the top of the particular tree that is directing administration. When the Scottish Parliament is established, however, Westminster Members of Parliament will have no remit in certain matters—Members of Parliament representing Scottish constituencies will not have the clout to deal with those matters. That will give rise to some confusion.

Mr. McLeish: I appreciate the hon. Gentleman's point—he has made some good arguments in the debate. Arrangements must be worked out in practice. When the Scottish Parliament is established, there will still be councillors and Members of the Westminster Parliament, as well as constituency MSPs and list system MSPs. I have no doubt that that will work out—there is no reason why it should not. Every time local government has been reorganised, problems have arisen because the participants have had to deal with different problems.

As to clout, many of my constituents mistakenly believe that their Member of Parliament can open doors and wave a magic wand. Sometimes the timing of the Member of Parliament's involvement can seem to do that, but I am sure that it has more to do with due process than with my efforts. I believe, in good faith, that the systems will work and that there will be clarity. Custom and practice will work matters out in each of the Scottish constituencies.

I shall deal with the more narrowly focused amendments. I cannot accept amendments Nos. 410 and 411, although I sympathise with the points that hon. Members made about them. The Bill imposes a duty on the Parliament to make provision for the investigation of certain complaints made to MSPs of maladministration by the Scottish Administration. That parallels the arrangements that apply to complaints made through Members of the House of Commons.

The provision does not preclude the Scottish Parliament from making arrangements for complaints received via other routes to be investigated. That should properly be

[Mr. McLeish]

left to the Scottish Parliament to consider. *[Interruption.]* The hon. Member for Edinburgh, West (Mr. Gorrie) seems to be saying that the amendments would do that, but I shall explain in a minute that there will be a minimum statutory requirement for the Parliament. I hope that the Parliament will be able to stay with that, or indeed to develop it in the spirit of the amendments.

The Scottish Parliament may indeed think it right that its arrangements for the investigation of complaints of maladministration should enable members of the public to make complaints directly to a Scottish ombudsman, or to whatever office or body the Parliament sets in place. There is nothing in the Bill to prevent that.

On the other hand, the discipline of providing only for the investigation of complaints made to Members has its advantages. That arrangement has worked well here: it ensures that Members of Parliament are aware of their constituents' problems and are regularly informed about the actions of Departments. It also gives us a chance, where appropriate, to resolve the complaints ourselves without the need for a formal investigation by the Parliamentary Commissioner for Administration.

There is often a frustration in the community that complaints have to be processed through the Member of Parliament. That said, we have heard comments about vexatious or trivial complaints, and the filter often acts as a discipline. There are arguments for and against, but the main point is that the Parliament should be able to deal with a complaint and take it further if it wishes, or stick with the statutory requirement if it does not.

I am sure that hon. Members agree that it is important for any arrangements for the investigation of maladministration by the Scottish Administration to be effective and efficient. The provision in the Bill should go some way towards ensuring that, but the clause lays down only the minimum statutory requirement. I would expect the Scottish Parliament to want to build on that requirement to develop a system appropriate to Scottish circumstances.

Indeed, that system could be better than the one that currently operates at Westminster. In developing its system, the Parliament must have regard, among other matters, to the Parliamentary Commissioner Act 1967, but it is important that the detailed arrangements should be left for the Parliament to consider.

I am afraid that, again, the Government cannot accept amendment No. 411. The clause places a duty on the Parliament to make provision for the investigation of certain complaints of maladministration arising from the action of the Scottish Administration. It does not refer specifically to the investigation of complaints made against other bodies or authorities.

The Bill sets out the Parliament's minimum duty. I am certain that the Parliament will want to consider what other bodies it should make provision for. The United Kingdom ombudsman currently investigates complaints against a range of bodies, including bodies wholly concerned with matters that are to be devolved. The Scottish Parliament will be able to provide for complaints about such bodies in future.

I think it appropriate, however, to allow the Scottish Parliament to make its own arrangements. There is no need for amendment No. 411, as the Bill gives the Parliament the desired flexibility to make arrangements for the investigation of complaints against other bodies. I hope that, with that clarification, the hon. Member for Edinburgh, West will withdraw the amendment.

Mr. Gorrie: I am obliged to the Minister for his explanation. If the Bill means what he says it means, that is satisfactory from our point of view and we will not press the matter to a vote. My hon. Friends are more concerned to vote on judicial circles than on ombudsman circles. I therefore beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 86 ordered to stand part of the Bill.

Clauses 87 to 88 ordered to stand part of the Bill.

Clause 89

APPOINTMENT AND REMOVAL OF JUDGES

Mr. Menzies Campbell: I beg to move amendment No. 266, in clause 89, page 40, line 35, after '(1)', insert 'Subject to subsection (3)'.

The First Deputy Chairman: With this, it will be convenient to discuss the following: Amendment No. 26, in page 40, line 35, leave out 'continue to'.

Amendment No. 27, in page 40, line 36, after 'appointment', insert 'or removal'.

Amendment No. 267, in page 40, leave out from beginning of line 38 to end of line 1 on page 41 and insert—

'(2) Subject to subsection (3) below, the First Minister shall recommend to Her Majesty the appointment of a person as—

(a) a judge of the Court of Session (other than the Lord President or the Lord Justice Clerk); or

(b) a sheriff principal or sheriff.

(3) The Prime Minister shall not make any recommendation to Her Majesty under subsection (1) nor shall the First Minister make any recommendation to Her Majesty under subsection (2), unless the nominee has been recommended to the Prime Minister or First Minister by the Judicial Services Commission for Scotland.

(4) The Judicial Services Commission for Scotland shall be constituted and have the powers and functions set out in Schedule (*The Judicial Services Commission for Scotland.*)'.

Amendment No. 429, in page 40, line 39, leave out from 'been' to end of line 40 and insert

'included in a list, submitted by the First Minister to the Prime Minister, of persons suitably qualified and experienced to hold either of the offices specified in subsection (1) above.

(2A) Before submitting the list specified in subsection (2) above, the First Minister shall consult the Lord President of the Court of Session, the Lord Justice Clerk, the Secretary of State for Scotland, the Lord Advocate and the Advocate General for Scotland'.

Amendment No. 28, in page 40, line 40, at end insert—

'(2A) The Prime Minister shall not recommend to Her Majesty the removal of any person from the office of Lord President of the Court of Session or Lord Justice Clerk unless the First Minister advises that such a recommendation should be made.

(2B) The First Minister shall not give such advice unless the Parliament has resolved that the Lord President or Lord Justice Clerk should be removed from office and the number of members voting in favour of the resolution is not less than three-quarters of the total number of seats for members of the Parliament.'.

Amendment No. 29, in page 40, line 44, leave out 'or'.

Amendment No. 30, in page 41, line 1, at end insert

', or

(c) the Chairman of the Scottish Land Court.'.

Amendment No. 430, in page 41, line 1, at end insert:—

'(3A) Before making any recommendation to Her Majesty in relation to an appointment specified in subsection (3), the First Minister shall consult the Lord President of the Court of Session, the Lord Justice Clerk, the Secretary of State for Scotland, the Lord Advocate and the Advocate General for Scotland.

(3B) Before making any recommendation to Her Majesty in relation to the appointment of a sheriff the First Minister shall also consult the Sheriffs Principal'.

Amendment No. 31, in page 41, line 2, after 'Session' insert

'other than the Lord President or Lord Justice Clerk.'.

Amendment No. 431, in page 41, line 2, after 'Session', insert 'Sheriff Principal or Sheriff'.

Amendment No. 432, in page 41, line 3, at end insert—

'(4A) The First Minister shall make such a recommendation if, and only if, the Lord President of the Court of Session and the Lord Justice Clerk have undertaken, of their own accord or at the request of the First Minister, an investigation in the fitness for the office of the judge, sheriff principal or sheriff, as the case may be, and have reported in writing to the First Minister, together with a statement of their reasons, that the judge, sheriff principal or sheriff is unfit for office by reason of inability, neglect of duty or misbehaviour.

(4B) When an investigation under subsection (4B) above is into the fitness for the office of either the Lord President of the Court of Session or the Lord Justice Clerk, such investigation shall be carried out by the other and by two additional judges of the Court of Session nominated by the First Minister.

(4C) The First Minister shall make such a recommendation if, and only if, a Resolution approving of the proposed removal of the judge, sheriff principal or sheriff, as the case may be, has been approved by both Houses of Parliament.'.

Amendment No. 32, in page 41, line 4, at end insert—

'(a) he receives a report from the Lord President and the Lord Justice Clerk that the judge is unfit for office by reason of inability, neglect of duty or misbehaviour, and

(b)'.

Amendment No. 33, in page 41, line 7, leave out 'two-thirds' and insert 'three quarters.'.

New schedule 1—*'The Judicial Services Commission for Scotland*—

—(1)There shall be a Judicial Services Commission for Scotland consisting of—

(i) a lay President;

(ii) three judges, including at least one from an intermediate court, elected by the judges by such method as a Scottish Act of Parliament shall prescribe;

(iii) two persons who have regularly exercised rights of audience in the superior courts for not less than 15 years; and

(iv) five lay members, who are broadly representative of the community;

(2) The Judicial Services Commission may act notwithstanding any vacancy in its membership;

(3) the members of the Judicial Services Commission (other than judicial members) shall be appointed by the First Minister after consultation with the Lord President and the Lord Justice Clerk;

(4) The lay members shall be selected by the First Minister from a list of names submitted by the Commissioner for Public Appointments;

(5) If either the Lord President or the Lord Justice Clerk expresses dissent from a proposed appointment, the fact of the dissent shall be published if the Prime Minister or First Minister proceeds to make a recommendation to Her Majesty;

(6) The members of the Judicial Services Commission shall be appointed for such terms (being not less than 5 years) as a Scottish Act of Parliament may prescribe;

(7) No person may be appointed for a term which would expire after that person has attained the age of 70 years;

(8) A member of the Judicial Services Commission shall cease to hold office—

(i) upon the expiry of the term of appointment (which, subject to sub-paragraph (7), may be renewed); or

(ii) if the member ceases to have the qualifications necessary for appointment; or

(iii) on receipt by the First Minister of a letter of resignation from the member; or

(iv) in the case of a judicial member, if the member is removed from office; or

(v) in the case of a non-judicial member, if the member is removed from office by the Commissioner for Public Appointments.

(9) The Judicial Services Commission shall, in nominating persons for appointment to judicial office, adopt procedures for the identification of candidates so as to ensure, so far as practicable, that adequate numbers of candidates of both sexes and from diverse racial, religious and social backgrounds are considered for appointment; and

(10) The Commission may do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its functions.'

Mr. Campbell: It will be clear to hon. Members who have examined this group of amendments that to understand fully the effect of what is proposed, one must read amendment No. 266 together with amendment No. 267 and new schedule 1. As will be obvious, amendment No. 266 is a paving amendment.

Perhaps I should begin by declaring an interest, as I am a member of the Faculty of Advocates from which, by convention, appointments to the Court of Session bench are made. I still practise rather sporadically, but it is right that I should declare an interest.

The amendments and the new schedule are designed to institute a judicial services commission for Scotland to appoint judges. It may be worth having regard for a moment or two to the precise terms of clause 89. Subsection (1) provides for the United Kingdom Prime Minister

"to recommend to Her Majesty the appointment of a person as Lord President of the Court of Session or Lord Justice Clerk."

Those are the two most senior appointments in Scotland. The holders of those appointments occupy the chair of the first division, in the case of the Lord President, and the chair of the second division, in the case of the Lord Justice Clerk, in the Court of Session.

Clause 89(2) provides that

"The Prime Minister shall not recommend to Her Majesty the appointment of any person who has not been nominated by the First Minister for such appointment."

Of course, the First Minister is the First Minister in the Scottish Parliament. Subsection (3) provides:

"It is for the First Minister to recommend to Her Majesty the appointment of a person as . . . a judge of the Court of Session (other than the Lord President or the Lord Justice Clerk) or . . . a sheriff principal or a sheriff."

[Mr. Campbell]

Subsection (4) provides for the removal from office of any judge, whether the Lord President, the Lord Justice Clerk or a judge appointed to the Court of Session, on the recommendation of the First Minister.

Subsection (5) provides that

"The First Minister shall make such a recommendation if (and only if) the Parliament resolves that the judge in question should be removed from office and the number of members voting in favour of the resolution is not less than two-thirds of the total number of seats for members of the Parliament."

As I pointed out, the purpose of the amendments and the new schedule is to provide a judicial services commission for Scotland. I claim consistency, if that be a merit in these matters, as a private Member's Bill that I introduced in February 1992 contained similar provisions. As was inevitable, that Bill made no further progress, but it embodied provisions that were substantially the same as those that I urge the Minister to accept this evening.

Why do I seek to establish a judicial services commission for Scotland through these amendments? It is right that some of the mystique that attaches itself to the appointment of judges should be removed. As matters stand, I understand that the Lord Advocate of the day determines a suitable candidate for appointment to the Court of Session and makes a nomination to the Secretary of State for Scotland, who makes a recommendation to her Majesty, who ultimately makes the appointment. None of that takes place in public and none of it is subject to the scrutiny of the public or anyone other than the Lord Advocate and the Secretary of State for Scotland.

The mystique ought to be removed. There is more than a hint of the white smoke emerging—I think that it is from the Sistine chapel, although I cannot claim any great expertise in such matters—from the chimneys of Parliament house in the High street in Edinburgh, behind St. Giles. Therefore, it is right and proper that those matters should be subject to greater public scrutiny. There should be public accountability, because in accountability and scrutiny lies greater public confidence. The effect would be that all professional Scottish judges would be appointed only after consideration and nomination by the judicial services commission. Only stipendiary magistrates, who are professional judges but sit in the district courts, would be exempt from such consideration.

These provisions do not come before the Committee with only the rather slight benefit of consistency that I have demonstrated in this matter. For the last 10—certainly for the last five—years of the Labour party's time in opposition, they enjoyed substantial support in the Labour party in Scotland. I know that he is now subject to the Trappist vow of silence that accompanies being a Whip, but I have often heard the hon. Member for Dumbarton (Mr. McFall) eloquently argue the case that I am making. If the Government seek consistency, they need look no further than him.

The background is that it was believed that the Lord Chancellor was of a mind to make similar provision in England and Wales, but keen students of these matters noted that what was expected to appear to that effect in the manifesto of the Labour party did not ultimately feature in it. There has been some speculation about why, but it is clear that the Lord Chancellor has determined that there should be no such judicial commission for England and Wales. I do not think that that is a good argument for saying that we should not have one for Scotland. We are creating a different sort of Parliament, with a different sort of scrutiny and different roles and responsibilities. It would be correct and consistent with the Parliament's spirit to have a judicial services commission as proposed in the amendments.

9.15 pm

I do not need to say much to amplify the case for such a commission. Its make-up is set out in some detail in new schedule 1, of which paragraph 9 is the only element to which I wish to draw attention. It provides that the commission

"shall, in nominating persons for appointment to judicial office, adopt procedures for the identification of candidates so as to ensure, so far as practicable, that adequate numbers of candidates of both sexes and from diverse racial, religious and social backgrounds are considered for appointment".

That is a sensible provision. It does not seek to impose a quota or suggest that people without the requisite qualifications should be promoted to achieve a balance, but it lays on the commission a duty to seek to identify, so far as practicable, people of both sexes and from diverse racial, religious and social backgrounds. The judiciary in Scotland could be strengthened only if that approach were part of the mechanism by which professional judges in Scotland were appointed. I therefore have no hesitation in recommending the scheme contained in amendments Nos. 266 and 277 and new schedule 1 and inviting the Committee to accept it.

Mr. Dalyell: Every constitutional theorist acknowledges that individual freedom is threatened when the balance between the judiciary, the legislature and the Executive is not equal. Clause 89 tips the balance against the judiciary and therefore against a bulwark of the rule of law. Is it the Government's view that clause 89(5) protects the judiciary from parliamentary or Executive interference? I hope for and expect a positive reply.

The reason why the Prime Minister has the power to recommend the appointment of the Lord President of the Court of Session and Lord Justice Clerk under clause 89(1) and not the other judges of the Court of Session requires clarification. Clause 89(3) fails to refer to the chairman of the Scottish land court and honorary sheriffs. Should not those offices be included?

As for removals, the First Minister should be required to give reasons for the removal of a judge and to hold an independent parliamentary inquiry. Should there not be a statutory role in the process for the Lord President and the Lord Justice Clerk? Clause 89(4) apparently means that the Lord President and the Lord Justice Clerk can be removed through a truncated procedure. Is that appropriate in the context of judicial independence?

The Judicial Pensions and Retirement Act 1993 provides a compulsory retirement age of 70 for judges of the Court of Session. No statutory provision exists for the removal from office of a judge of the Court of Session, but Lord Fraser of Tullybelton, writing in "The Laws of Scotland", suggests that such a removal would require an Act of Parliament. Sheriffs principal and sheriffs are required to retire at the age of 70 and can be removed

from office only by an order from the Secretary of State following a report by the Lord President of the Court of Session and the Lord Justice Clerk.

A number of points arise from my amendments, but I have the impression that the Committee is more interested in hearing the Government's response before the guillotine falls at 9.45 pm. Let me just say that the amendments were born out of a passionate concern that, in the media society in which we live, it is all too easy— *[Interruption.]* The Whip says that I must finish my speech quickly, so I shall put what I want to say succinctly. In this media society, it is all too easy for the tabloids, or indeed the broadsheets, to whip up hysteria against a supposedly fuddy-duddy judge who, perhaps, is too soft, in the public's estimation, on an unpopular category such as paedophiles. In certain cases, that judge may know a great deal more than the press, but could all too easily be the target of press campaigns for his removal.

Against that background, it is extremely precious to our democracy and whole future that judges who make unpalatable decisions on the basis of knowledge should be given the benefit of the doubt. I, for one, am generally alarmed by the proposal for a two-thirds majority, which could be fairly easily stitched together in rather unpleasant circumstances.

I hope that the Minister will give a positive reply, because this is a desperately important subject.

Mr. Ancram: I, too, should declare an interest, as a member of the Faculty of Advocates, although I have not practised since 1979 and the chances of my doing so again in my current position are—I hope—reasonably remote.

I rise with some diffidence because every time Conservative Members rise to speak, the Minister tells us that we are trying to make things more difficult. I assure him that we are not on this occasion and, indeed, that we do not normally do so.

This is an important matter which arises from the change in the role of the judiciary resulting from this and other legislation. I think we all appreciate that the role of the judiciary will be changed by this Bill and by the Human Rights Bill, which the House is currently considering. The judiciary in Scotland and further afield will be required to take on new roles of a rather more constitutional nature. Their role in adjudicating on devolution issues will make new demands of judges in Scotland and beyond. Their role in determining the legality of Acts of the Scottish Parliament will obviously involve them in certain sensitive areas. In cases arising from the European convention on human rights, they may have to determine matters that raise profound questions of social policy, morality or religion. That obviously increases the scope for conflict between the courts and the Executive; it may introduce the prospect of disagreement at times between the courts and the Scottish Parliament.

I sketch that background not because I envisage such conflict taking place but because it emphasises the need to ensure that the authority and independence of the judiciary are preserved. We are all trying to ensure public confidence in the independence and quality of the judiciary, and the confidence of the judiciary that they can operate independently.

My concern about the way in which clause 89 is drafted is that it leaves the appointment of judges in the hands of a few people who may have a political motivation. I am not saying that they necessarily would, but the very fact that that could be the case may undermine the credibility of, and the confidence that the public might have in the independence of, the judiciary.

I do not seek to follow the path taken by the hon. and learned Member for North-East Fife (Mr. Campbell). I have heard his views before and his idea is interesting, but I consider that it goes too far in trying to achieve the quality and independence that we are all seeking.

However, on judicial appointments, we have tried in our amendments to broaden the consultation that will be required to achieve nominations. We believe that, by broadening it beyond the First Minister and the Lord Advocate to include the Lord President of the Court of Session, the Lord Justice Clerk, the Secretary of State for Scotland and the Lord Advocate and the Advocate General for Scotland, we are proposing a broader and more professional basis on which nominations can be made. Essentially, the amendments replicate that basis for the appointment of all judges in Scotland.

We are also worried—I know that the judiciary would be, too—about the procedure for removing judges. As the hon. Member for Linlithgow (Mr. Dalyell) said, this is currently a matter of some uncertainty. There is a view that it would take an Act of Parliament to remove a judge. The Bill provides for such a removal to be brought about by a vote of two thirds of the total number of seats for Members of the Parliament. I share some reservations that, on occasions, such a vote could be stitched up.

Therefore, in amendment No. 432, we seek to provide a broader system to operate before a removal can take place. The amendment says:

"The First Minister shall make such a recommendation"—

for removal—

"if, and only if, the Lord President of the Court of Session and the Lord Justice Clerk have undertaken, of their own accord or at the request of the First Minister, an investigation in the fitness for the office of the judge, sheriff principal or sheriff, as the case may be, and have reported in writing to the First Minister, together with a statement of their reasons".

That is important, as is the second part of that amendment, which sets out the need for a proper investigation.

These amendments are tabled, in a very constructive spirit, to try to ensure that the judiciary, of which we are rightly proud in Scotland—I say that as a Scottish lawyer—maintain the integrity and the quality that have always been their hallmark. I believe that the amendments would improve the Bill and, although it is not for me to move them at the moment, I hope that the Government will give them due consideration.

Mr. McLeish: I want to participate in the debate in the spirit in which the amendments have been tabled, because I share the concerns of the right hon. Member for Devizes (Mr. Ancram) about public confidence in, and the credibility of, the system. I should also like to reflect the comments of my hon. Friend the Member for Linlithgow (Mr. Dalyell) about balance and the need to ensure that there is no interference of the Executive with the judiciary. That is a very important point and I hope that some of my comments will reflect that concern.

This is not the end of the journey for clause 89. I hope that, after I have finished speaking, the Committee will see that we shall return to this matter on Report. These are very important issues. We want to get these matters

[Mr. McLeish]

right and I give the Committee an assurance that we are listening and are keen to consult to ensure that we get them right when the Parliament is established.

First, I shall speak to amendments Nos. 26, 27, 28 and 31. I am most grateful to my hon. Friend the Member for Linlithgow for raising many points covered by the amendments. I listened carefully to what he said about them. Several most important issues underlie his proposals.

I shall say a word about clause 89(1) as it stands. The role of the Prime Minister in recommending the appointment of the Lord President and the Lord Justice Clerk is of very long standing. Until now, the role has been non-statutory and we felt it appropriate to use the opportunity that is presented by the Bill to give formal recognition to a practice that Governments of all parties have operated since the beginning of the century.

Amendments Nos. 26, 27, 28 and 31 would give the Prime Minister a new role in recommending the removal of a judge. The Prime Minister has no such role in the context of English judges, and in principle we see no case for such a role to be exercised solely in Scotland.

9.30 pm

In England, a judge may be removed from office on the address of both Houses of Parliament, although, as some hon. Members have said, the position is not crystal clear. The responsibility for recommending the removal of a judge should rest primarily with the First Minister who would have to seek the authority of the Scottish Parliament before making any recommendation to Her Majesty the Queen. Clause 89(5) means that a recommendation by the First Minister for the removal of a judge requires the support of two thirds of the Members of the Scottish Parliament. That is a weighty mechanism for determining whether a judge should be removed, and that is appropriate.

Mr. Dalyell: Could not it be at least three quarters or, given the possibility of a coalition Government, more?

Mr. McLeish: At this stage, we are happy with the two-thirds majority because it is a formidable obstacle, but I shall refer to my hon. Friend's question later.

It is right that the decision should be taken by the Scottish Parliament. I would expect it to take a close and measured interest in such matters, consistent with the responsibility that we propose to place on it. We must provide a mechanism for dismissal, but we are debating a situation that we hope is unlikely to arise.

Amendments Nos. 29 and 30 are unnecessary because section 1(2) of the Scottish Land Court Act 1993 already provides for the appointment of members of the land court, including the chairman, by Her Majesty the Queen on the recommendation of the Secretary of State for Scotland, whose function in that respect will be transferred to Scottish Ministers by clause 49.

I shall now deal with amendment No. 32. It should be borne in mind that we are establishing a set of principles and a hurdle that the First Minister and the Parliament will have to overcome if a judge is to be dismissed. We are not writing the procedures because that will be a matter for the Scottish Parliament. Any statement about the grounds of removal must be carefully crafted in the light of precedent and case law, to strike the appropriate balance between ensuring provision for the removal of judges who are unfit for office—however rare and unlikely that eventuality—and protecting members of the judiciary from removal on anything other than the ground of unfitness.

The Bill safeguards judicial independence by the very fact that a two-thirds majority of Members of the Parliament will be required for a resolution to remove a judge. That will inevitably require a consensus on the reason for removing the judge. In view of the comments of my hon. Friend the Member for Linlithgow, I am prepared to consider making it clear that the ground on which the First Minister should make his recommendation should be unfitness for office. I should like to consider an amendment that is designed to achieve that and table it on Report.

Mr. Dalyell: I thank my hon. Friend. That seems an excellent solution.

Mr. McLeish: I accept that my hon. Friend appreciates that the Government take this matter seriously. I support the spirit of his amendment, but I ask him not to press it.

Mr. Salmond: May I tempt the Minister to consider the nature of traditional appointments to the Privy Council? Is he aware that only two of the 109 members of its Judicial Commitee are women and that one of them is there because she is the Leader of the House? In the light of questions about traditional appointments, does the Minister think that that is satisfactory?

Mr. McLeish: I should like to respond to the hon. Gentleman, but I fear that if I do I shall stray into another group of amendments.

Amendment No. 33 requires that three quarters of Members of the Parliament would be required to vote in favour of a resolution to remove a judge. The proportion of two thirds that is suggested in the clause is a high threshold, and, in proposing that proportion, the Government recognise the seriousness of removing one of Her Majesty's judges from office. That is why we have not proposed a simple majority in the normal way but require a significant number of Members of the Parliament to be satisfied that the Executive's actions are justified and appropriate. In the circumstances, I invite my hon. Friend the Member for Linlithgow to agree that the point has been well made in the Government's proposals and that there is therefore no need for him to press his amendment.

Amendments Nos. 266 and 267 and new schedule 1 would represent a fundamental change in our traditional arrangements. At this stage, we do not consider it appropriate to impose a scheme of this sort on the Scottish Parliament. The arguments in favour of some form of judicial appointments board have been advanced from time to time, but we do not believe that such ideas have yet been sufficiently discussed or that the Scotland Bill is the right vehicle to implement any such changes.

I agree that it should be open to the Scottish Parliament to establish some form of Committee on judicial appointments, which could put forward names to the First

Minister, but, again, I come back to the point that we should not seek to impose such a procedure by means of this Bill.

I have made my comments in the spirit of understanding the hon. and learned Member for North-East Fife (Mr. Campbell) suggested, but, in view of the points that I made about consultation and discussion, about this Bill not being the most appropriate vehicle, about the Scottish Parliament being able to consider the matter and about nothing being ruled out, I hope that he will not press the amendment.

Mr. Menzies Campbell: If the Minister is considering unfitness for office, I hope that he will take account of a recent case in another place, where the unfitness for office of a Scottish judge who had been removed from office arose in fairly sharp focus. There were questions about precisely what meaning should be ascribed to the words. I hope that the Minister will take note of their lordships' decision.

From what the Minister has said, I feel that he is more open minded about my proposals than his original outright opposition would suggest. I have only one question—is it his view that a Committee of the sort to which he referred would be within the general competence of the Scottish Parliament, or would it require statutory provision? If the hon. Gentleman is able to give me a satisfactory answer to that, I may not feel compelled to press my amendment.

Mr. McLeish: I am willing to give the assurance that the matter will be within the general competence of the Scottish Parliament. I take the hon. and learned Gentleman's point about unfitness within the context of the discussions we have had. We will be looking closely at the considerations that surround the unfitness issue. We want to get it right and there will be further consideration of the matter.

I come finally to the amendments tabled by the right hon. Member for Devizes and his colleagues and will begin with amendments Nos. 429 and 430. Although there may very well be arguments for non-statutory consultation of the nature suggested, I do not feel that writing into the Bill such a complex series of exchanges will improve the quality of the final decisions. However, I am prepared to consider further whether there should be any additional provision for consultation by the First Minister before he makes recommendations for appointments. If any amendments are required, the Government will table them in time for Report.

On amendment No. 431, there are already powers for removing a sheriff or sheriff principal in section 12 of the Sheriff Courts (Scotland) Act 1971. Under the general provisions of the Bill, those powers will pass to Scottish Ministers and the Scottish Parliament. I have no doubt that they will be exercised with appropriate care and I see no need to include anything in the Bill that would make any specific additional provision.

I have dealt with the principles underlying amendment No. 432 in my response to the amendments tabled by my hon. Friend the Member for Linlithgow. In short, I do not consider that the Bill needs to set out the detailed procedures that may relate to the removal of a Court of Session judge. Neither could I accept any suggestion that Westminster should be involved in this process. It should be a matter for the Scottish Administration and it is not something which should be second guessed by Westminster. The amendment would be a quite inappropriate provision and it should be rejected. I have made it clear that I am prepared to consider an amendment that specifies the grounds on which any recommendation for removal of a Court of Session judge should be made.

Mr. Dalyell: Will the Government draft an amendment along those lines?

Mr. McLeish: I have assured right hon. and hon. Members that we will want to revisit on Report the points that have been raised in this debate. I have more than entered into the spirit of the occasion—there is substance in my response to some excellent and considered comments by hon. Members. I therefore hope that amendment No. 266 will be withdrawn in the sure knowledge that we will revisit the issue. That should go some way to satisfy the concerns that have been expressed.

Mr. Menzies Campbell: In light of the Minister's comments about returning on Report to the removal issue, and on the Parliament's competence being adequate to allow it to create a committee to give advice on judicial appointments, I do not think that it would appropriate to press the amendment to a Division. On that basis, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 89 ordered to stand part of the Bill.

Clauses 90 and 91 ordered to stand part of the Bill.

Schedule 6

Devolution issues

Dr. Fox: I beg to move amendment No. 438, in schedule 6, page 79, line 20, leave out from 'Committee' to end of line 21.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 443, in page 81, line 26, leave out 'require' and insert 'request'.

No. 444, in page 81, line 28, at end insert—

'(33A) Where a court or tribunal refers a devolution issue for determination in terms of paragraph 33 above, the person making the request for such a reference shall pay all legal expenses of any parties that subsequently take part in any proceedings before the Judicial Committee for the determination of the judicial issue referred.'.

No. 445, in page 81, line 45, at end insert—

'(6) The person making a reference in terms of paragraph 34 shall pay all legal expenses of any parties that subsequently take part in any proceedings before the Judicial Committee for the determination of the devolution issue referred.'.

Dr. Fox: This debate will, of necessity, be a short one. We feel that schedule 6 is generally well drafted, although I should like briefly to deal with three matters. First, amendment No. 438 would dispense with any requirement for leave. We think that there is no reason why the final determination of devolution issues by Scottish courts should not be appealed against without leave to the Privy Council or the House of Lords. We are very keen to hear the Government's justification for that provision.

[Dr. Fox]

Secondly, we have tabled amendment No. 443 in an attempt to preserve judicial discretion—which the Government are normally extremely keen on. We should be very interested to know why the Government will not accept the simple change that we have proposed in our rather short amendment.

Finally, we have tabled amendments Nos. 444 and 445 in an attempt to recover the costs of those who become involved in expensive hearings on devolution issues through no fault of their own. Surely it is right that the financial burden should be placed on the budgets of those who do the referring. We think that the amendments would be a very logical, fair and simple tidying up of the Bill, placing the financial burden on those who seek to use the Bill's powers.

I hope that the Minister will see fit to accept our amendments.

Mr. Salmond: As the issue is the role of the Judicial Committee of the Privy Council, it is appropriate that we should spend a moment or two examining the nature of the current Judicial Committee. The Committee has 109 members: 63 from England, nine from Scotland, five from Northern Ireland, 14 from New Zealand, one from Australia, one from Barbados, one from the Cayman Islands, one from Jamaica and one from the West Indies. The average age of Committee members is 67, and only two of the Committee's 109 members are female. Of the politicians on the Committee, 11 are former Tory Ministers—led by the venerable Lord Hailsham, and four are current or former Labour Ministers. To my knowledge, there are no former Liberal Democrat or Scottish National party representatives on the Committee. We have difficulty in getting people appointed to such bodies, or so I have heard.

I believe that the Judicial Committee of the Privy Council was an improvement on the House of Lords in arbitrating in disputes between the two Parliaments, but the complexion and nature of the Committee leave a great deal to be desired. Although only a panel of the Judicial Committee will be selected to serve in each arbitration, one could scarcely say that the Committee is politically representative of the population—it is certainly not representative in terms of gender.

Mr. Wallace: Does the hon. Gentleman agree that when a panel is selected, it should at least include some people with judicial experience in Scotland?

Mr. Salmond: Yes. The hon. and learned Gentleman has helped me, in that I was about to come to an alternative, which I hope we can discuss on Report. That alternative is a constitutional court of judicial appointments between the two Parliaments, such as exists between the Länder and the federal Government in Germany.

I know that in the minute that remains to him, the Minister will be more than happy to respond in the co-operative nature of the Committee to the points that I have made.

Mr. Dalyell: What research have the Government carried out on the projected increases in work for the courts and the Judicial Committee as a result of the Bill? What resources are to be made available to the Judicial Committee for devolution issues?

Mr. McLeish: I cannot do justice to the concerns expressed. The kindest thing I can do is to write to the hon. Member for Woodspring (Dr. Fox), but we are rejecting the amendments. I shall also correspond with the hon. Member for Banff and Buchan (Mr. Salmond) about the composition of the Judicial Committee, numbers on the panel and the—

It being a quarter to Ten o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution [23 February], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Schedule 6 agreed to.

Clauses 92 and 93 ordered to stand part of the Bill.

Clause 94

THE JUDICIAL COMMITTEE

Question proposed, That the clause stand part of the Bill.

Mr. Dalyell: The Law Society has a query. It is of the view that the number of Lords of Appeal in Ordinary and holders of high judicial office under the Appellate Jurisdiction Act 1876 should be increased to ensure that the court is adequately served. What is the Government's reply to the Law Society?

Mr. McLeish: Of course, the court will be adequately served. I link this matter to the point that I should have made earlier about proper funding and resources being available. That will be the case.

Question put and agreed to.

Clause 94 ordered to stand part of the Bill.

Clauses 95 to 98 ordered to stand part of the Bill.

Clause 99

REGULATION OF TWEED AND ESK FISHERIES

Question proposed, That the clause stand part of the Bill.

Mr. Godman: Mention is made in clause 99(2) of the Salmon and Freshwater Fisheries Act 1975. May I plead that the Act be revised in the interests of ordinary anglers? At the moment, it favours the interests of riparian owners and very rich fishermen and women. Ordinary anglers from clubs across the country deserve better recognition, and the Act should be changed.

Mr. A. J. Beith (Berwick-upon-Tweed): As the Committee might not reach a later group of amendments that relates to clause 99, it is important to put it on the record at this stage that the clause reflects my many discussions with Lord Sewel and my earlier discussions with the late John Smith about how legislation affecting the River Tweed and its tributaries, especially the Till,

could be amended. Those rivers are governed by Scottish law—Scottish law hitherto made by the Westminster Parliament—although they are in England. It would obviously not be right for criminal offences to be created or modified by the Parliament in Scotland without the consent of Westminster Members representing the areas affected. The same could apply on the other side of the country.

The Government have chosen a course of action that is broadly a reasonable one, which is to require that an affirmative order must go through the House of Commons to effect such a change. The intervention of the hon. Member for Greenock and Inverclyde (Mr. Godman) reminds us of the passions that are raised by these issues; they certainly are in my constituency.

An affirmative order might be extremely complex and raise some controversial issues, and it is important that it is widely discussed before a decision is made. Unless we are to have an amendment procedure that a later amendment suggests should be available, it would be a take-it-or-leave-it debate on an affirmative order on a complex piece of legislation affecting people's livelihoods. That is a worrying aspect of what is otherwise a sensible response by the Government.

Mr. Godman: Does the right hon. Gentleman agree that fishing on the Tweed and the Tay would be helped enormously by the abolition of drift-net fishing that uses monofilament nets?

Mr. Beith: No. All the scientific evidence is contrary to that view. Again, that is an illustration of the complexity of this matter and the passions that it arouses.

I hope that the Minister recognises that slapping an order in front of either the Scottish Parliament or this Parliament would not be an adequate response.

Mr. Salmond: Does the right hon. Gentleman accept that much of this aspect of fishing policy has been led, in terms of initiative, by another place, which has had more than a vested interest in many areas of policy?

Mr. Beith: The hon. Gentleman further illustrates how many interests are involved in this issue. It will be possible under the procedures that are outlined for the Parliament in Scotland to take the initiative and bring forward new legislation, but it could not proceed without the consent of the House of Commons. My preference is for the House of Commons to be able to proceed by way of amendable order, as an improvement even on what the Government are proposing. I am grateful for the trouble that they have taken on this important matter.

Mr. Connarty: Will my hon. Friend the Minister say specifically whether the Salmon and Freshwater Fisheries Act 1975 could be debated, discussed and amended in the Scottish Parliament, or would that have to be done in the House of Commons?

Mr. McLeish: It is indeed a wide and diverse Bill. The 1975 Act can be amended within the competence of the Scottish Parliament. Important issues have been raised and I can understand the passion that they can arouse.

The clause provides for the making of an Order in Council for regulating fishing for salmon, trout, eels and freshwater fish in the two cross-border rivers, the Tweed and the Esk, thus enabling continuation of fisheries management of the whole rivers following the devolution of fisheries matters to Scotland. The Order in Council would be an affirmative instrument in both the Westminster and Scottish Parliaments.

I take on board the issue of consultation. If the Scottish Parliament or the Westminster Parliament is moving on an issue, there should be maximum consultation with all concerned. I cannot give an assurance of what the Scottish Parliament will do, but I sincerely hope that consultation will be taken on board.

The clause provides a means to ensure continuation of a coherent legislative framework for the two border rivers. This is considered necessary to ensure effective fisheries management for the river systems, including their tributaries, and also to take on board access difficulties.

Mr. Grieve: I think that I understand correctly that any attempt at unilateral amendment by one Parliament, whether at Edinburgh or London, would be unsuccessful because it would be outside the scope of the legislation that we are passing.

Mr. McLeish: We are making it clear that the spirit and substance of what is proposed lies with orders in both Parliaments. That requires some consultation with those affected. It is important, in a sensitive part of the United Kingdom, that that be the case.

Mr. Godman: As a member of a fisherman's family, I would not want to see one drift-net fisherman lose his livelihood without substantial compensation. That has always been my view, in the House of Commons and before I became a Member.

Mr. McLeish: My hon. Friend will appreciate that I do not want to become involved in the question of compensation. Suffice it to say I understand the comments that have been made. We are trying to provide a framework for a logical and coherent debate about the future of issues affecting both the Tweed and the Esk. I think that that is the best way forward. I commend the clause to the Committee.

Question put and agreed to.

Clause 99 ordered to stand part of the Bill.

Clause 100

SUBORDINATE LEGISLATION: GENERAL

Question proposed, That the clause stand part of the Bill.

Mr. Dalyell: It is deeply unsatisfactory, although no one's fault, that, with six minutes to go, we are racing through such tricky minefields as clause 100, which deals with:

"section 98—treatment of individuals as Scottish taxpayers for social security . . . purposes".

[Mr. Dalyell]

The question of who is or is not a Scottish taxpayer is a difficult subject, and it is unsatisfactory that we should have to hurtle through all sorts of clauses in a quarter of an hour—

The First Deputy Chairman: Order. Clause 100 does not relate to the matters that the hon. Gentleman is raising. It deals with the exercise of powers to make subordinate legislation under the Bill.

Mr. Dalyell: I am referring to the notes that we have been given on subsection (5) of clause 100. These are the Government's own notes and I am giving as an example—

The First Deputy Chairman of Ways and Means: Order. They may be the Government's own notes, but I am looking at the Bill before me. The hon. Gentleman mentioned social security, but the clause has nothing to do with social security—perhaps the Government's notes are mistaken. I rule that, according to the information I have, it has nothing to clause 100.

Mr. Dalyell: If you refer to the volume entitled, "Scotland Bill: notes on all clauses and schedules (except schedule 5)", Mr. Martin, you will see that under the heading "Details of Provisions", in relation to clause 100(5) it states:

"section 98—treatment of individuals as Scottish taxpayers for social security etc. purposes".

I am simply saying that that subject is a minefield and, in normal circumstances, if this was a normal Committee stage, we would be asking some questions about that, because it is a mighty important subject.

The First Deputy Chairman: I take the hon. Gentleman's point.

Mr. McLeish: Clause 98 does in fact deal with social security and the matter of social security and the taxation base, but I can give my hon. Friend the assurance that it is a matter-of-fact approach to the tax-varying issues we have discussed. There is a link to social security for assessment, but it is very straightforward. Again, I am willing to write to my hon. Friend to make the implications clear.

Question put and agreed to.

Clause 100 ordered to stand part of the Bill.

Clause 101

SUBORDINATE LEGISLATION: PROCEDURE

Mr. Beith: I beg to move amendment No. 39, in page 44, line 23, after '29', insert '33,'.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 38, in page 45, line 10, leave out '33'.

No. 465, in page 44, line 29, at end add—

'(3A) Either House of Parliament or the Parliament shall have the power to amend a statutory instrument containing subordinate legislation under section 99, but no instrument shall be made as so amended without the consent of both Houses and of the Parliament.'.

Mr. Beith: The purpose of amendments Nos. 39 and 38 is to move orders made under clause 33 from negative procedure to affirmative procedure. To stop a Bill going forward for Royal Assent, which is what clause 101 is about, is a serious matter and because it involves the Secretary of State forming a view or belief, he ought to be obliged to come before the House to explain his grounds and seek positive approval for that belief.

Amendment No. 465 would give effect to the wish I expressed earlier that both Houses of Parliament and the Scottish Parliament should have the opportunity to propose amendments to legislation on complicated fisheries matters. There is ample precedent for that: for example, the census legislation allows such amendments to be moved, and I have moved such an amendment to that legislation. In reviewing the matter, we ought to consider allowing some more flexible procedure, given the complexity of the matters and the amount of technical dispute which they invite.

Mr. Heald: I hope that I may make a speech yet, despite the circumstances. Clause 33 has been described as the governor-general clause, because it allows the Secretary of State to strike down laws that have been passed by the Scottish Parliament. In my view, it is doubtful whether primary legislation should be struck down by secondary legislation—it is an odd concept and it is not fundamentally democratic. However, one thing is sure: if he is going to do that, the Secretary of State should come to this House to explain why, and not try to put it through via the back door. It is interesting to note that, under the negative resolution procedure in this House, only three out of 738 instruments have been discussed in the past year.

Mr. McLeish: I am certainly impressed by the hon. Gentleman's last comment. Amendments Nos. 38 and 39 would require orders under clause 33 to be subject to affirmative resolution procedure in both Houses of the Westminster Parliament. As the Bill is worded, such orders would be subject to negative resolution procedure in both Houses.

Orders under clause 33 are likely to be short-lived. In the limited circumstances provided for in that clause, they would prevent a Bill from being submitted for Royal Assent and give the Scottish Parliament an opportunity to reconsider the Bill. If the Parliament does that and amends the offending provision, the order can be revoked and the Bill can proceed for Royal Assent.

The Government have taken the view that there is no need to insist that such orders should require the approval of Parliament every time. Parliament will always have the opportunity to annul an order after it has been made.

The orders under clause 33 would need to be made quickly, within the four-week period. That would also be necessary to avoid uncertainty. It would be difficult for an affirmative instrument to be drafted, laid, debated by both Houses of Parliament and made, all within the four

weeks allowed—even assuming that Parliament is sitting. That is why the negative procedure was chosen. I ask the Committee to reject the amendments.

Mr. Beith: The Minister has not really answered my query—

The First Deputy Chairman: Order. I am sorry to interrupt the right hon. Gentleman.

It being Ten o'clock, THE CHAIRMAN, *pursuant to the Order [13 January] and the Resolution [23 February], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

THE CHAIRMAN *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Amendments made: No. 306, in page 44, line 23, after '29', insert ', 59'.

No. 330, in page 44, line 29, after '29' insert ', 59'.

No. 232, in page 44, line 39, leave out paragraph (c).

No. 331, in page 45, line 11, leave out first 'to'.

No. 308, in page 45, line 23, leave out '59'.—*[Mr. McFall.]*

Clause 101, as amended, ordered to stand part of the Bill.

Clauses 102 to 109 ordered to stand part of the Bill.

It being after Ten o'clock, THE CHAIRMAN *left the Chair to report progress and ask leave to sit again.*

To report progress and ask leave to sit again.—*[Mr. McFall.]*

Committee report progress; to sit again tomorrow.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

REFERENDUM (LONDON)

That the draft Greater London Authority (Referendum) Order 1998, which was laid before this House on 23rd February, be approved.—*[Mr. McFall.]*

Question agreed to.

PETITION

Human Rights Bill

10.2 pm

Mr. Laurence Robertson (Tewkesbury): I have the honour of presenting a petition from the members of the General Synod of the Church of England. The Human Rights Bill requires that Churches and other religious bodies be treated as public authorities when they perform public functions, such as the conducting of marriages and the running of Church schools. As the petition makes clear, because public authorities can be sued under the legislation for breaching the European convention, Churches and other religious bodies will be open to be sued in the secular courts on theological and moral issues.

The petition argues that religious bodies should be free to arrange their internal affairs and organise their Church schools and religious charities in accordance with existing arrangements. It also argues that the House should retain the amendments passed in another place, which would help to prevent religious bodies from being successfully sued in the secular courts.

The petition has been signed by 141 members of the General Synod, which is a quarter of the total membership. It includes the signatures of Philip Gore—a prominent lay member—and the Bishops of Manchester, Hull and Rochester. I am also authorised by the office of the Archbishop of Canterbury to say that he is concerned to ensure that the legislation cannot be used to require the Church to act in ways contrary to its religious principles and beliefs. There is also a great deal of concern about the issue among ordinary Church members. Their fear is that British courts could develop the law in a way that may restrict religious liberties.

The petition ends:

Wherefore your Petitioners pray that your honourable House will support the Human Rights Bill as amended in the House of Lords thus allowing a proper defence for religious bodies who could be pursued in the secular courts over what are essentially theological and moral issues.

To lie upon the Table.

Synthetic Factor VIII (Tayside)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

10.4 pm

Ms Roseanna Cunningham (Perth): I should say at the outset that I am aware that circumstances have changed since I applied for this debate last week. With the latitude of the House, and of necessity, the debate will have to range a little beyond what was originally intended.

I am also aware that the Under-Secretary of State for Scotland, the hon. Member for Strathkelvin and Bearsden (Mr. Galbraith) is medically qualified. I must concern myself with the fact that I shall spend the next 10 minutes or so talking about matters about which I rather suspect he knows infinitely more—at least in a medical sense—than I. With the agreement of the Under-Secretary, three other hon. Members hope to intervene briefly because they have particular constituency interests. I shall try to keep my remarks to a minimum in order to allow time for those speeches.

Haemophilia is a genetically inherited condition where the blood does not clot due to lack of clotting factor. It is treated by intravenous infusions of clotting agents. Hon. Members may be aware of factor VIII—that fraction of blood which enables blood clotting and forms an essential part of treatment to enable people with haemophilia to live as normal a life as possible.

Clotting factor proteins have traditionally been produced by pooling plasma from between 20,000 and 60,000 blood donations and separating the required factor. However, if any of the donations are infected with a blood-borne virus or prion, the entire pool could be affected and the virus passed on to the people receiving treatment. That has occurred in the not too distant past.

Approximately 1,200 people with haemophilia were infected with the human immunodeficiency virus—HIV—through NHS treatment, and, to date, approximately 700 people have died. In addition, 4,800 people with haemophilia were infected with the hepatitis C virus—HCV—through their NHS treatment. Those infections are believed to have taken place before 1986, when procedures were introduced to kill the viruses.

The HIV epidemic brought into sharp focus the vulnerability of the blood supply to infectious agents. That vulnerability was not only highlighted by HIV transmission through blood transfusion: it greatly accentuated the need for safer plasma derivatives. The HIV epidemic also witnessed the identification of the hepatitis C virus as a major agent responsible for non-A non-B hepatitis—a virus which has infected a very high percentage of people with haemophilia, and is associated with significant mortality and morbidity.

Those dangers prompted the use of a genetically engineered recombinant alternative to human plasma-derived factor VIII. Until now, certainly in Scotland, such treatment has been restricted to certain groups of patients such as children, previously untreated patients and those not already infected by serious blood-borne virus infections. I say "until now", but, in fact, as of Friday or Saturday, Tayside health board is providing synthetic factor VIII to adults.

The United Kingdom haemophilia centre directors' guidelines on treating haemophilia state that recombinant factor VIII is the treatment of choice for all patients with haemophilia A. Furthermore, concerns about the continued use of human plasma-derived products intensified due to the potential transmission of new-variant Creutzfeldt-Jakob disease through pooled, plasma-derived blood products.

That has been of great concern to patients still receiving human-derived factor VIII, many of whom have already endured similar periods of anxiety in the 1980s, when HIV and viral hepatitis emerged as major health threats for haemophilia patients being treated with human factor concentrates. In short, the arrival of CJD as a threat removed any justification there may have been for denying recombinant factor VIII to any person with haemophilia.

I sought the debate following an approach from a constituent of mine who, with constituents of my hon. Friend the Member for North Tayside (Mr. Swinney) and the hon. Member for Dundee, East (Mr. McAllion), took the courageous stand of refusing treatment unless and until the synthetic form of factor VIII was made available. That action speaks volumes for the strength of feeling among people with haemophilia.

On Friday, the Department of Health and the Scottish Office announced that certain blood products, including factor VIII, were to be banned, and I know that Tayside health board has now instructed consultants to make arrangements to offer recombinant factor VIII to all patients in Tayside, with immediate effect. I welcome that development, but my regret is that it was so long in coming that my constituent and others were forced to contemplate such drastic, life-threatening action.

As a small footnote, I add the fact that today I heard from a representative of the West of Scotland Haemophiliacs Society, who was informed of a mother in the Western Isles whose 11-year-old son was today refused recombinant factor VIII at Yorkhill hospital, which is within the remit of the Greater Glasgow health board. I therefore suspect that the position is not yet totally resolved throughout Scotland.

The Government's announcement does not end concerns about the availability of recombinant factor VIII. There remain many questions that need to be answered and many issues that need to be addressed. The press statement issued by the Scottish Office on Friday said that the Scottish National Blood Transfusion Service should be allowed to import plasma from non-United Kingdom sources to manufacture blood products.

Over the past few years, people with haemophilia have been forced to endure an inordinate amount of worry and suffering. Many, understandably, do not see why they should continue to risk their health by taking human plasma-derived factor VIII—wherever in the world that plasma has come from—when there is a risk-free synthetically produced alternative available.

The substantial cost of providing recombinant factor VIII therapy will inevitably result in a reduction in other services and initiatives for my constituents unless central funding for recombinant factor VIII is made available to assist health boards. Plasma-derived factor VIII concentrate production in Scotland is currently centrally resourced. If those products are now to be phased out, there must be scope for additional funding for the purchase of recombinant products.

It is undeniable that recombinant factor VIII is more expensive to produce than that produced from human plasma, but I feel that that financial cost must be weighed in the balance against the real concerns of people with haemophilia.

The abolition or reduction of VAT on the product, or some other way around the problem with recombinant factor VIII, which is classified as a drug rather than a blood product, would be a major step towards easing the financial burden on health boards and on the Scottish Office. Today's papers carried reports that scientists at the Roslin institute have been successful in producing factor IX with low production costs—an indication, perhaps, that cheaper sources of synthetic factor VIII may not be far away.

Scotland has an enviable tradition of an integrated national approach to haemophilia care, with the aim of ensuring that all Scottish patients receive the same standard of care irrespective of where they live or which hospital they attend. Without Scottish Office support for continuing a consistent national approach, it is possible that recombinant factor VIII concentrate therapy for haemophilia may be funded by some health boards and not by others.

Patients and practitioners throughout the United Kingdom undoubtedly welcomed the announcement on Friday afternoon, but now they deserve speedy answers to three questions. How soon will recombinant factor VIII be made available to all with haemophilia? What funding mechanisms will be put in place so that health boards are not adversely affected? Is there any way in which recombinant factor VIII can be exempted from VAT, or VAT can be reduced, to lower the total cost?

10.13 pm

Mr. John Swinney (North Tayside): I congratulate my hon. Friend the Member for Perth (Ms Cunningham) on securing this debate, and thank her for the opportunity to make some brief remarks.

I was contacted over the past few weeks by John McAughey, a constituent from the village of Stanley in Perthshire. I would like to read an extract from a letter he sent to the haemophilia centre director at Dundee's Ninewells hospital:

"I am writing to inform you of my decision to refuse treatment of my Factor VIII deficiency with Liberate Factor VIII concentrate, or any other plasma derived product. I have deliberated long and hard before reaching this decision but I feel I have no other choice. I am no longer prepared to take risks with my life and I am tired of playing Russian roulette every time I treat a bleeding episode because the purity of derived products cannot be guaranteed."

That illustrates the deep anxiety of many individuals about the safety of the products they are using to treat a serious medical condition. I saw Mr. McAughey and his wife yesterday, and they were relieved to receive the news from the Dundee NHS trust that the recombinant factor VIII treatment was to be made available and funded by the trust.

That is welcome news, but they left with me a strong sense that their concern was not just for themselves, but for others suffering from haemophilia in other parts of Scotland and the United Kingdom who may not receive or have access to the same treatment under the current regulations and arrangements. Tonight is a welcome opportunity for the Minister to place some of the Government's views on the matter on the record, to clear up the anxiety that is clearly felt by some of our constituents, and clarify where the Government believe policy is going.

10.15 pm

Mr. John McAllion (Dundee, East): I congratulate the hon. Member for Perth (Ms Cunningham) on securing this debate, and I thank her for allowing me the opportunity to make a brief intervention.

I confirm her account of events. My constituent was also one of those refusing treatment because he had been denied access to recombinant factor VIII. He contacted me about 10 days ago, and I immediately contacted Tayside health board. I was promised a written brief to update me on the situation. That had not arrived by the time I left for Westminster on Monday, but I was relieved—as was my constituent—that the money was found to make available the synthetic factor VIII for the treatment, as he had requested.

It is clear that, until Friday, that treatment was not available to adults in particular areas of Scotland—while in other areas it was available. There was an inconsistency in policy across Scotland in this respect.

It is also clear that Tayside health board was not making the treatment available to adults on the ground of cost. If we have a national health service—as the Government always claim—everyone living under that national health service should have equal access to treatment. That is something which the Government must clarify, and I hope that the Minister takes this opportunity to put at rest the minds of our constituents and to set out clearly the Government's policies.

10.17 pm

Mr. Anthony Steen (Totnes): I thank the hon. Member for Perth (Ms Cunningham) for allowing me to intervene. My constituency is 650 miles south of Perth, but I have a similar problem with a constituent. I am grateful to her for allowing me one minute to raise the issue.

I congratulate the Minister and the Government on insisting that treatment be made available to all children under 16. I regret that I did not know that until this morning, because the press release was the first news we had. It would have been nice if that could have been announced in the House, rather than through the newspapers. Children under 16 will now be entitled to recombinant factor VIII—something for which I have campaigned for a long time. I have constituents with a seven-year-old child, Michael Ashley, who suffers from haemophilia. His parents will be delighted, as I am, by the announcement.

Could the Minister inform the House of the time scale that the South and West Devon health authority will be adopting in providing my constituent with recombinant factor VIII? Will he also confirm that extra funds will be made available for this treatment, so that other treatments are not prejudiced?

In his press release, the Secretary of State for Health said:

"I have decided that all health authorities must make arrangements to ensure that the synthetic version of Factor VIII, known as recombinant, is made available to those children under the age of 16 who are not already receiving it, and to new patients."

[Mr. Anthony Steen]

I am much encouraged by that, and I hope that the Minister can reassure me that, although I am 650 miles south of Perth, the advantages that are available to people in Scotland will be also be available to people in Devon. Once again, I thank the hon. Member for Perth for her generosity in giving me this opportunity to speak.

10.19 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Sam Galbraith): I, too, thank the hon. Member for Perth (Ms Cunningham) for bringing this important issue to the attention of the House. I recognise that it is not only a matter of great concern to the haemophiliac community in Tayside but part of a wider concern throughout Scotland.

We want to ensure that the safest possible treatment can be given to this vulnerable group of patients. I thought that the hon. Lady gave a splendid dissertation on the causes of haemophilia and its treatment—I give her nine out of 10 for it. I also thank my hon. Friend the Member for Dundee, East (Mr. McAllion) and the hon. Members for North Tayside (Mr. Swinney) and for Totnes (Mr. Steen) for their contributions.

Ministers in this and the previous Administrations have considered this matter extensively since recombinant factor VIII became available as a licensed product in 1993. Of course, I appreciate that interest in the provision of this drug—a product which is not derived from human plasma—has been heightened since last week's expert advice to the Government about the theoretical possibility of transmission of new variant Creutzfeldt-Jakob disease via blood products. I should add that nothing was banned other than the use of albumen as a stabiliser in products. We are awaiting the advice of the Committee on Safety of Medicines on individual products.

Scotland has a good story to tell on the provision of recombinant factor VIII, but, before I come to that, I want—in case any doubts were raised by last week's announcement about blood products and new variant CJD—to reaffirm the Government's commitment to Scotland's blood transfusion service and the excellent job it does in supplying Scotland with safe, high-quality blood and blood products.

The Scottish National Blood Transfusion Service has served Scotland for more than 50 years and continues to be at the forefront of excellence in health care delivery and new technology in its efforts to deliver a first-class service to Scotland's patients. I know that the blood transfusion service is fully committed not only to developing its service but to ensuring that it continues to enjoy the excellent record it has earned for the safety and high quality of its blood and blood products.

The service's record in this area is world class. A review has shown that, over the past five years in Scotland, no infection of HIV or hepatitis B or C has been detected as a result of a patient being transfused with blood or receiving a blood product. That is a truly impressive record, given that 1.25 million blood donations were collected, processed, tested and delivered to hospitals during that period.

Until recently, the factor VIII blood-clotting factor could be obtained only as a plasma-derived blood product and for many years has been one of the blood transfusion service's staple products, manufactured at its blood products plant, the protein fractionation centre. As the hon. Lady said, factor VIII is a concentrated blood product, which is made from the pooled donations of many thousands of donors. The heightened risk of one infected donor spreading disease in such a way is, as she said, obvious.

Again, I congratulate the blood transfusion service on the wonderful work that its staff have done over the years to refine and improve the safety of its plasma-derived factor VIII product—a fact which is too easily overshadowed by the terrible tragedy of infections such as hepatitis B and C and AIDS. The record of the current product that the service produces speaks for itself. There have been no reports of HIV infection since 1984, and no reports of hepatitis B or C since the current product was introduced in 1992. In considering these matters, we should not lose sight of that outstanding record.

Despite that excellent record, there is no denying that, with the recent appearance of recombinant factor VIII as a commercially produced drug, we have a product which may reassure many haemophiliacs and which many haemophilia clinicians have identified as their preferred treatment. I also know that the current theoretical risk of new variant CJD transmission in blood products has fuelled their wish to switch to the recombinant product as swiftly as possible.

Scotland has not been deaf to those concerns. In 1996, the Government recognised that provision needed to be made for the national health service in Scotland to begin the transition to purchasing recombinant factor VIII for its haemophilia A patients. In response to requests from the haemophiliac community and its clinicians, funding of £1.1 million was provided to all health boards in Scotland, including Tayside, to enable them to begin the process and to provide the recombinant product for the most vulnerable groups in the haemophiliac community, such as children. That has been happening for some years.

Having helped to kick-start the process, the Government have asked health boards to pursue the matter as part of their pursuance of health care strategies throughout Scotland. All funds for the treatment, as for others, have been devolved, and I know that the boards have been considering long and hard the priority that it should be given against the other competing demands on their budgets.

That is what the boards are there to do, and it is not for me to take decisions for them, but I want to tell them that they should do what is right by patients, for the enhancement of patient care. I am glad to say that, in my experience so far, they have had that overriding need in the forefront of their minds.

The Government were very encouraged last year when the health boards decided to establish a national consortium to advance the process on an integrated, equitable and fair basis throughout the country, with the consortium co-ordinating the provision of factor VIII in Scotland and helping boards to keep in step in their approach to the issue. My hon. Friend the Member for Dundee, East and the hon. Member for Perth mentioned that, as well.

The consortium includes a number of health boards and representatives of the haemophilia directors—the clinicians who oversee haemophilia treatment in Scotland. Its key role is to advise on the priority that health boards should give to allocating from their funds provision for recombinant factor VIII and, in so doing, achieving an expansion of recombinant provision that maintains an equality of treatment for all patients. That point was raised by all the hon. Members who spoke in this debate.

The consortium has also recognised the concerns raised among haemophiliacs and their clinicians about new variant CJD, as illustrated by the cases presented by hon. Members tonight. I can confirm that it recently recommended to all health boards in Scotland that, in the light of those concerns, the extension of recombinant treatment in Scotland should be accelerated so that all health boards should offer recombinant factor VIII treatment to all their haemophilia A patients within the next year.

Health boards are still considering the matter, but both the consortium and the boards are clear about the importance of the key point: that the process must be pursued on an integrated national basis designed to ensure equity of health care throughout the country for Scottish patients, irrespective of where they live or which hospital they attend.

I can confirm that Tayside health board has already responded to the consortium's recommendations, and has agreed to offer the recombinant product immediately to all its haemophilia A patients still on plasma-derived factor VIII, including, of course, the constituents mentioned by hon. Members tonight.

I hope that that allays hon. Members' concerns, and serves to demonstrate the energetic steps that the NHS in Scotland has taken and continues to take in its efforts to ensure that haemophiliacs in Scotland are given equal access to available treatment.

The hon. Member for Totnes asked about provision in England; that does not fall within my portfolio as a Scottish Office Minister, but I assure him that the matter will be responded to by the Department of Health, and someone will write to him.

The hon. Member for Perth asked me some additional questions, which I hope I have answered in part, about how soon the new treatment would be universally available. All but one of the health boards have agreed to provide it, and we expect the final one to provide it soon; so the answer is, virtually right away.

The hon. Lady asked about central funding. Moneys for such treatments are held by health boards and not central Government. As I said, it is the boards' duty to balance the needs within their areas and to fund those matters appropriately. That goes on all the year round, as new treatments become available, and health boards have been able to do that. She mentioned that money might be saved because the product has not been produced centrally. The costs are all fixed centrally, and the dropping of one plasma product would in no way affect the cost of the provision of the services, so there are limited savings to be made there.

Finally, the hon. Lady asked me a question about value added tax. As she will appreciate, that is not a matter which is within my portfolio, but I will certainly look into it and someone will write to her. I hope that, in answering those questions, I have dealt with all the issues raised.

Question put and agreed to.

Adjourned accordingly at half-past Ten o'clock.

House of Commons

Thursday 5 March 1998

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

The President of the Board of Trade was asked—

Commercial Debt

1. **Barbara Follett:** What assessment she has made of the damage caused to small businesses by the late payment of commercial debt. [31125]

11. **Mr. Lock:** What representations she has received from small businesses on the damage caused to them by the late payment of commercial debt. [31137]

The Minister for Small Firms, Trade and Industry (Mrs. Barbara Roche): It is clear that late payment continues to be a major concern to small businesses, with a number of surveys showing that British businesses are less profitable and less competitive as a direct result of late payment. In some cases, their very survival is threatened. That is why we have responded to calls from the small business community and announced a new package of measures to tackle late payment. The Late Payment of Commercial Debts (Interest) Bill is an integral part of the measures and is supported by the majority of small firms.

Barbara Follett: May I congratulate my hon. Friend on the legislation? Does she agree that small businesses, working in partnership, can help to promote a better payment culture?

Mrs. Roche: I agree entirely with my hon. Friend. If we are to improve the payment culture, there needs to be proper partnership between Government and business organisations. That is why we are working jointly with the Forum of Private Business, the Federation of Small Businesses, the Institute of Directors, the Confederation of British Industry, the British Chambers of Commerce, the National Farmers Union and the Union of Independent Companies through the better payment practice group to promote a better payment culture. The group has met regularly and already produced a substantial body of work.

Mr. Lock: May I also congratulate my hon. Friend on the measure, which will be welcomed by industry? I notice that the Bill refers to late payment among small and medium firms. Will she inform the House what percentage of firms will be able immediately to reap the benefit of the measure? Does she agree that the problem of late payment disproportionately affects small and medium enterprises?

Mrs. Roche: I absolutely agree with my hon. Friend that the problem disproportionately affects small businesses. That is why, under the phasing arrangements that we propose, small firms will be able to take advantage of the proposals.

We fully support the decision of the Federation of Small Businesses to publish league tables of average payment times of big companies and their large private subsidiaries. The league tables will open to public scrutiny the payment record of Britain's larger companies and provide small suppliers with useful information on how quickly they can expect to be paid when dealing with a large customer. I congratulate the federation on that project and wish it every success.

Mr. Lansley: Will the hon. Lady heed warnings from bodies such as the CBI and the British Chambers of Commerce that statutory interest payments may lead to longer contract payment terms between companies and their suppliers? Consequently, will she amend the legislation?

Mrs. Roche: The hon. Gentleman is quite right to hint that we have listened and consulted widely. Indeed, we are very grateful for the contribution of the British Chambers of Commerce. We have consulted it all along. If the hon. Gentleman has an opportunity to look at the legislation, he will see that it is not possible to opt out of it. We propose to give a reserve power to courts to deem that excessively long payment periods are a de facto opting out. I am sure that he and his Conservative colleagues will appreciate that.

Mr. Cotter: I am sure that the Minister knows that I and my colleagues agree with and very much welcome the Bill. Does she agree that, often, both local and national Government are very bad at paying? I hope that she shares my view that the Government should give a lead in that direction.

Mrs. Roche: I absolutely agree. I was a critic of the previous Government, who had an appalling payment record. The House will recall that the former Deputy Prime Minister, the right hon. Member for Henley (Mr. Heseltine), boasted of stringing creditors along. When the hon. Member for Chesham and Amersham (Mrs. Gillan)—who speaks on small firms on behalf of the official Opposition—was an Education Minister, almost a quarter of the Department's bills were paid late. That is why I intend to provide in the summer a league table of Government Departments, and I have taken the opportunity this week to remind local authorities of their obligations as well.

Export Credits Guarantee System

2. **Mr. Cohen:** What reforms she proposes of the export credits guarantee system. [31126]

The President of the Board of Trade and Secretary of State for Trade and Industry (Mrs. Margaret Beckett): The Export Credits Guarantee Department's support is vital in helping exporters of capital goods and projects win valuable business overseas. It seeks continuously to improve the services it offers and does this in partnership with its customers—exporters and banks. I believe this approach works well.

My noble Friend the Minister for Trade announced on 11 February a review of the arrangements for providing finance for capital goods and project exports. A consultation paper has been issued seeking comments over a two-month period. Copies of the document have been placed in the Library of the House.

Mr. Cohen: Would my right hon. Friend concede that there is a lot wrong with the export credits guarantee scheme? Is not the £800 million Iraqi debt an example? Is not the contract in Malaysian ringgits—which, because of the devaluation of that currency, has cost the British taxpayer millions of pounds—another? Can she say something about that? Is there not too much emphasis on defence exports, which some of the countries concerned can ill afford, and not enough emphasis on the export of domestic goods? Is it not time for reform?

Mrs. Beckett: With great respect to my hon. Friend, I have to say that, on balance, the ECGD system works well. I understand some of the concerns that he identifies. Obviously, devaluation has an impact to some degree, although payments continue to be made up to date. Some of the ECGD cover in Malaysia is ringgit-related, and so was not affected by the changes that he identifies. On defence exports and defence cover, although there are fluctuations from time to time—depending on the flow of contracts—he will find, on balance, that an average of only 14 per cent. of the cover that the ECGD supplies is for defence.

Mr. Alan Clark: Has the DTI made any estimate of the number of British jobs supported or the amount of foreign currency earned over, say, the period since the hon. Member for Leyton and Wanstead (Mr. Cohen) came into the House, when he has criticised the ECGD?

Mrs. Beckett: Not in so many words. We have not calculated the number of jobs in relation to my hon. Friend's most worthy tenure in this House. I recognise the value of much of the work that the ECGD does, and the right hon. Gentleman may be aware that so successful has it been of late that this year that it has returned more than £400 million to the Treasury.

Mr. Barry Jones: I acknowledge the excellence of the system and of the ministerial leadership, but may I draw to my right hon. Friend's attention the extreme difficulties of a great British exporter—British Steel? The pound is highly valued and it is proving difficult to export against tough competition. Is there any way in which British Steel and like companies may have assistance?

Mrs. Beckett: I know of the strong support that my hon. Friend has shown to British Steel over the years. The Government understand the concerns of exporters at this time. He will know that my right hon. Friend the Chancellor has taken steps which we believe will lead to a stable but competitive pound in the longer term. I know that some exporters are effective in certain markets—those whose markets are dollar-controlled, for example, have not been affected in the same way—but that many efficient exporters such as British Steel are doing what they can to expand their markets in other countries.

Mrs. Gillan: Does the President of the Board of Trade agree that at the moment countries such as France, Spain and Italy do not show any great eagerness to dismantle their public sector support for their exporters? Does she also agree that if we implement changes to the ECGD unilaterally, we will be in danger of going out on a limb and handicapping United Kingdom exporters in the world market? Therefore, will she give us an undertaking that following the consultation no changes will be made to the ECGD regime before it can be clearly demonstrated that other Organisation for Economic Co-operation and Development countries are making similar changes to their regimes, as a failure to do so could disadvantage UK exporters?

Mrs. Beckett: I understand and share the hon. Lady's concern that we should do nothing that could disadvantage British business, but the whole purpose of the consultation is to hear from British business what it believes will give it a further competitive edge, so it is inconceivable that it is likely to advise us to do something that would damage its concerns and we would certainly not want to take any such steps.

On a note of caution to the hon. Lady, I understand the concern that lies behind her question—she is asking us not to do something unilaterally that would be disadvantageous—but one of the reasons for the review is to find out whether there are steps that the ECGD could take, unilaterally or otherwise, that would give British exporters a competitive edge. I am sure that she would not want us to wait for other people to do that.

Financial Services Industry

3. **Mr. Cousins:** If she will request the Home Office reviews of the financial services industries of the Isle of Man, Jersey and Guernsey to assess the impact on the UK of legislation on the limited liability of accountants passed by the states of Jersey. [31128]

The Minister for Competition and Consumer Affairs (Mr. Nigel Griffiths): The Home Office review will be looking into all aspects of financial regulation in the Crown dependencies, including the registration and regulation of companies and other forms of business.

Mr. Cousins: I congratulate the Government and my hon. Friend on at last tackling abuses such as the so-called "Sark lark", whereby someone can pretend to live on Sark and hide a large number of companies and tax liabilities by doing so. However, the issues are complex. For some purposes, the Channel Islands are inside Britain, but outside the European Union. Will my hon. Friend therefore assure the House that we will not legislate on limited liability for accountants before the House has had an opportunity to discuss and debate all those matters and until we have had an assurance that there will be independent regulation of accountants?

Mr. Griffiths: I very much agree. That is important and the business manifesto gives a commitment to ensure

that there is a framework of independent regulation of the accountancy profession. Of course, we are considering all suggestions on the best way forward, including those of hon. Members—of course, that will be independent of the Home Office review.

Mr. Gibb: Did the Home Secretary consult the Minister before the reviews were announced? Would it not have been courteous if the Home Secretary or the President of the Board of Trade had consulted and discussed the matter with the Governors of the territories prior to the announcement of the review?

Mr. Griffiths: The review allows people to give their views on what is happening in their dependencies and domestically here. Of course, the Governors of the dependent territories are entitled to make submissions, as are Members of Parliament and anyone else involved. We will welcome such consultation and views.

Space Exploration

4. **Mr. McWilliam:** If she will make a statement on the role of the United Kingdom in the development of the space exploration programme. [31129]

The Minister for Science, Energy and Industry (Mr. John Battle): The United Kingdom has a substantial and highly respected space science community, which is actively involved in defining the priorities for the European Space Agency's exploration programme. British scientists are involved in a wide range of current and future missions, including satellites to study the sun, Mars and Saturn and its moon Titan, as well as observatories trained on other galaxies.

Mr. McWilliam: Will my hon. Friend the Minister join me in congratulating British-born space scientist Michael Foale on his achievements on the United States Mir missions? Does he agree that Mr. Foale is an excellent role model in encouraging young people to study science?

Mr. Battle: Yes. I had the pleasure of meeting Michael Foale when he came back to earth on 18 December. He provides a role model that attracts youngsters to become interested in space research. May I congratulate my hon. Friend, who for some time has chaired the parliamentary all-party space committee and championed those matters in the House? I hope that he will long continue to do so.

Mr. Wilkinson: Can the Minister assure us that the United Kingdom will continue to channel a large proportion of its space effort through the European Space Agency, which has proved an exceedingly cost-effective vehicle for space science and exploitation, rather than through the Commission of the European Union, which is an infinitely more bureaucratic organisation that does not have the scientific or technological expertise for the job?

Mr. Battle: I did not envisage that this question would be so controversial. The United Kingdom has a substantial space programme, on which we spend some £45 million. Of that, some £33 million is spent through the European Space Agency, in which we play an active part. British space scientists are actively involved in the Mars and lunar working groups, and we shall watch with interest when, later today, the National Aeronautics and Space Administration makes its announcement about the possible presence of water on the moon. We are—and shall continue to be—involved in those international programmes.

Utility Regulators

5. **Mr. Rooney:** If she will make a statement about the objectives of her Department's review of the utility regulators. [31130]

Mrs. Beckett: The objective of the interdepartmental review is to set a long-term, stable framework for utility regulation, which is seen to be fair by all interest groups, particularly consumers. I hope to be able to publish the conclusions of the review on utility regulation in a Green Paper in the near future.

Mr. Rooney: I thank my right hon. Friend for that answer. She will know that, although fuel poverty is a big issue, it was totally ignored by the previous Administration. In April, gas deregulation comes to Yorkshire, where there have already been far too many episodes of bandit canvassers trying to make people sign up to deals on a totally false basis—they have even signed up people who are dead and made children sign contracts. Will she ensure that the regulator takes action against such people?

Mrs. Beckett: My hon. Friend makes an extremely good point. When the system of regulation was set up, the Conservative party claimed that it would favour the consumer, but that was not what the legislation said and it has not often been what has happened in practice. It is important that, as competition is introduced into the domestic gas market, the consumer is protected. My hon. Friend the Minister for Competition and Consumer Affairs and the director general of the regulatory office are in close contact on this. Action has already been taken to put conditions into the companies' licences to ensure that good practice is followed and that, if it is not, compensation is possible.

Sir Sydney Chapman: Will the right hon. Lady give an assurance that, in the review of the utility regulators, she will do her utmost to strike the right balance between encouraging competition and ensuring that regulation is not unduly suffocating? I think that hon. Members on both sides of the House feel that the Competition Bill—which is about to have its Third Reading in another place—will give the regulators too much arbitrary power.

Mrs. Beckett: I entirely share the hon. Gentleman's view that it is important to strike the right balance between competition and regulation. Our approach has always been to ensure competition where possible and regulation where necessary. It has also always been our view that that regulation should be transparent, consistent and predictable. The hon. Gentleman is concerned lest the Competition Bill in some way unfairly changes that balance. I do not believe that it will, but the issue will be discussed both when the Green Paper is produced and when that Bill comes to the House of Commons.

Mr. Alan Johnson: My right hon. Friend will be aware that Hull's municipally owned telephone service survived

nationalisation in 1911. It also survived privatisation in 1984 because, although it may not be popular with the Director General of Oftel, it is cherished by the local population that it serves. In the light of the Oftel report on Kingston Communications, which was published on Monday, will she remind Oftel that its job is to protect the customer, not to promote BT?

Mrs. Beckett: I understand my hon. Friend's concerns and I am well aware of how extremely popular the company is in Hull. Currently, other suppliers can enter that market, with the exception of BT—that is the issue on which the director general has sought consultation. I feel confident that, if the existing system is as popular with the local community as my hon. Friend says, it will survive any review. Although I have taken on board his points, I should remind him that it may ultimately fall to me to take a decision in this matter, so I hope that he will forgive me if I refrain from further comment.

Mr. Boswell: Has the right hon. Lady dropped her ill-considered proposal to impose an extra charge on the bulk of consumers in order to pursue her social objectives for a limited number of low-income consumers?

Mrs. Beckett: I note the pejorative tone. The hon. Gentleman will see what we propose when the Green Paper is published in the near future. If he is saying, on behalf of the Conservative party, that what happens to low-income consumers of crucial utilities is a matter of indifference, that bears out his party's practice in government. I do not think it wise to advertise that.

Corporate Governance

6. **Mr. Beard:** If she will make a statement on her proposals on corporate governance. [31132]

The Minister of State, Department of Trade and Industry (Mr. Ian McCartney): My right hon. Friend the President of the Board of Trade yesterday urged companies and institutions to achieve higher standards of governance as a matter of best practice. The issue is competitiveness. Good governance is central to the well-run company that works for long-term prosperity in partnership with others. We want companies and institutions to show leadership in delivering best practice. I hope that they will respond positively; if they do not, the Government may have to act.

Mr. Beard: I thank my hon. Friend for that reply. When considering what should follow, will he bear it in mind that the performance and value of many companies will depend not only on the capital invested in them but—in many cases to the same extent, and in some cases more—on the scientific, technological, design, commercial and managerial abilities of those employed? Such people are the best informed about the nature of the business of many companies. Will my hon. Friend consider, as a move towards a stakeholder economy, that those employees should have the right to representation among the non-executive directors of major British companies?

Mr. McCartney: The position of successful companies and the Government is clear: we want to promote partnership in the workplace. It is certainly true that successful companies must ensure that both executive and non-executive directors have skills and knowledge of the company, of the markets in which it operates, and of research and development and scientific activity. I am sure that successful companies will continue to do that and will expand best practice to ensure that the boardroom reflects the company's needs, in terms of both its internal activities and its activities on behalf of its customers and wider shareholders.

Mr. Chidgey: Does the Minister agree with the Royal Society of Arts, which argues in its document, "Tomorrow's Company", that intellectual property is one of the strongest determining factors in achieving competitive success? If so, is not he concerned about the lack of protection of intellectual property rights? What action are the Government taking to promote those rights in the global marketplace?

Mr. McCartney: That was a nice try to introduce the issue of international competitiveness on this question. The Government make efforts daily, weekly and monthly to ensure that scientists and others in the United Kingdom who want to take new inventions to the marketplace are protected, both nationally and internationally.

Mr. Sheldon: Is my hon. Friend aware that institutional investors such as insurance companies and pension funds have neither the expertise nor the inclination to become closely involved in the companies in which they invest? That being so, should not they be encouraged to become more closely involved in the appointment of non-executive directors, the promotion of the more meaningful role of annual general meetings, and the remuneration of directors?

Mr. McCartney: The issue of amending the Companies Act 1989 to introduce two-tier boards has been raised, but at the moment there is no demand for that. The Hampel committee found overwhelming support for the unitary boards that are the norm in the United Kingdom. A wider review of company legislation is taking place, and I have no doubt that in that review the Government will consider a range of measures and eventually reach some conclusions. The most important fact about the review is that it is the first wide, fundamental review of company law for almost 150 years; at the end of it we will produce a set of modern legislative proposals that will ensure competitiveness into the next century.

Mr. Redwood: I warmly welcome the U-turn by the President of the Board of Trade on corporate governance and I agree with her that changes should be achieved by leadership rather than by a stakeholder law. I trust that her hon. Friends are as happy as I am that she has dumped the Prime Minister's stakeholder proposals. The question is simple: given that the spirit behind the President's proposals is to lead by example, and because it is impossible to be President of the Board of Trade and to have a blind trust, will she—in the Minister's view—wind up her blind trust and tell us who has contributed to it since May?

Mr. McCartney: Perhaps the right hon. Gentleman should tell the House whether he had the permission of

the Leader of the Opposition before putting that question. There has been no U-turn in the Government's policy on companies. The only thing to be dumped is the Tories, who have been dumped by small, medium and big business. The right hon. Gentleman is a complete joke, nationally and internationally, when it comes to business, and his book is a sign of the shambolic nature of his view of British industry. He owes the House and British business an apology for the comments that he made about President Kohl, a man who leads a country that invests millions of pounds in the British economy, creating tens of thousands of jobs. The right hon. Gentleman owes an apology for his extreme right-wing views to those German companies and the workers who work for them in this country.

Mr. Redwood: The Minister obviously did not read or hear my views, which were not as he described and which have received 205 letters and messages of support. The question remains for the Minister and the President of the Board of Trade: will she wind up her blind trust? The Minister should apologise for the remarks that he has just made, because my interviews were unexceptional and well received.

Mr. McCartney: The right hon. Gentleman obviously does not talk to the Leader of the Opposition, who repudiated his comments and asked the right hon. Gentleman to withdraw them. The right hon. Gentleman is also out of step with the Leader of the Opposition—

Mr. Redwood: What about the blind trust?

Mr. McCartney: I am just coming to that. In his evidence to the Neill committee, the Leader of the Opposition said of blind trusts:

"We believe there is an argument in favour of a form of blind trust that should be examined by the committee."

The Labour party has told the Neill committee that blind trusts should not exist and, when the position is considered by the committee, I am certain that no Labour Member will continue to have a blind trust. The right hon. Gentleman is, once again, out of step with the Leader of the Opposition.

Mr. Goggins: Does my hon. Friend agree that the payment last year of £3 million by United Utilities to one of its non-executive directors falls well short of a high standard of corporate governance?

Mr. McCartney: I thank my hon. Friend for that question. I do not know whether anyone in Britain—other than perhaps the right hon. Member for Wokingham (Mr. Redwood)—would defend a pay-out of £3 million to a director of a utility selling water to a captive consumer market while failing to meet customer standards and having some of Europe's poorest leakage records. I would not defend that, and I do not know anyone who would.

Objective 1 Areas

7. **Mr. Andrew George:** What progress she has made in her discussions with the European Commission towards the designation of objective 1 areas. [31133]

Mrs. Roche: The Commission expects to publish on 18 March its detailed draft regulations covering the operations of the fund for the period 2000-2006. Those draft regulations will then need to be negotiated in the Council of Ministers and approved by the European Parliament. In the meantime, Ministers have been in regular contact with the European Commission and other member states in order to secure a fair deal for the United Kingdom and its regions.

Mr. George: I thank the Minister for that reply. The Minister may not be aware that today is St. Piran's day, but he is the patron saint of Cornwall and of tin. The Minister is aware, as I am all too painfully aware, that tomorrow will be the last trading day for South Crofty tin mine—the last tin mine in Cornwall and in Europe. In view of the agony and suffering that Cornwall faces, does the Minister accept that the designation of objective 1 areas is as much a political exercise as a technical one? What message can the Minister give me to take back to help the Cornish community at this most difficult time?

Mrs. Roche: As the hon. Gentleman knows, because we have been in close contact on this, as has my hon. Friend the Member for Falmouth and Camborne (Ms Atherton), I am very sad about what has happened to South Crofty. He also knows that the mine did not meet the criteria for regional selective assistance and that we considered the proposal in great detail. However, the Government office for the south west and all local agencies will continue to work closely with local authorities to alleviate the impact of the closure and improve the area's economic position. I note what the hon. Gentleman says about Cornwall. Let me assure him that we are paying close attention to the needs of Cornwall, along with those of the other areas of the United Kingdom. On his proposal, the Government statistical service is still discussing the proposals with Eurostat. It is a technical matter but I will ensure that the House is kept fully informed of progress.

Mr. Brazier: What impact does the Minister think the move towards a single currency by several of our partners will have on Britain's competitiveness? In particular, while Britain has the EU presidency, what steps will we take to ensure that no country in Europe that has not really met the criteria tries to slip into the single currency?

Madam Speaker: Order. Has the hon. Gentleman read the question? I think that Miss McIntosh has a question on the matter.

Miss McIntosh: Does the Minister share the anxiety of people in North Yorkshire about the reduced numbers involved in the reforms to objectives 1, 2 and 3, and about the loss of the Konver programme? As many of them have benefited from it, can the Minister assure the House that the Government will make the strongest representations to retain it and other such Community instruments in some form in the reforms?

Mrs. Roche: I understand well the hon. Lady's points; they are well understood throughout the Government. We are making strenuous representations to the Commission and are active in ensuring that our views are known to member states.

Competitiveness

8. **Jacqui Smith:** If she will make a statement about the priorities of her Department in promoting competitiveness during the British presidency of the European Union.
[31134]

Mrs. Beckett: Improving competitiveness is central to improving prosperity in both the UK and more widely in the European Union. It lies at the heart of our presidency theme of economic reform. All my EU priorities, particularly the central objective of improving the single market, are ultimately aimed at improving the competitiveness of EU industry. In the coming months, I will work to ensure that competitiveness becomes more central to EU policy making. Specifically, in the Industry Council, which I shall chair, Ministers will, for the first time, have a full discussion about the key factors that affect EU competitiveness, and about how Governments and business can work together to improve it. Next week, I will talk to the European Parliament on that very subject.

Jacqui Smith: Does my right hon. Friend agree that it is by working with our European partners that we can best pursue our British interests? Did not the previous Government's half-hearted approach to all things European, and the remarks of the right hon. Member for Wokingham (Mr. Redwood) about Chancellor Kohl, greatly damage the interests of British business, consumers and workers?

Mrs. Beckett: My hon. Friend is correct. The right hon. Member for Wokingham (Mr. Redwood) has displayed, yet again, his extraordinary talent for alienating several groups of important people at one fell swoop. He managed simultaneously to insult the corporation of the City of London, which was not amused to be told to whom to give the freedom of the City, and a leading figure in a major ally with substantial investments in this country. Almost 50,000 British jobs are in German-owned companies, including some 14,000 that came in recent years. He has, yet again, shown his complete disregard for the interests of Britain.

Mr. Nicholas Winterton: The right hon. Lady will be well aware of my deep commitment to manufacturing industry. She and I have spoken on the same platform in support of it. While I fully support her determination and that of the Government to increase our competitiveness in the world market, does she agree that some of the policies that her Government are following—allowing the Bank of England unnecessarily to increase interest rates, the social chapter, the minimum wage and the Government's vendetta against the transport industry—are hardly likely to make British industry more competitive in Europe and the world? May I remind her that transport costs in Europe are already less than in Britain, and that in the Budget in about a week's time, the Chancellor will increase the cost of transport?

Mrs. Beckett: The hon. Gentleman knows that I share his concern for manufacturing and have great respect for his record at least, if not that of the former Government, on manufacturing. Of course we understand the concerns that some manufacturers are expressing, although, as the hon. Gentleman will know, those who are operating in the dollar market are not affected in quite the same way. We are in no doubt that the steps that my right hon. Friend the Chancellor has taken to put interest rates in the control of the Bank of England will, in the long term, be beneficial to British business—a view shared by the business community. Neither the social chapter nor the national minimum wage will damage business, especially not manufacturing.

It is certainly the case that there is great concern among manufacturers about the state of the transport infrastructure. Indeed, it was one of their chief concerns in respect of reduced competitiveness during the lifetime of the previous Government. This Government will begin to address it.

Mr. Winnick: On competitiveness, is it really desirable that one or two individuals should own such vast media outlets, bearing in mind what has just happened to Mr. Patten's book? Would it not be far more desirable to have more competition in the media? I hope that my right hon. Friend will bear very much in mind what has happened over Mr. Patten's book when she considers the appropriate legislation on the media.

Mrs. Beckett: As my hon. Friend will know, the Government have taken action to begin to strengthen competition law. I share his view that it is important that there is strong competition in all areas of the marketplace, including in the newspaper industry.

Mr. Redwood: Given that the overwhelming majority of businesses in this country are small—serving a local, regional or perhaps national market—does the right hon. Lady agree with many of them that a single currency would be all cost and no benefit because they do not deal in francs or deutschmarks?

Mrs. Beckett: No, I do not agree with the right hon. Gentleman. What is more, neither do a great many people in his party agree. It is evident that on this issue, after the election as before it, the Conservative party is utterly divided. Many of its members, like the right hon. Gentleman, are deeply irresponsible and utterly unfit to hold office again.

Export Contracts

9. **Mr. Gordon Prentice:** What guidance she gives to United Kingdom companies concerning the payment of commissions to third parties to secure export contracts.
[31135]

Mrs. Roche: It is often advisable and sometimes legally necessary for exporters to enlist the services of paid intermediaries when seeking to win business overseas. The Department gives appropriate advice to any British business person who requests it.

Mr. Prentice: Does my hon. Friend the Minister share my astonishment that the former Conservative Cabinet Minister, Jonathan Aitken, is back selling arms to the middle east? Does she furthermore share my concern that in some of these arms contracts, commissions of 15 per cent. are commonplace and that on multi-million pound contracts, commissions of 25 per cent. are not unheard of? Much of the money washes back into the United

Kingdom, lining the pockets of the intermediaries. Does she agree that there is a persuasive case for giving auditors the responsibility for assessing the reasonableness, scale and destination of commissions, and that the Government should act swiftly on the Law Commission report on corruption published last week?

Mrs. Roche: I know that the Home Office will look at the Law Commission report and take it into consideration in its work. My hon. Friend can be assured that the Government are determined to combat bribery, wherever and whenever it may occur. The United Kingdom's anti-corruption legislation is among the most comprehensive in the world and we are working within the Organisation for Economic Co-operation and Development and the European Union to ensure that our major overseas competitors enact similar legislation. On the other matter raised by my hon. Friend, it is for the company concerned to decide whom it wishes to employ.

Mr. Sayeed: Has the Minister made any assessment of the number of British jobs that would be lost if commission payments were not made? Where does she think those jobs would go—would it be France?

Mrs. Roche: Nothing in my remarks attacks commission payments. As I said to my hon. Friend the Member for Pendle (Mr. Prentice), we realise that there are some circumstances where third parties are needed—for example, in the case of small firms that cannot employ their own staff overseas. That is perfectly legitimate and is part of the process.

Scientific Careers

10. **Mrs. Butler:** What steps she will take to ensure equality of opportunity in scientific careers. [31136]

Mr. Battle: We would all agree that far too few women are taking up science. My right hon. Friend the President of the Board of Trade is pursuing the objective of equality of opportunity to increase the participation of women in science, engineering and technology careers, not least through our Department's development unit on women in science, engineering and technology.

Mrs. Butler: There has been a doubling in the number of women graduating in engineering since the mid-1980s—*[Interruption.]*—but the figure remains only 14 per cent. Does my hon. Friend agree that it might be a good idea to link his Department's development unit with the women's unit at the Department of Social Security to ensure a more co-ordinated approach and enhanced prospects for women considering that career path?

Mr. Battle: Yes, it is important that there is close co-operation between the women's unit at the DTI and the women's unit at the DSS. The women into science and engineering—WISE—project has increased the number of women engineering graduates from 7 per cent. to 14 per cent. I heard a gibe from the Opposition Benches that the increase had taken place since 1 May, but it is worth remembering that there are currently 56 Members of Parliament who have science, engineering or technological qualifications, of whom 42 are Labour Members and eight are women.

Mrs. Ann Winterton: Although I welcome the figures that the Minister has announced and the fact that there are now more women involved in science careers, the Government should not overlook the fact that, for men or women to get into good science careers, they must do well at school and university. At the moment, there is a problem with boys and young men in sixth-form education, so will the Minister ensure that the encouragement given to girls in the past, which has resulted in success, will also be given equally to young men?

Mr. Battle: We all agree that there is an all-round problem with encouraging youngsters to get involved in science. However, we need to take positive action to ensure that we do not waste the talents of half of the population, because the figures show clearly that women are not going into advanced science and engineering careers. I should like to draw the House's attention to an article by Susan Greenfield, professor of pharmacology at Oxford university, in *The Independent* today. She is setting up a conference, particularly for young women, which is to take place on 9 March and is supported by our Department. She makes the point that we should encourage young women, but that we should not overlook the needs of young boys.

High-technology Companies

12. **Mr. Gunnell:** What plans she has to ensure that high-technology companies have the opportunity to realise their growth potential. [31139]

Mr. Battle: The Government are determined to create an environment in which high-technology companies can develop and grow. We are working to improve the climate for investment, to help firms to access and adapt new technologies, and to improve their management and marketing skills, and to encourage real partnership between the science and engineering base and industry.

Mr. Gunnell: Experience with Yorkshire Enterprise suggests to me that the smaller hi-tech companies often have difficulty in estimating accurately the costs of their development programmes and, as a result, frequently have to come back to their initial financier for further assistance. Is that a factor my hon. Friend takes into account when looking at the ways in which we can sustain hi-tech companies, which clearly have much to contribute to our economy?

Mr. Battle: I am grateful to my hon. Friend. I seem to recall that he championed Yorkshire Enterprise, which used European funding to promote several programmes aimed at small and medium enterprises. I share my hon. Friend's view. When my right hon. Friend the Chancellor announced the setting up of the McCullagh group, he said that we would work to identify any barriers that might exist to high-tech firms' growth.

It is important that business links, business shops in Scotland and Business Connect in Wales have personal business advisers to ensure that companies develop good business plans. We also need to address these questions to finance houses, to ensure that investment houses back high-tech companies because, although those companies are high risk, they are the seedcorn of the future.

Mr. Ian Bruce: Does the Minister welcome the Green Paper that was published by the Secretary of State for

Defence today, in which he describes the defence diversification agency effectively as a technology transfer agency, transferring technology from the Ministry of Defence to industry? I am sure that the whole House welcomes that. However, is that all that the Government will do on defence diversification? Is there no role for the Department of Trade and Industry? Have the Labour Government abandoned all the promises that Labour made to my constituents before the general election?

Mr. Battle: The Damascene conversions among the Conservatives never cease to amaze us. Before the general election, they opposed any introduction of defence diversification. I am delighted with that conversion. Yes, I do welcome the Green Paper published by my right hon. Friend the Secretary of State for Defence and yes, we are consulted and we were involved in drawing it up.

In the Department of Trade and Industry, many other schemes are running which address the development and support of high-tech industries, not least the link awards, which we are making through the science programme, and the foresight programme, developing the blend between the science and engineering base and industry. The present Government are putting the practical partnerships together—something that was sadly lacking under the previous Administration.

Small Businesses

13. **Dr. Starkey:** What actions her Department proposes to take to help small businesses avoid cash-flow problems. [31141]

16. **Mr. Singh:** What estimate she has made of the damage caused to small businesses by the late payment of commercial debt. [31144]

Mrs. Roche: The Government are determined to ensure that small businesses benefit from the increased competitiveness that a healthy cash flow can bring. That is why we are bringing forward a comprehensive set of proposals to tackle that problem. We also recognise that small firms can maintain a healthy cash flow, and minimise their exposure to late payment and bad debts, by having effective credit management procedures in place.

Dr. Starkey: I thank my hon. Friend for that answer. May I pass on to her the appreciation that many businesses in my constituency have expressed of the variety of measures that she has been taking to support small businesses? Will she expand on the measures that are being taken on credit management and debt recovery, both of which are especially important for small businesses?

Mrs. Roche: My hon. Friend will remember that earlier, I spoke about the better payment practice group, which does very good work. That group is about to produce a free guide to credit management and debt recovery, which will be made available through the "Enterprise Zone" and in other ways. It will interest the House to know that we are also supporting the development of an NVQ in credit management, and asking business links and others to assist small firms with their credit management skills.

Mr. Singh: Given the problems faced by small firms in Bradford as a result of late payment, will my hon. Friend consider commissioning research into best practice and ensure that the results of that research are given to small businesses in my area and other areas?

Mrs. Roche: I can help my hon. Friend considerably. The Department is working with the credit management research group at the university of Bradford which, I believe, is in his constituency, to identify best practice, and to ensure that that information is disseminated to small firms, and to the better payment practice group. I know that the university's work is greatly appreciated, not only in my hon. Friend's constituency, but throughout the United Kingdom, and I know that its work will be very beneficial to the economy of the UK as a whole.

Mr. Evans: Does the Minister agree that it can be damaging to the cash flow of small businesses if money is diverted from the core tasks of those businesses into irrelevant areas? Therefore, will she pay attention to the European Commission's proposals to impose the introduction of work councils for small businesses with fewer than 50 employees? I understand that the Government oppose those proposals but, because we have signed the social chapter, we have given away our veto, so to speak, which would have enabled us to opt out of those arrangements. What do the Government propose to do about that? Does it not show the lunacy of signing up to the social chapter in the first place?

Mrs. Roche: It is interesting to see the hon. Gentleman taking an interest in red tape and the European Union. He will be aware that the previous Government, of which he was a supporter, gold-plated European legislation coming from Brussels and also imposed burden upon burden on small business. It is no wonder that the Conservatives have lost the confidence of the small business community, as the hon. Member for Chesham and Amersham (Mrs. Gillan), who speaks for them on these matters, admits only too readily and, if I may say so to her, very honestly.

Mr. Clifton-Brown: Does the hon. Lady agree with the Hampel committee that small companies need less prescription and form-filling, and more efficiency and competitiveness? They do not require extra interference from Government, extra stakeholders' rights and extra bureaucracy.

Mrs. Roche: I absolutely agree with the hon. Gentleman. It is, therefore, a great pity that the previous Government, whom he supported, did none of those things. What did this Government do immediately after coming into office? We immediately made sure that half the members of the deregulation group, which is tasked with cutting red tape in government, represented small and medium-sized business. What a difference from the previous Administration, who talked much but delivered little.

Dr. Ladyman: There is a small engineering company in my constituency that has run into cash-flow problems in the past few months. The owner is preparing a report for me, which I am about to pass on to Ministers. It shows that the problems have been brought about by the systematic attempts by large engineering companies to argue about fees, delay payment of debt and force small

engineering companies into difficulties. Can my hon. Friend assure me that the Government will tackle the matter, so that I can tell my constituent that this Government will give him help?

Mrs. Roche: My hon. Friend is right. That is why we are introducing the package of measures, including the Bill dealing with payment of statutory interest. I am delighted that so many large firms now take the issue seriously, because they know that it is important for their own competitiveness and that of small firms and the UK economy as a whole. They are taking steps to ensure prompt payment practices.

Investment (Developing Countries)

14. **Mr. David Heath:** What assessment she has made of the implications of the draft multilateral agreement on investment for developing countries. [31142]

Mr. Ian McCartney: The Department for International Development has commissioned a study of the implications of the multilateral agreement on investment—MAI—for developing countries, which will be made available in good time for the OECD ministerial meeting at the end of April.

Mr. Heath: I thank the Minister for that reply, and I thank the Minister for Small Firms, Trade and Industry for her helpful contribution to a recent Adjournment debate on that subject. Given the timetable and the widespread interest in the issue, can the Minister say whether the report from the Department for International Development will be available for debate in Parliament or in Committee, and available for consultation with non-governmental organisations, before the meeting of Ministers in April?

Mr. McCartney: I can confirm that the report will be available before the meeting in April.

Mr. MacShane: Has the Minister seen the statement from the OECD on the previous meeting which, in effect, announced that the MAI negotiations would have to continue for one more year, and which stressed in its opening paragraphs the importance of fair labour standards and environmental protection—issues put on the agenda by the Labour Government? Does he agree that that contrasts with the conspiratorial secrecy in which those negotiations were conducted under the previous Administration? Can he assure the House that Labour Ministers will continue to report to Members and the House on the conduct of the MAI negotiations?

Mr. McCartney: I thank my hon. Friend for that question. Not a single Conservative Member bothered to turn up and participate in a recent debate in the House on such an important subject. It was left to Labour and Liberal Democrat Members. May I make it clear that unless we are satisfied that the MAI will not undermine environmental protection and labour standards, we shall not sign it.

Mr. Bercow: Does the Minister share the stated view of the Secretary of State for International Development that the main reason for the Government's support for the insertion of a social clause in any international trading or investment agreement is simply to appease the British trade union movement?

Mr. McCartney: The hon. Gentleman gets sillier every time he speaks in the Chamber. We are trying to provide an international agreement that will ensure for both developing and under-developed countries an improvement in environmental and labour standards. The only contribution that the hon. Gentleman can make to the debate affecting the lives of tens of millions is a stupid schoolboy remark, which is not even worth answering.

Economic and Monetary Union

15. **Yvette Cooper:** What steps her Department is taking to help British businesses prepare for economic and monetary union. [31143]

Mrs. Beckett: My noble Friend the Minister for Trade and Competitiveness in Europe, who is a Minister in the Department of Trade and Industry and in the Treasury, has been appointed as the Minister responsible for these preparations. He has worked with the Treasury to produce a booklet for business, which will be widely distributed. My noble Friend is now working with the Treasury to emphasise the need for firms to prepare for the single currency in all their regular contacts. There is a Euro preparations unit, which is staffed by the Treasury, the DTI and the private sector, to reinforce that message. We are planning an awareness and information campaign.

Yvette Cooper: Is my right hon. Friend aware of the view expressed by the right hon. Member for Wokingham (Mr. Redwood) in his book on the single currency, which is that Britain should not just stay out, but should attempt to derail the system? Does my right hon. Friend agree that such an approach would be extremely bad for the interests of British businesses, that it would cause turbulence in export markets, that it would weaken links with European suppliers and that it would be a wholly irresponsible and kamikaze thing to do?

Mrs. Beckett: I entirely agree with everything that my hon. Friend has said. However, those outcomes would be entirely consistent with the behaviour of the right hon. Member for Wokingham (Mr. Redwood), who seems to be doing everything that he can to scupper the Conservative party's chances.

I note that the former Chancellor of the Exchequer, the right hon. and learned Member for Rushcliffe (Mr. Clarke), has recently said that the Conservative party seems to be suffering a collective nervous breakdown on the single currency, and that the party cannot happily hold together while those different views are expressed. I share his view. Like my hon. Friend, I condemn the irresponsibility of the right hon. Member for Wokingham. I am sorry that it seems to be so entirely characteristic.

Business of the House

3.31 pm

Mrs. Gillian Shephard (South-West Norfolk): May I ask the Leader of the House to give the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Ann Taylor): The business for next week will be as follows.

MONDAY 9 MARCH—Remaining stages of the National Minimum Wage Bill.

TUESDAY 10 MARCH—Opposition Day [9th Allotted Day]. Until about 7 pm, there will be a debate entitled "Labour's Hidden Taxes", followed by a debate entitled "The Government's Damage to Pensioners' Incomes". Both debates will arise on Opposition motions.

That will be followed by remaining stages of the Fossil Fuel Levy Bill *[Lords]*.

At 10 o'clock, the House will be asked to agree all outstanding estimates.

WEDNESDAY 11 MARCH—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

In the afternoon we shall have proceedings on the Consolidated Fund (No. 2) Bill.

That will be followed by progress on remaining stages of the School Standards and Framework Bill, followed by remaining stages of the Wireless Telegraphy Bill *[Lords]*.

THURSDAY 12 MARCH—Remaining stages of the European Parliamentary Elections Bill.

FRIDAY 13 MARCH—Private Members' Bills.

The provisional business for the following week will be as follows:

MONDAY 16 MARCH—Second Reading of the Teaching and Higher Education Bill *[Lords]*.

TUESDAY 17 MARCH—My right hon. Friend the Chancellor of the Exchequer will open his Budget statement.

WEDNESDAY 18 MARCH—Until 2 pm, there will be debates on the motion for the Adjournment of the House.

That will be followed by continuation of the Budget debate.

THURSDAY 19 MARCH—Continuation of the Budget debate, which will be brought to a conclusion on Monday 23 March.

FRIDAY 20 MARCH—Private Members' Bills.

Mrs. Shephard: I thank the Leader of the House for her statement. As I habitually remark—because she habitually makes the arrangements—it is useful to have notice of two weeks' business, although it may have been a little easier for her this week than perhaps it was last week.

Can the right hon. Lady say when we are likely to see the forthcoming legislation relating to the registration of political parties for electoral purposes? The Scotland Bill, the Government of Wales Bill and the European Parliamentary Elections Bill are already well advanced in their progress through the House, and she will agree that their electoral credibility depends on the provisions of the proposed legislation on the registration of political parties. It clearly is not acceptable that those three constitutional Bills should be expected to complete their passage through the House without at least a first sight of the Government's plans for the registration legislation. I hope that she can help in that respect.

Will the right hon. Lady arrange for a statement from the Secretary of State for Health on the way in which he chose to announce on Monday the rise in prescription charges? His plans seem to have been given to *The Independent*. They were then confirmed by his own Department, and were fully discussed and debated on radio and television all day—and all that before a written answer at 3.30 pm.

We know that it has become the practice of the Government in the past 10 months to bypass the House, but given that the present Secretary of State for Social Security described last year the announcement by written answer as "sneaking out the news", how would the right hon. Lady describe this year's arrangements? Announced on every channel, save to the House, perhaps.

Will the right hon. Lady arrange for a statement from the Minister for women on the Government's plans for the election of equal numbers of men and women to the Scottish Parliament and Welsh assembly, of which the Secretary of State for Social Security spoke so enthusiastically in last Friday's debate? Newspaper reports tell us—one has to believe them, as that is often the Government's chosen medium of communication—that those plans have been overruled by the Lord Chancellor. The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) got rather short shrift from the Prime Minister yesterday when she asked that question. The whole House, not least Scottish and Welsh Members, would welcome clarification on the Government's apparently changed position.

Finally, will the right hon. Lady arrange for an early statement from the Secretary of State for Health on how much red meat the Government propose to allow us to eat? On 28 September, he told the appalled red meat eaters of Britain that, if they were eating an average amount, that was too much, and they had to eat less. Just today, the chief medical officer is telling the same meat eaters, "Forget it—average is okay." I suppose that that is what the Government mean by a "steakholder economy". On behalf of the meat eaters of Britain, I ask for early clarification.

Mrs. Taylor: I shall bring the right hon. Lady's last remarks to the attention of the Secretary of State for Health. The House has taken steps recently to encourage the eating of British beef. I am sure that she will join me in congratulating the Refreshment Department and those who have signed the book supporting the eating of British beef.

On the right hon. Lady's other points, we are making progress on drawing up legislation on the registration of political parties. We originally thought that that might coincide with legislation on the funding of political parties. That will now be a separate matter, because the Neill committee is looking at it in some detail. We hope that more straightforward legislation will be available. I hope that we can discuss that through the usual channels in the not too distant future.

I was interested in what the right hon. Lady said about prescription charges, and especially what she claimed the present Secretary of State for Social Security said last

year. I should remind her of the complaint last year: that prescription charges had increased by an amount above the rate of inflation without a statement being made to the House. The right hon. Lady and Conservative Members should be circumspect in their criticism, given the fact that this year's increase in prescription charges represents the first real-terms cut in the cost of a prescription for 19 years.

My right hon. Friend the Prime Minister made the position clear yesterday on the election of women to the Scottish Parliament. We are committed to increasing the representation of women in political life, and have achieved the highest ever number of women Members of Parliament. There are 101 Labour women Members, so we shall not take lectures from a party with only 14 women Members.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Will my right hon. Friend find time next week for an urgent debate on the consequences of the fire sale of rail rolling stock companies that was held by the previous Government? They threw away state assets with abandon and ruthlessness, and the taxpayer could have benefited from an enormous number of assets if that had not been allowed. Will she ensure not only that the public know what was done by the previous Government, but that an urgent method of getting good value back is sought?

Mrs. Taylor: As usual, my hon. Friend raises an important point, of which I am well aware. Everyone was staggered by the figures revealed today. We said at the time of the privatisation that the Conservative Government were selling the taxpayer short. In fact, that dogma-driven Government have cost the taxpayer millions of pounds. We warned of these difficulties, and it would be good if we had time to discuss the issues. However, the Opposition have chosen not to use their Supply day to debate transport.

Mr. Paul Tyler (North Cornwall): I am glad that the Leader of the House shares my disappointment that the Conservatives are not giving two former Secretaries of State, the right hon. Members for North-West Cambridgeshire (Sir B. Mawhinney) and for North-West Hampshire (Sir G. Young), the opportunity next Tuesday to defend their complicity in the great rail rip-off, which is now called the great train robbery.

Why have we not yet heard from the Deputy Prime Minister, not only about the matter raised by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody)—the taxpayer was cheated of £1 billion because of undervaluing—but about the takeover bid for Great Western Holdings, which he has apparently put on hold? Again, a huge sum of money was scandalously ripped off the taxpayer because the previous Government insisted on pushing ahead with privatisation for purely political reasons. Is it not time that the Government explained what they propose to do about this appalling situation, and the deteriorating standards faced by customers and users of the railways as a result of what has happened?

Mrs. Taylor: All of us who are customers and users of the railways, which are a civilised way to travel, are concerned about deteriorating standards and the particular problems on some lines. As taxpayers, we are also outraged by the amount of money that the Conservative Government have cost us.

As the hon. Gentleman said, the Deputy Prime Minister has made his views clear on Great Western. The proposal has been put on hold, but the hon. Gentleman was right to say that further measures are required. He will know that the Government are conducting a thorough review of rail regulation. It is not possible to hold a debate in the near future, but the House will want to return to the issue.

Mr. Dennis Skinner (Bolsover): Is the Leader of the House aware that the issue of the railways is becoming a scandal in Britain today? People such as Branson—Mr. Goody Two-Shoes—are picking up taxpayers' money for running trains in the north-west. Taxpayers' money is involved in Eurostar, because we have had to step in to run it temporarily. Now, there is the scandal of people making millions of pounds from selling off rail rolling stock. After 10 months in office, it is high time that the Government realised, just as many of us forecast, that there is only one solution to the problem: British Rail should be taken back into public ownership.

Mrs. Taylor: I have already said that my hon. Friend's concern is shared by many hon. Members on both sides of the House, although I am not sure how some Conservative Members can face their constituents, given the problems that they have created. There is no satisfaction whatever in having been proved right, but, as I have already told my hon. Friend, we are conducting a thorough review of rail regulation.

Mr. Andrew Tyrie (Chichester): May we please have an early statement from the Prime Minister on the Government's plans to reform the House of Lords? As the Lord Chancellor has revealed that his Cabinet Sub-Committee is already working up proposals for an elected Chamber as part of stage 2 of the reform of the House of Lords, may we have a statement setting out in detail how and when the Government will consult all major parties?

Mrs. Taylor: I presume that the hon. Gentleman was asking for a debate. There are many occasions on which we would like to debate the composition of the House of Lords and the impact of hereditary peers on legislation. We made our position on the House of Lords perfectly clear in our election manifesto, and we are sticking to it.

We said that, as an initial self-contained reform not dependent on further reform in future, the right of hereditary peers to sit and vote in the House of Lords will be ended by statute. I wish that we had some idea what the Opposition think, as they are sending out such mixed messages. There are clear divisions between different parts of the Conservative party on this, as on most other issues.

Mr. Peter L. Pike (Burnley): Although I understand that my right hon. Friend will not be able to arrange a debate in the next fortnight on the report of the Modernisation Committee, will she consider sending a copy of that important report on the conduct of Members in the Chamber to all right hon. and hon. Members, so that we can consider its proposals?

Mrs. Taylor: I confirm that the Modernisation Committee has completed a report on the conduct of Members in the Chamber and that it will be published on

[Mrs. Taylor]

Monday. It addresses many issues that have been raised on the Floor of the House by right hon. and hon. Members in the past few months. I hope that it will be a step forward, and that you, Madam Speaker, will welcome it. As my hon. Friend anticipated, I cannot provide time for a debate in the near future, but it is something that the House will wish to consider in due course.

Mr. John Wilkinson (Ruislip-Northwood): In view of the increasing likelihood that the United Nations arms inspectors will not be allowed to carry out their duties in Iraq unhindered, and in view of the growing racial strife in Kosovo, will the Leader of the House provide time for an early debate on foreign affairs, to reassure right hon. and hon. Members that Her Majesty's Government will not be flouted by two dictators at once—Saddam Hussein and Mr. Milosevic?

Mrs. Taylor: The hon. Gentleman knows that, during the recent difficulties with Iraq, the Government kept the House very well informed on all occasions. I cannot promise the early debate he requests, but he will know that there are Foreign and Commonwealth questions on Tuesday.

Mrs. Alice Mahon (Halifax): Has my right hon. Friend had time to look at early-day motion 873, which highlights the desperate plight of Afghan women living under the Taliban?

[*That this House offers its support for the women of Afghanistan who have been stripped of rights taken for granted in this country, who are banned from work and barred from receiving any education, are not allowed to leave home unaccompanied or to speak in public and are forced to wear the all-enveloping burqa and for whom healthcare is almost non-existent, notes that thousands of widows are deprived of the right to earn any livelihood for their families and that their children are forced to scavenge on the streets; therefore calls upon the Government to initiate a campaign at the UN to ensure that the Declaration of Human Rights is respected in Afghanistan, and the rights of women upheld; and further calls upon honourable Members to wear a flower on 8th March to show solidarity with Afghan women.*]

I wonder whether, despite the tight legislative timetable, the Leader of the House could provide an urgent debate on an appalling human rights abuse that is really gender apartheid.

Mrs. Taylor: I understand the concerns expressed by my hon. Friend. She will be aware that the United Kingdom is at the forefront of efforts to improve the conditions of women in Afghanistan. We monitor the position carefully, and offer what help we can. She will know that my right hon. Friend the Secretary of State for International Development has taken a particular interest in the matter. However, I cannot promise her a debate in the near future.

Mr. Laurence Robertson (Tewkesbury): Will the Leader of the House ask the Minister for School Standards, the hon. Member for Tyneside, North (Mr. Byers), to clarify his statement that any threats of closure to a village school will be called in for a decision? His statement has caused confusion throughout the country. Councils do not know whether it is a further example of the Government's determination to centralise power, or just an empty gesture to the countryside movement.

Mrs. Taylor: I should have thought that hon. Members on both sides would welcome my hon. Friend's decision. My right hon. Friend the Secretary of State for Education and Employment and his Ministers should be involved in such important decisions.

Mr. James Wray (Glasgow, Baillieston): Will my right hon. Friend provide time for a debate on credit unions? The new quango, the Financial Services Authority, has given credit unions the shivers. They feel that they will be asked to pay the same amount of support to the FSA as banks.

Mrs. Taylor: I cannot answer my hon. Friend's specific point. He will know that the Government are proposing to publish a draft Bill on financial services regulation. That will allow everyone with an interest to contribute to the consultation period.

Mr. Geoffrey Clifton-Brown (Cotswold): Is the Leader of the House aware of the estimate that tourism will become the largest business sector in the world by the millennium? It is a tradition that the House has a Friday morning debate on tourism fairly regularly. Will she consider that request seriously?

Mrs. Taylor: I shall consider that request, but the hon. Gentleman will be aware that Fridays in the near future are reserved for private Members' Bills.

Mr. Paul Flynn (Newport, West): When can we have a debate on the national insurance fund, and the welcome news announced on Friday that it has £896 million unallocated for next year? Since that money can be used without infringing the spending limits set down by the previous Government and this Government, will the Government consider applying it to ensure that pensioners have what they have not had since 1980—an increase in their pension linked to the increase in earnings?

Mrs. Taylor: My hon. Friend will know that it is unwise to take a figure in isolation and draw simple conclusions. He will also be aware that we have Treasury questions on Thursday and the Budget the following week. I do not think that it will be possible to have a debate on the specific point that he has raised.

Mr. Eric Forth (Bromley and Chislehurst): May I reinforce the question of my hon. Friend the Member for Chichester (Mr. Tyrie)? Will the Leader of the House grant us an urgent debate on the Government's plans for reform of the upper House? Is it not clear that the Government's true intention is to do away with the independence of the upper House, replacing the current structure with a quango full of placemen appointed by the Prime Minister, to ensure that the Government's overriding and dictatorial behaviour in this House is unimpeded by a reformed upper House?

Mrs. Taylor: I would have expected such comments from the right hon. Gentleman. I am not surprised that he

thinks that the so-called independence of the upper House can be equated with an hereditary peerage that predominantly supports the Conservative party. If he thinks that that has anything to do with independence, he has a lot to learn about how the Houses of Parliament work.

Mr. Don Touhig (Islwyn): Has my right hon. Friend seen early-day motion 881, which calls on my right hon. Friend the Secretary of State for Wales to sack the governing body of the Gwent tertiary college because of serious mismanagement and misuse of European funds?

[*That this House expresses its concern at the decision of the governors of Gwent Tertiary College to employ a personnel consultant at a cost of £400 a day, in addition to the £650 a day it paid to another consultant; is disturbed that millions of pounds of European funds were misused; asks for all the reports into the college to be made public; recognises the uncertainty both students and staff at the college face as a result of all the investigations; and calls on the Secretary of State to sack the governors and make the management of further education colleges more open, accountable and representative of the communities they serve.*]

Will my right hon. Friend allow time for an early debate on that, so that we can express a view that the governing bodies of further education colleges should be accountable for their actions?

Mrs. Taylor: I agree with my hon. Friend that FE colleges should be fully accountable. He will be aware that the issue of Gwent tertiary college was raised a couple of weeks ago in an Adjournment debate. My right hon. Friend the Prime Minister also addressed it yesterday, and asked to be kept informed about what is happening. I am sure that he will be. However, I cannot find time for another debate on that.

Mr. Andrew Stunell (Hazel Grove): Will the right hon. Lady take particular note of yesterday's debate on the high-speed rail link to the channel tunnel? May I remind her that the issue affects the whole of the United Kingdom, and the north-west as we both know, and is not just a Kent or east London matter? The National Audit Office report shows that the loss on the sale of rolling stock almost exactly equals the missing money needed to complete the link right through to north London. Will she draw that fact to the attention of the Secretary of State for the Environment, Transport and the Regions? Will she ask him to make a full statement on the Government's proposals for the link?

Mrs. Taylor: The hon. Gentleman asks me for a statement on the matter, and goes a long way to justifying the House giving the issue more attention. As I said earlier, hon. Members on both sides of the House are concerned about the missing money and the way in which taxpayers were cheated at the time of rail privatisation. I do not need to bring those facts to the attention of my right hon. Friend the Secretary of State, who is fully aware of them. My right hon. Friend has said that he will keep the House informed on the high-speed rail link to the tunnel. He made a statement when the emergency first arose, and will certainly be keeping the House informed of developments.

Ms Margaret Moran (Luton, South): Is my right hon. Friend aware that, in the past few days, an unarmed man was shot and killed in his home by Bedfordshire police on the misinformation of a gunman in the vicinity? Is she also aware that, the day before, a family in my constituency received compensation for very similar circumstances, when two young children who were left at home alone were confronted by police gunmen? Will she arrange an early debate to ensure that the matter is fully investigated, so that further such fatalities are avoided?

Mrs. Taylor: The issues that my hon. Friend raises sound very serious indeed; I can well understand her concern. She asks for an early debate, but I do not think that that will be possible. However, a Home Office Minister is present on the Front Bench, and I am sure that he has heard her remarks.

Mr. Nicholas Winterton (Macclesfield): A little later this month, European Culture Ministers will be visiting Macclesfield to attend a seminar at the excellent Shrigley Hall hotel in a wonderful hill village to the south of Manchester. Unfortunately, this long overdue and justified recognition of Macclesfield comes at a time when its museums are under threat of closure, because Cheshire county council—Labour-controlled—is dramatically cutting the grant for museums. Labour-controlled Cheshire county council blames that on the very unfair revenue support grant settlement given to it by a Labour Government. Will the right hon. Lady arrange for the appropriate Minister to come to the House to deal with future funding of very important local museums, such as the silk heritage museum in Macclesfield?

Mrs. Taylor: The hon. Gentleman just about kept a straight face during that question. I hope that he has given his constituency sufficient publicity. He will know that it is Culture, Media and Sport Question Time a week on Monday.

Mr. Christopher Leslie (Shipley): Can we have a debate next week on the other serious report published yesterday by the Comptroller and Auditor General and the National Audit Office on the supply of Westland helicopters to India under cover of the overseas aid budget? Twenty-one helicopters, costing £50 million, lasted for only six years and were then sold for £900,000. Their sole purpose was to ferry people to and from oil rigs. The Comptroller and Auditor General said that that served absolutely no purpose for the benefit of the poorest people in India. The people responsible—the previous Government—need to be held to account.

Mrs. Taylor: We could spend an awful lot of time in this Chamber debating all the issues for which the previous Government should be held to account. As we are looking to the future and pursuing legislation, we cannot, unfortunately, find time for all debates—even when there is a reasonable request.

Mr. Nigel Evans (Ribble Valley): Would the Leader of the House arrange for the Secretary of State for Education and Employment to make a statement on any change in Government education policy since 1 May, owing to the fact that Lancashire county council proposes to remove concessionary bus travel from 16 to 18-year-olds who go to sixth-form colleges or sixth-form schools? That will deter many families in Lancashire—I

[Mr. Nigel Evans]

believe the figure is 7,000—who will now have to find hundreds of pounds for bus travel, or perhaps will not put their child forward for further education. Has not education, education, education been replaced by back-door tax, back-door tax, back-door tax?

Mrs. Taylor: I wish that we had time to discuss all the measures taken by Education Ministers which have been so positive—not least the vast amount of money that we are putting into education which the previous Government denied to schools. Education is being improved in a range of areas—smaller classes, more money for books and a raft of other measures which are necessary because of the failures of the previous Government.

Mr. Derek Twigg (Halton): May I return to the subject of the Hillsborough scrutiny of evidence report, which has been raised in the House previously? Again, I ask the Government to find time to debate the report on the Floor of the House. My right hon. Friend will be aware of the anger and frustration in Merseyside and beyond, which has been fuelled by the fact that we have been unable to find time for a debate. I urge her to find time as a matter of urgency. It may not be possible to have a debate this side of Easter, but could she perhaps arrange for a debate as soon as possible after Easter? It would be seen as a positive response if she could give some indication today.

Mrs. Taylor: Hon. Members have raised this issue in previous weeks, and I must refer to what I said then. However much we understand the concerns of those who have been affected, it is difficult to find time in the near future for a debate on this important report. I know that hon. Members who feel concerned about the matter have looked at ways of trying to get an hour-and-a-half Adjournment debate on the subject. I understand what my hon. Friend describes as the frustration and anger of hon. Members who want a full debate. I share his concern, as does the Home Secretary. We would like to be able to find time for a debate. He is right to say that there is no possibility of finding time before Easter. I will look at the possibilities after Easter, but I cannot give him a specific date—although we understand the nature and depth of the concerns that are felt.

Mr. Jonathan Sayeed (Mid-Bedfordshire): Does the Leader of the House understand why there has been such a concerted campaign to get a debate on her Government's proposals on the composition of the upper House? After all, it is clear that the Government intend to abolish the hereditary principle, but we do not know their intentions on the composition of the upper House in the future. Unless that is answered, we have no way of knowing whether what will be put in its place is any better or not.

Mrs. Taylor: I am interested to hear from the hon. Gentleman that there has been a concerted effort to get a debate on the upper House. This is the first business questions at which the matter has been mentioned. If that constitutes a concerted campaign by the Opposition, they still have a great deal to learn. If he thinks that this issue should take priority, perhaps he should have persuaded his Front-Bench colleagues to use an Opposition day for it.

Mr. Gordon Prentice (Pendle): As my right hon. Friend knows, the Wild Mammals (Hunting with Dogs) Bill returns to the Floor of the House tomorrow, but it may fall through lack of time. Is it possible, at this eleventh hour, for my right hon. Friend and the Government to follow the precedent set by my predecessor Sydney Silverman—the then Member for Nelson and Colne—on the Murder (Abolition of Death Penalty) Act 1965, when the Government, under the Prime Minister Harold Wilson, allocated nine Wednesday mornings? Surely it must be possible for the Government to allocate time, perhaps on a Tuesday or Thursday morning, which would not eat into Government business, to allow the Bill to succeed.

Mrs. Taylor: I am not sure that it is time that is the enemy of the Bill. Time is available for it to progress if the opponents respect the overwhelming support that it has.

Mr. Nicholas Soames (Mid-Sussex): Will the right hon. Lady return to the question raised by my hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson)? Is she aware that, this weekend, the Prime Minister will be meeting Prime Minister Netanyahu of Israel? Given the serious stalling of the peace process and the continuing crisis with Iraq, will she please drop her churlish reply to my hon. Friend and agree that, although the Government behaved correctly—rightly so, since there was a possibility of British troops being committed to action—she should make time for the Prime Minister to make a statement to the House on his meeting with Prime Minister Netanyahu, and to answer questions on the peace process as well as wider middle east questions?

Mrs. Taylor: Both the Prime Minister and the Foreign Secretary have made it clear that they set great store by trying to make progress on the peace process in the middle east. I am glad that the hon. Gentleman supports what was done about Iraq—he made that clear at the time. I hope that he will also accept that the Government are endeavouring to make progress in those peace talks. We all have a responsibility there as well, and Ministers are giving those talks as much priority as possible.

Mr. John McDonnell (Hayes and Harlington): My right hon. Friend will be aware that, in local government, when councillors make a reckless decision that incurs a loss to their local authority, they are surcharged. When we debate the sale of the rolling stock leasing companies, would my right hon. Friend consider producing retrospective legislation to surcharge those Ministers responsible for the loss of £1 billion to the public purse? Will she also consider producing legislation that would inflict another windfall tax on those who profiteered from the sale, which would obviate the need for student fees?

Mrs. Taylor: Although it might be tempting to have retrospective surcharges of the sort my hon. Friend describes, it is not feasible.

Mr. Paul Burstow (Sutton and Cheam): Will the Leader of the House tell us whether, on 20 March, when the Local Government (Experimental Arrangements) Bill comes before the House for its Second Reading, the Government will allow time for it to have a proper Second Reading debate? If there were time for such a debate, it

would be interesting to explore the different views of the Deputy Prime Minister and the Prime Minister on local government reform.

On the one hand, on Tuesday the Deputy Prime Minister proffered an olive branch of co-operation and partnership with local government, and, on the other, the Prime Minister yesterday wielded a big stick and told local government that, unless it did what he wanted, its services would be taken away. Which is it going to be, and can we have such a debate?

Mrs. Taylor: I thought that the hon. Gentleman was going to draw attention to a useful Bill and support it. Had he done so, I would gladly have agreed with him, although there is no prospect of any extra time—it is a private Member's Bill, and it will join the list in the normal way. In trying to manufacture a division, his comments were just plain silly.

Dr. George Turner (North-West Norfolk): Does my right hon. Friend recognise that many Labour Members who represent rural constituencies would warmly welcome a debate on the future of the village school? Those village schools that managed to survive the previous Government, who oversaw the closure of between 90 and 100 schools in my county, mainly in villages, warmly welcomed the Government's brief announcement last week, but hon. Members know that village schools face genuine problems in maintaining academic standards, and local education authorities face problems in properly funding them. Therefore, a full debate would be of particular benefit to the House.

Mrs. Taylor: As I said, many positive statements have come out of Government recently on which I would like to be able to find time for a full debate. It would be good to contrast the statement of my hon. Friend with the pathetic record of Conservative Members when they were in government, as they closed 450 rural schools. With that record, it is perhaps not surprising that they do not know the difference between Saturday and Sunday.

Mr. David Drew (Stroud): Will my right hon. Friend, in liaison with my right hon. Friend the Minister of Agriculture, consider holding a debate on the implications of the Krebs report on bovine tuberculosis? There is a growing awareness that some of the report's recommendations may not be practicable, and an examination of this growing problem—which is probably second only to bovine spongiform encephalopathy—is long overdue.

Mrs. Taylor: The Krebs report recommended a package of measures which, taken together, provide a coherent basis for moving forward. We have consulted on the report to find the best way of implementing the measures. The consultation period ended only last week, and the Government are currently considering the views that were submitted. The House will be informed of decisions in due course, but I am afraid that I do not think that it will be possible to have a debate along the lines that my hon. Friend suggests.

Mr. David Watts (St. Helens, North): Is my right hon. Friend aware that house price gazumping has returned to England? Will she make time available to discuss how my constituents in St. Helens can enjoy the same protection as the constituents of our Scottish colleagues?

Mrs. Taylor: We all have constituents who have faced problems because of gazumping, which has, at times, been rampant and caused many difficulties. My hon. Friend the Minister for Local Government and Housing is issuing a consultative paper, as we take the problem seriously and want to establish whether we can protect people who currently feel extremely vulnerable.

Sir Patrick Cormack (South Staffordshire): Can the right hon. Lady give us an assurance today, rather than next week? She will be aware of the point of order that I raised yesterday in the House. Does she agree that the Opposition have tried to be wholly supportive and constructive in the work of the Modernisation Committee and in the timetabling of the Bills that are currently before the House? Does she accept that, if timetabling is to work, there must be no repeat of yesterday's events, when a statement—it was not urgent or of international importance—took up one hour of the three hours that had been allocated for a debate on a crucial feature of the Scotland Bill? I know that she has tried to be entirely constructive in these matters, and I ask for an assurance that she will use her best endeavours to ensure that what happened yesterday never occurs again.

Mrs. Taylor: I am not sure that I can give the entire assurance that the hon. Gentleman wants. The Business Committee, which decides about business on the programme motion, takes into account the possibility of statements. Opposition Members often criticise us for not making the statements that they want. I should point out that Conservative Front Benchers asked 24 questions about the statement yesterday—clearly, some Conservative Members thought that it was important.

Conservative Members may ask why we did not make the statement on another day, but if we had made it the day before, it would have taken time from the Supply day, which is something that we have so far managed to avoid doing. We made the statement on the day that had been decided. The Opposition want statements, but when we make them, they complain, and when we do not make them, they complain.

Points of Order

4.12 pm

Mr. Gerald Howarth (Aldershot): On a point of order, Madam Speaker. I want to raise a point of order relating to the Green Paper that was issued today by the Ministry of Defence. This morning, *The Daily Telegraph* carried a large article entitled, "Agency will help arms firms tap civilian markets", in which it was reported that the Secretary of State for Defence was likely to unveil plans today to set up a defence diversification agency involving the Defence Evaluation and Research Agency, whose headquarters is in my constituency of Aldershot.

I inquired whether a statement would be made to the House today, but was told that the announcement would be made by way of written answer. When I made further inquiries, I discovered that a press conference was held this morning at the Ministry of Defence, at which journalists were able to question Ministers about these very serious proposals, which go to the heart of the defence industry. Members of Parliament, however, including many who have DERA sites in their constituencies, have had no opportunity to question Ministers. It is clear that the article in *The Daily Telegraph* today is based extensively on briefings provided by the Ministry of Defence.

On a point of principle, you have made it clear to the House that you expect important announcements to be made first to the House rather than to the world outside, although I accept that we are talking about a Green Paper. I would be grateful if you would rule on this matter, because I feel that we have been denied an opportunity to question Ministers that was given to others outside the House.

Madam Speaker: As the hon. Gentleman said, it is a Green Paper. According to my inquiries, the press conference to which he refers took place after the written answer and the Green Paper were made available to Members of Parliament. I understand that all the proper procedures were correctly followed.

Mr. Howarth: Further to that point of order, Madam Speaker. It is true that the Green Paper was placed in the Vote Office shortly before midday, but it is not true that the written question and answer were placed in the Library before the press conference started. The Library has informed me that the question and answer arrived at 12.30 pm, which is half an hour after the press conference started.

Madam Speaker: The question was:

"To ask the Secretary of State for Defence when he intends to publish the Government's Green Paper on Defence Diversification."

The answer was:

"We have today published our Green Paper 'Defence Diversification: Getting the most out of defence technology', as Command Paper No. 3861. Copies are available from the Vote Office. There will now be a period of consultation."

Mr. Tim Loughton (East Worthing and Shoreham): On a point of order, Madam Speaker. I seek your assistance, as the guardian of Back Benchers, over the debate on Tuesday evening on individual savings accounts and personal equity plans, and to the specific procedures used by the Paymaster General.

I tabled a written question to the Paymaster General last month, asking whether the findings of the consultation exercise on ISAs and PEPs that ended at the end of January could be published and the full findings placed in the Library for the use of all Members. He refused that request, and said merely that a summary of submissions would be made available, probably after the Budget.

It was clear on Tuesday evening that the Paymaster General was using submissions from investment houses and individuals, and quoting them selectively. The gist of the full documents was in fact rather contrary to the case that he was trying to make. Would it not be in the best interests of good debate in the House if he made all those consultation findings fully available in the Library, so that we can all be fully informed for debate in the future?

Madam Speaker: The hon. Gentleman does not give me the status of the papers to which he refers. If they are state papers, of course they must be made available. It appears from what he says that they are not state papers, so they do not have to be made available. Let me make it clear to the hon. Gentleman and to the House that I will not take points of order about the quality of ministerial answers. That is not a matter for the Chair.

Mr. Nicholas Soames (Mid-Sussex): On a point of order, Madam Speaker. You may recall that, about two weeks ago, I raised with the Leader of the House a matter relating to the slackness and impertinence of some Ministers in not signing correspondence to Members of Parliament. The right hon. Lady, extremely courteously, said that she would make representations on behalf of both Government and Opposition Members. Since that complaint, I have had five unsigned letters from Ministers.

I regard it as wholly unacceptable, as I am sure you do, Madam Speaker, that, when constituents write to Members of Parliament to make inquiries of Ministers and the Government on matters relating to Government policy, we do not receive duly signed letters. Will you, on behalf of the whole House, make representations to the Government asking them to cease that practice forthwith, and to ensure that Ministers sign their letters?

Mr. Nick Hawkins (Surrey Heath) *rose—*

Madam Speaker: No, I can deal with this, thank you.

I am entirely in sympathy with the hon. Member for Mid-Sussex (Mr. Soames). It happens to me as Speaker that I get letters unsigned by Ministers, and my office sends them back. It may delay matters, but it is worth it in the long run. Those on the Government Front Bench know my views on this, as do various Secretaries of State. I suggest that all hon. Members do likewise.

Mr. Gerald Bermingham (St. Helens, South): On a point of order, Madam Speaker. This afternoon, I watched the proceedings of the House on television in my office. I noticed that some hon. Members are heard clearly on the microphone system, but others, sitting in other parts of the House, are not so clearly heard. One example this afternoon was the hon. Member for Ribble Valley (Mr. Evans): it was hard to hear what he was saying. I put that down not to editorial interference by the BBC, but to bad positioning of the microphones.

The other day, an elderly constituent raised the issue with me. I carried out an experiment, and I am now reporting the findings. I ask your assistance, Madam Speaker, in suggesting to the BBC that it should use better or more directional microphone systems, so that all hon. Members can be heard, even if they are talking rubbish.

Madam Speaker: That is a most interesting point of order, but I would also encourage hon. Members to project their voices.

Mr. Hawkins: Further to the point of order raised by my hon. Friend the Member for Mid-Sussex (Mr. Soames), Madam Speaker. You have said that you have been the victim of unsigned correspondence. This morning, in response to a letter I sent to the Secretary of State for Culture, Media and Sport, I did not receive a letter, signed or unsigned: my letter was returned simply with a yellow, sticky, Post-it note attached, on which had been scrawled a note by some person in the office of the Secretary of State. I have no doubt that, had you received such a response, your views would have been even stronger than those you expressed about unsigned ministerial correspondence. Will you therefore reinforce the point that such practices are to be even more greatly deplored?

Madam Speaker: As I have not received a sticky yellow note returning my correspondence, I can hardly comment.

BILLS PRESENTED

PORTS OF ENTRY (SPECIAL STATUS)

Mr. Gwyn Prosser, supported by Mr. Andrew Mackinlay, Mr. Ivan Henderson, Laura Moffatt, Mr. Derek Wyatt, Ms Jackie Lawrence, Dr. Stephen Ladyman, Mr. Nick Ainger, Mr. Robert Syms, Mrs. Louise Ellman, Dr. Alan Whitehead and Mr. Norman Baker, presented a Bill to make provision for special status for ports of entry to the United Kingdom so far as the law affecting local government and policing is concerned; and for related purposes: And the same was read the First time; and ordered to be read a Second time on Friday 24 April, and to be printed [Bill 137].

RECYCLED CONTENT OF NEWSPRINT

Mr. David Chaytor, supported by Mrs. Helen Brinton, Mr. John Austin, Mr. David Lepper, Mr. Stephen Pound, Mr. Tom Brake, Mr. Norman Baker, Mr. Matthew Taylor, Sir Sydney Chapman, Mr. Peter Bottomley, Mr. Cynog Dafis and Rev. Martin Smyth, presented a Bill to increase the amount of recycled paper used in newsprint in the United Kingdom; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 24 April, and to be printed [Bill 138].

Orders of the Day

European Parliamentary Elections Bill

Considered in Committee [Progress, 26 February].

[MR. MICHAEL J. MARTIN *in the Chair*]

Clause 5

COMMENCEMENT

Question proposed, That the clause stand part of the Bill.

4.22 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): Clause 5 was the subject of some interesting discussion last Thursday. Briefly, the clause will enable the Secretary of State to appoint the day of commencement of the Bill's provisions, by way of a statutory instrument. The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) tabled several amendments that would delay the commencement of the Bill's provisions. He would like Parliament, through the affirmative resolution procedure, to decide whether the Act should be brought into force, even though Parliament would have already approved the measures. The Minister of State, Home Office, my hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin) explained that there was no justification for the use of the affirmative resolution procedure in that case and no precedent for such a measure.

The right hon. Member for North-West Cambridgeshire would also like us to wait until the Neill Committee on Standards in Public Life and the Jenkins commission on the voting system have reported, even though neither body is considering issues related to elections to the European Parliament.

It has also been proposed that parties must secure democratic approval at regional level of the party lists and the order in which the candidates' names appear. I know of no instance of a Government interfering in the internal affairs of political parties. The right hon. Member for North-West Cambridgeshire may wish for that, given his party's difficulties, but I do not think that he seriously wants it. The Conservative party is clutching at straws and seeking to delay commencement by any means possible. Clause 5 simply allows the date of commencement to be determined in the usual way.

Question put and agreed to.

Clause 5 ordered to stand part of the Bill.

Clause 6

SHORT TITLE

Question proposed, That the clause stand part of the Bill.

Mr. George Howarth: Clause 6 provides that, if enacted, the Bill will become the European Parliamentary Elections Act 1998.

Question put and agreed to.

Clause 6 ordered to stand part of the Bill.

New clause 2

CONDUCT OF ELECTIONS (TRAINING OF ELECTION STAFF)

'.—(1) The Secretary of State shall—

(a) publish a detailed training manual for persons directly concerned in the conduct of elections under this Act and the European Parliamentary Elections Act 1978; and

(b) establish and publish details of a standard of proficiency which is to be achieved by such persons.

(2) Local authorities shall certify to Parliament the number of persons achieving the standard established under subsection (1)(b) above.'.—*[Mr. Clappison.]*

Brought up, and read the First time.

Mr. James Clappison (Hertsmere): I beg to move, That the clause be read a Second time.

The First Deputy Chairman of Ways and Means (Mr. Michael J. Martin): With this, it will be convenient to discuss new clause 3—*Application of this Act to elections to be subject to implementation of section (Conduct of elections (training of election staff))*—

'. The provisions of this Act shall apply only in the case of an election held more than twelve months after the requirements of section (*Conduct of elections (training of election staff)*) have been met.'.

Mr. Clappison: The new clauses deal with training for the new election system. Their purpose is to uphold our valued tradition of well-conducted elections, which the Minister will join me in wanting to maintain. They simply require the Secretary of State to publish a training manual for persons concerned in the conduct of the elections and to establish and publish details of a standard of proficiency for them, and that the system is in place in good time for the European parliamentary elections.

In all fairness, the Government must accept that the new system will be unfamiliar both to electors and to those charged with the conduct of elections. As we have said before in Committee, the simplicity of the new system, which the Home Secretary valiantly paraded as one of its virtues, has not been entirely self-evident during our proceedings. If he found the task of making the requisite divisions and understanding the difference between d'Hondt and Sainte-Lague difficult, we do not think that it will any easier for those charged with the conduct of elections to carry out the necessary calculations and operations. We think that the Minister will welcome the opportunity to say a little more about how the Government plan to equip the people who will run the elections, to ensure that they run smoothly and efficiently.

We note from the explanatory and financial memorandum that the Government estimate the cost of training for those operating the system at £4 million. The Government owe us a little more detailed explanation of that cost. How does it compare with the cost of training staff for previous European elections under the present system? Is it a one-off cost or will it continue to be incurred in future European elections? I hope that the Minister will be eager to give details of the training that the Government plan to give those who will conduct the elections. I think that he agrees that it is important that the Committee should be reassured that they will be properly trained, and that that training will be carried out in good time for the elections. Therefore, can the Minister tell the Committee a little more about the details of the training? Can he tell us, for example, on what basis those who are to be trained will be selected? Who will train them? I should welcome a response from the hon. Gentleman on those two specific points.

I would also appreciate a response from the Minister on whether any qualifications or experience will be required on the part of those responsible for training. What is the Government's time scale for the training? Can we be assured that the training that the Government plan will be in time for the elections? That is an important feature of our new clause. We want the training to be done in good time.

I have to say to the Minister—I do not think that I am being unkind—that I have not been entirely impressed by the progress of the legislation so far, the way in which it has been introduced or the changes that have had to be made. We want to be reassured that the problems that have occurred with the calculations of proportionality will not recur when it comes to training those who will conduct the elections. We want the Government to reassure us that the training will be carried out in good time.

Can the Minister tell us a little more about the arrangements for counting the votes by those who have been trained? For example, will the votes for one of the new large regions be counted at a single regional venue, or will there be multiple counts? If there are to be multiple counts throughout the region, on what basis will the locations be chosen?

Will the Minister tell us a little about the training of those who will do the calculations after the votes have been counted? I have raised a number of issues with him. I emphasise that we want to know how those who will do the calculations will be trained. We know that people in other countries have to do such calculations, but the calculations are new to this country and it is possible that mistakes will be made. I am sure that the hon. Gentleman joins us in not wishing to see the integrity and standing of our electoral system undermined by any mistakes. We want to see that people are well trained in advance, in doing what may sometimes be fairly complex calculations.

In the same vein, we should like to know where the calculations will be done. If there are multiple counts, will the calculations be done at the regional venue? If not, where will they be done?

The new clauses have been tabled in a helpful spirit. We hope that the Government will want to tell us a little more about the operation of the new system. It is fair to say that it is not an entirely simple system. It will be very new. We want to be reassured that its conduct will be up to the standards that hon. Members on both sides of the Committee have come to expect of the conduct of elections, which is a tradition of long standing in this country that we want to see maintained.

Mr. George Howarth: The hon. Member for Hertsmere (Mr. Clappison) explained the reasoning behind the new clauses, but I am not entirely convinced that he has introduced them in a deeply serious way, although he asked some questions that I shall try my best to answer. I am not convinced, and I do not think that the hon. Gentleman really is, that it is really necessary to include in the Bill the sort of detail that he suggests on training, but I shall cover the issues.

The Government's recognition of the need to train officers on the ground to use the new electoral system is clearly stated in the Bill, as the hon. Gentleman conceded. The Bill's explanatory and financial memorandum gives an estimate of £4 million for that purpose, and clause 4 provides for that cost to be met from the Consolidated Fund. That £4 million is a one-off cost; but because a subsequent Parliament may make changes to the legislation, it is not possible to say that there will never be a repetition. One cannot look into the future, but if changes were made in future, additional resources would be necessary to carry out extra training for the new system.

Officials in the Home Office are already holding discussions with the relevant bodies, in particular the Society of Local Authority Chief Executives and the Association of Electoral Administrators. The hon. Gentleman asked whether a certificate or diploma qualification would be available and, although I am not aware of any plans to introduce a specific qualification for these European elections, I spoke at the Association of Electoral Administrators conference in Plymouth last week and awarded the first diplomas in competence in electoral administration, so I can assure the hon. Gentleman that there is a proper certificate and that the curriculum includes European elections, in addition to all other forms of election. Therefore, there will be a certificate available and, although it will not be necessary in every case to hold that certificate, I do not think that the hon. Gentleman questions the competence of the electoral administrators we already use.

Mr. Clappison: I take it that the Minister has moved on from the question of cost, but before leaving it entirely, can he make it absolutely clear how the £4 million compares with the cost of training those conducting elections in the past? Is the £4 million a new cost?

Mr. Howarth: I am not in a position to provide that information. If, after discussions with the electoral administrators and others, that sum proves inadequate or compares unfavourably with previous costs, we shall take that into account. If, after checking the substance of the hon. Gentleman's question, I find that there is some difference, I shall let him know in writing.

The local authority chief executives and the electoral administrators are confident that they will be able to operate the new system without any undue problems. I join the hon. Gentleman in paying tribute to the men and women who are involved in the conduct of elections: they perform a valuable service and do so capably and professionally. In changing the voting system for future elections to the European Parliament, the Government appreciate that the job carried out by those officers will change. We shall assist local authorities as much as we can in preparing for that change, but we shall not take the unprecedented step of dictating the sort of training required and burdening them with draconian performance standards; nor do we wish the introduction of the new system to be postponed by an arbitrary period of delay.

The hon. Gentleman also raised the question of the location of counts and of the calculation of the aggregates on a regional basis. My recollection is that counts will be conducted at parliamentary constituency level and that the aggregation of those results into a regional result will be carried out at a regional centre, according to a formula—either the one on the face of the Bill, or some other formula that has been agreed subsequently.

The Opposition are intent on preventing the new system from coming into force by any means they can devise. They have already shown that in their previous amendments, and they are doing so again in these new clauses. Although the new clauses raise subjects that are worthy of debate, they are not worthy of incorporation in the Bill. Unlike the Opposition, we recognise and acknowledge that the traditions of the electoral officers mean that they will be able to cope with the new system with their normal admirable ability. They will be properly trained, and I am confident that they will maintain their current high level of professionalism throughout 1999 and beyond. If the hon. Member for Hertsmere has the same regard for me as I am sure he does for those proficient officials, I am sure that he will feel inclined to withdraw the motion.

Mr. Richard Allan (Sheffield, Hallam): I was pleased to hear the hon. Member for Hertsmere (Mr. Clappison) say that his new clauses were helpful, not obstructive. New clause 3, in proposing an arbitrary 12-month delay, seemed to us an ingenious method of trying to derail the 1999 timetable, but we stand corrected on that. I was also pleased that the Conservatives were able to congratulate our election staff on the work that they do, and I was pleased to hear those congratulations echoed by the Minister.

It seems to be a feature of the debate about more proportional systems that opponents of proportionality tend to overstate the complexity of such systems. In fact, similar systems are used throughout the world, in many different arenas. Moreover, anyone who has watched election staff trying to do a multiple local government by-election count, perhaps at the same time as a general election count, knows that we already have a fair degree of complexity in our system, and that our staff are perfectly able to cope with it.

Liberal Democrats do not believe that it is necessary to have a doctorate in electoral systems, or to have completed a—

Mr. Martin Linton (Battersea): Does the hon. Gentleman accept that the hon. Member for Hertsmere (Mr. Clappison) did not say that the systems were complex—he said merely that he did not understand them?

Mr. Allan: I thank the hon. Gentleman for that helpful intervention. One of the key features of debate on the Bill is that all of us have increased our understanding of more proportional systems. I hope that, as they come to understand such systems, Conservative Members will recognise their value and change their position, as they are changing their position on many constitutional issues.

In our view, it is unnecessary for the people responsible for the conduct of elections to have written a dissertation on the inherent differences between d'Hondt and Sainte-Lague, or to have passed a training course, and such provisions need not be in the Bill. We see no need to support the new clauses. We hope that Conservative Members, having heard the Minister's reassurances on the

[Mr. Allan]

training of our staff and having praised their quality, will accept that that quality will be perfectly sufficient to cope with the system that the Bill will introduce.

Mr. Robert Syms (Poole): I shall speak in support of new clause 2. Scrutineers from political parties play an important part in the electoral process, but the role of agents has not yet been mentioned. Under our current system, agents have a legal position vis-à-vis the candidates and, if they get things wrong in terms of expenditure, they can go to prison.

We are to have a new electoral system as a result of the Bill. Some time, registration of parties may well have to be introduced. Inevitably, the time will come when we must decide whether to have an agent system as before, and whether imprisonment is to be a penalty. Given the size of the electoral areas and the fact that a Conservative party agent or a Labour party agent for, let us say, the South East, may face legal penalties if things are not done correctly, publication of any training manuals on the conduct of elections would be useful, not only for the local government officers and others who deal with the election, but for the political party agents, who may have to scrutinise and/or risk objections or legal action. Such eventualities are quite likely, especially under a new system, and especially as candidates might not wholly understand the implications of what is going on at the count.

Therefore, it is sensible, if the system is to work and deliver a result, that we publish manuals to enable the political party agents to understand the ground rules, so that when the count takes place, and when expenses must be accounted for, everyone knows the ground rules.

The Minister may say that this is not the most appropriate moment to discuss that matter, but I believe that the Government must address the issues concerning agents, expenditure and possible imprisonment. Is it practical to expect an agent for the region of the South East, responsible for millions of voters and perhaps thousands of party workers, to be confronted with imprisonment, and is it practical to expect an individual to control an election campaign in the traditional sense? Those issues must be considered, and I should be grateful for the Minister's comments.

Mr. Mike Hancock (Portsmouth, South): I am delighted to be given the chance to say a few words.

The hon. Member for Hertsmere (Mr. Clappison) was somewhat pessimistic—but, I suppose, realistic—in his appraisal of the Tories' misfortune on 1 May. Perhaps the Conservatives are looking for a delaying tactic, to give them more chance of putting together a substantial case when the elections come. His speech was also a pessimistic appraisal of the education system, which the Conservative party lorded over for 18 years, because it implied that, in the 15 months before the elections take place, we cannot educate the electoral officers responsible for running and managing those elections, to equip them to do their job successfully.

4.45 pm

I have fought 25 elections in the past 30 years at three different levels, so I have some experience of elections going wrong. As someone who has been on the wrong end of two very narrow counts to get elected, or re-elected, to the House, I know too well of the arguments that occur because of the inadequacies of the system.

However, my worries relate not so much to the system that the Government will resource, or to training—although it is important—as to local government's failure to honour its commitment to the democratic process. For too long, local government has tried to get away with conducting the democratic process—that is, elections and the preparation of electoral registers—on the cheap.

We are about to embark on a new system, which the public will have to understand. I am sure that they will embrace it with enthusiasm, and will come to regard it as the system on which they would want all elections to be based. At such a time, it is important that local government—which has a responsibility to furnish up-to-date registers of electors, to inform the public and to run elections properly—is given the resources to enable it to fulfil that responsibility, so that it cannot make the excuse that mistakes were the Government's responsibility.

I listened carefully to what the Minister said about the training for which he would be responsible. Part of that responsibility must be pushed down to local government level, but it must be accompanied by sufficient resources. I should like an assurance—

Mr. David Drew (Stroud): Does the hon. Gentleman consider that he is being rather broad-brush in his criticism? My local authority, Stroud district council, puts a great deal of resources and time into training and informing representatives and agents on how the election process will work. I hope that the hon. Gentleman will acknowledge that there is good practice in local government, and that it needs to be promoted.

Mr. Hancock: I entirely agree, and I sympathise with other hon. Members who have had bad experiences in elections. I know from first-hand experience over 30 years of the frustration of the person whose name is not on the electoral register—the person who takes time and trouble to inform the local authority that they live at a specific address, only to find that nothing is done about putting their name on the register. Too many such examples exist, but I welcome the hon. Gentleman's intervention in pointing out the good practice.

However, I seek a real assurance from the Minister that the training will not be confined to one level—that it will go right down the system, so that everyone involved in the elections has a fundamental grasp of what is expected of them. If that is done, we shall have, in 15 months' time, a successful new episode in the practice of democracy in our country, of which we can all be proud.

Mr. George Howarth: I shall try to cover as many as possible of the issues that have been mentioned.

In answer to the hon. Member for Portsmouth, South (Mr. Hancock), we are consulting those responsible, both at chief executive level and electoral administrator level, and I believe that any difficulties that they have will be resolved. I am confident that, given their professionalism and the consultation exercise that is taking place, we can resolve some of the difficulties.

I was just trying to calculate how many elections I have stood in. I must have stood in fewer elections than the hon. Member for Portsmouth, South, but I have probably stood in about 12 or 14, at two levels—local authority and parliamentary. Unlike the hon. Gentleman, I have been fortunate, in that I have never failed to be elected. However, I concede that, in the seats for which I stood, there was little chance of any other result.

I should correct a false impression that I may have given the hon. Member for Hertsmere (Mr. Clappison). I said, wrongly, that the counts would be carried out at constituency level. In fact, the intention is that they will be carried out at local authority level. I apologise for that and set the record straight.

On the role and responsibilities of agents, which was raised by the hon. Member for Poole (Mr. Syms), there will be a single agent per list. That is the only way of resolving the problem. Although, as the hon. Gentleman says, it will be a more complicated role than that of an agent on a single constituency level, it will be better to have one agent per region for the list than to fragment the region into a number of constituencies.

Mr. Syms: I am glad to hear what the Minister says. It would be more sensible to have one agent for the entire region, but there are a number of wrangles and difficulties. What happens when a minor party—an odd and a sod—wants a recount of a whole region? Such questions must be sorted out in more detail. Under current law, there is considerable precedent—thick files of "Parker's Election Laws" and so on—to which one can turn. We are in a new ball game with the proposed system. The Government and others must get together to get the ground rules right.

Mr. Howarth: The hon. Gentleman will be aware that there are established procedures for requesting a recount, for example. It will be the responsibility, technically, of the agent to demonstrate to the returning officer or his or her representative that the required threshold exists to justify such a request. That could be done by the agent for the list in a region or by the agent for an individual named candidate on the ballot paper. Such details will be discussed in the training that we propose. I am confident that the i's can be dotted and the t's crossed in those details.

To answer the hon. Gentleman's further question, it will still be the agent's responsibility to ensure that he controls his party's electoral expenditure within the legal and agreed limits. All of that will be covered in regulations under schedule 2, which amends schedule 1 to the European Parliamentary Elections Act 1978.

Whether intentionally or not, this has been a useful debate. We have covered various nuts-and-bolts issues, so perhaps the system will be better understood. I hope that as a result of those reassurances, the hon. Member for Hertsmere will consider it prudent to withdraw the motion.

Mr. Clappison: I am grateful to the Minister for the spirit in which he responded to the debate, which was introduced as a serious matter and which, as he says, has proved useful. I was slightly surprised by the partisan comments from some quarters, in view of the reasonably non-partisan way in which I introduced the new clause.

The hon. Member for Battersea (Mr. Linton) referred in an intervention to the degree of understanding of the system on the part of various hon. Members. I did not say that I do not understand it—I never professed to do so. I said that the Home Secretary had got it wrong and made a mistake.

If the hon. Gentleman was present earlier in the Committee's proceedings, he will have heard the Home Secretary commendably and frankly acknowledge that he had been mistaken in what he told the House on Second Reading about the basis of the system. I do not think that the Under-Secretary will be particularly grateful to the hon. Gentleman for raising the matter because, as I recollect, it was the Under-Secretary who had to put the record straight in a written answer after the Home Secretary got it wrong. I do not think that he will thank the hon. Gentleman for that reminder.

I have one other piece of advice for the Minister. He should not listen too closely to Liberal Democrat Members. They seem to be in an awful rush to enact the Bill. We think that in this case undue haste would be the midwife of chaos, which is the last thing that we want. We want a system that upholds our valued traditions of efficiently conducted elections, which hon. Members in all parts of the House will value. That is the spirit in which we tabled the two new clauses.

I put numerous questions to the Minister. They were serious questions, as he recognises. I should be grateful if he would reply to me in writing on the matters that he did not cover in his response to the debate. In that spirit, and in order not to delay the Committee, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Schedule 1

New Schedule 2 to the European Parliamentary Elections Act 1978

Mr. John Greenway (Ryedale): I beg to move amendment No. 59, in page 6, line 6, leave out '6' and insert '7'.

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 60, in page 6, line 10, column 2, at end insert—

'County of North East Lincolnshire
County of North Lincolnshire'.

No. 61, in page 6, line 27, column 1, leave out 'East'.

No. 63, in page 6, line 27, column 2, at beginning insert—

'County of Cumbria'.

No. 62, in page 6, line 27, column 3, leave out '4' and insert '5'.

Government amendment No. 30.

No. 64, in page 6, line 35, column 3, leave out '10' and insert '9'.

No. 65, in page 6, line 38, column 2, leave out 'County of Cumbria'.

Government amendments Nos. 31 and 32.

No. 66, in page 7, line 38, column 1, leave out '& The Humber'.

No. 67, in page 7, leave out lines 42 and 43.

Mr. Greenway: This group of amendments provides the Committee with a further opportunity to reflect on the

[Mr. Greenway]

proposed electoral regions in the scheme proposed by the Bill and to question again whether they are the most appropriate.

I begin with a simple question: how does anyone know? There has been no public consultation, no White Paper, no review by the boundary commission. As I reminded the Committee in an earlier debate on the number of electoral regions, the involvement of the boundary commission was thought so important by the Prime Minister when he was shadow Home Secretary that, when the House considered those matters, the then Opposition would not support the creation of additional constituencies for the European Parliament in the United Kingdom. If the involvement of the boundary commission were so important then, why is it not necessary to consult the boundary commission now?

It is conceivable that some parts of England, especially, may have been placed in the wrong region. Our argument this evening is about not size, but the regional boundaries. The Minister, like the Minister of State, Home Office, the hon. Member for Gateshead, East and Washington, West (Ms Quin), on a previous occasion in Committee, will no doubt tell us that the regions chosen by the Government are in effect the regions of the Government offices, which were introduced by the previous Government. However, it was not proposed that those regions should become electoral regions for the European Parliament. The previous Government's view is not a mandate for the imposition of the map for electoral purposes. There could be numerous examples of inappropriate boundaries. In the amendments, we have selected two examples.

The first concerns North and North East Lincolnshire. As a result of local government boundary commission changes, we have got rid of the county of Humberside and we have a unitary authority containing both North Lincolnshire and North East Lincolnshire, and Lincolnshire county council. Why is it appropriate to keep North and North East Lincolnshire with Yorkshire and to call that region Yorkshire and The Humber, and not to put North and North East Lincolnshire in with the rest of Lincolnshire, where we believe it would be more appropriately placed?

In an earlier debate, my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) even questioned whether Lincolnshire ought to be in the East Midlands, and whether it should more appropriately be placed in the Eastern England electoral region. One can understand why. It is a largely rural county, which would be better placed with rural counties such as Norfolk, Suffolk and Cambridgeshire.

We think—I ask the Minister seriously to consider this—that, having got rid of a boundary for local government, reinstating that boundary for the electoral regions for the European Parliament is bound to cause confusion in the minds of electors. That confusion will be all the greater because North East Lincolnshire, especially, is part of the Lincolnshire and Humberside South European parliamentary constituency. The MEP who represents those areas now will not be able to represent all of them in future, if she is successful in the election, because some of them will be in Yorkshire.

My second example relates to Cumbria. It is valid to ask whether Cumbria should be in the North West or the North East. Given Government statistical regions in the past, Cumbria has always been linked with Northumbria and Durham as part of the north. Indeed, Cumbria forms part of the Northern and Yorkshire regional health authority.

5 pm

Mr. John Hutton (Barrow and Furness): Not true.

Mr. Greenway: Before the debate took place, I took the opportunity of telephoning the office of the chairman of the authority on that point.

Mr. Hutton: If the hon. Gentleman had done his homework, he would realise that the south of the county, in the area which I represent, is part of the North West regional health authority.

Mr. Greenway: The hon. Gentleman is right in that a tiny part of south Cumbria is in the North West RHA, but the major part of Cumbria, certainly in geographical terms, is in the Northern and Yorkshire RHA. Those boundaries do not reflect many other parts of public life such as the provision of water services, electricity and other energy supplies. As we discovered in a recent debate, there are media boundaries. Cumbria is covered by BBC North.

Mr. Hutton: Not true.

Mr. Greenway: It is true.

Mr. Hutton: Will the hon. Gentleman give way?

Mr. Greenway: No. I am not giving way. We want to make progress. Again, one has checked this out.

The Government have made no attempt to discover local preference. How does anyone know where Cumbria would prefer to be in the proposed electoral regions? No one was asked. What if the Government, decide to change the regional boundaries? How many people, even in Cumbria, know what is happening? As I have said, there has been no consultation. That is a major deficiency in the Bill.

I presume that the Minister will speak to Government amendments Nos. 30 to 32. The amendments reflect some drafting deficiencies. I suspect that the problems with Sussex and Telford and The Wrekin are understandable, but it is rather surprising to find that the Home Secretary's local authority boundary—Blackburn with Darwen—is shown in the Bill as Blackburn. The right hon. Gentleman appears not to know the name of his local authority, or perhaps his departmental officials did not know.

There are serious shortcomings in the Bill, which we have sought to address by tabling amendments. There has been no consultation on boundaries and the boundary commission has not been involved. There is no provision for review and—

Mr. David Heath (Somerton and Frome): I am intrigued. I have listened carefully and I yield to no one in my ignorance of the north-west. However, to what degree has the hon. Gentleman consulted the people of

Cumbria before prescribing a different system from that which he prescribed when in government for the regional offices?

Mr. Greenway: The hon. Gentleman makes my point for me. There has been no consultation by anyone. The hon. Gentleman says that the Opposition should have consulted, but right hon. and hon. Members on the Labour Benches are the Government. There should have been a boundary commission review. There is not even any provision for such a review after the first elections take place next year. Nothing in the Bill provides a mechanism for change. For that reason, we believe that it is correct—

Mr. Richard Burden (Birmingham, Northfield): The hon. Gentleman has told us why he believes that the regions that have been chosen may be inappropriate. Does he accept that, for the purposes of European parliamentary elections—as far as I am aware, those elections are what the Bill is about—it could be relevant to match those boundaries with the regions that are responsible for the distribution of European funds?

Mr. Greenway: The hon. Gentleman has anticipated me. The Government have imposed regions upon us but have failed to give the Committee proper justification for the regional electoral boundaries that are set out in the schedule and elsewhere. Furthermore, the Minister of State, Home Office did not give a satisfactory answer when the Committee discussed those matters previously.

The Under-Secretary has a new opportunity to offer the Committee a more convincing explanation. In particular, we invite the hon. Gentleman to tell the Committee why he thinks that North and North East Lincolnshire should be part of Yorkshire and why Cumbria should be in the North West region and not in the North East. As far as we are aware, there has been no consultation with voters in those areas. I cannot recall any previous occasion when such electoral boundaries were imposed by Government diktat without proper public consultation.

Mr. Hutton: I wish to correct the misapprehension under which the hon. Member for Ryedale (Mr. Greenway) is clearly labouring, about Cumbria and its position in the United Kingdom. It is not true, as I tried to tell him, that Cumbria is regulated by the Northern and Yorkshire regional health authority. Neither is it true that only a "tiny part" of Cumbria, to use the hon. Gentleman's words, is outside the Northern and Yorkshire RHA. Instead, we are talking about two parliamentary constituencies. As the hon. Gentleman will know, representing as he does one of the largest constituencies in the United Kingdom, those two constituencies cannot be described as representing a tiny geographical area.

Neither is it true that Cumbria is part of the northern region in terms of its utilities. My constituency and the constituency of the hon. Member for Westmorland and Lonsdale (Mr. Collins) receive water from North West Water, and we receive electricity from the North Western electricity board, both of which are north-west-based utility companies. It is clear that the hon. Member for Ryedale has not done his homework satisfactorily. That undermines some of his arguments.

The hon. Gentleman's amendments are misguided and inappropriate for Cumbria, for two principal reasons. The hon. Gentleman implied that it is the Conservative view that Cumbria should be part of the North East. That assumes that there is a consensus in Cumbria about which region we should be in, whether the North West or the North East. There is no such consensus in Cumbria, and certainly not in my constituency. I suspect that that is the position in some of the constituencies of the hon. Gentleman's hon. Friends in Cumbria, whose support for the amendments has been noticeably absent.

The hon. Gentleman has done something of a disservice to his argument in criticising the Government for lack of consultation when the Conservative party has undertaken no such consultation of its own. The Opposition, without any consultation, propose that a county should be moved from one region to another. That is superficial and unhelpful.

For another reason, the amendments are mistaken. They are divisive and they rake over previous ground when no useful purpose can be served by so doing.

A decision must be taken. As I have said, my remarks are directed to Cumbria and not other parts of the United Kingdom. It is clear that the Government had to take a decision on the region to which Cumbria should belong. It is worth saying, as did my hon. Friend the Member for Birmingham, Northfield (Mr. Burden), that, when it comes to European issues and the Government office of the north west—of which, under the Conservative Government, Cumbria formed a part, it being part of that office's remit—Cumbria is part of the north-west as a whole. Notwithstanding the sensitivities of other areas of Cumbria, there is a strong rational case for Cumbria to be in the North West region.

The amendments are unhelpful and do not serve a useful purpose. They rake over ground where a decision has had to be taken. Worse than that, they distract attention in Cumbria, and in the north-west as a whole, from the future. There is no doubt—look at how regional development agencies and the European Union are evolving—that the best way for Cumbria to have an effective voice in Europe, Parliament and elsewhere is for Cumbrian MEPs to be part of the North West region. That is my view. It is also the strong view of my constituents. If the amendments are pressed to a vote, I look forward to voting against them.

Mr. Christopher Gill (Ludlow): My hon. Friend the Member for Ryedale (Mr. Greenway) said that there was confusion in the Government's mind when they drafted schedule 1, and referred to Government amendment. No. 32, which proposes to change the name of the county of The Wrekin to Telford and The Wrekin.

Before the Committee is invited to vote on the amendments, will the Minister say exactly what the Government have in mind for the county, because what is proposed is confusing? The original proposal to refer to The Wrekin as a county under the electoral arrangements was intelligible in the sense that The Wrekin district council will, on 1 April, become a unitary authority. However, the situation is further confused. If the Minister proposes to call the new county Telford and The Wrekin, he must bear it in mind that the name "The Wrekin" also applies to a Westminster parliamentary constituency. Notwithstanding the fact that The Wrekin district council becomes a unitary authority on 1 April, the parliamentary constituency of The Wrekin will remain part of the administrative area of the county of Shropshire. One

[Mr. Christopher Gill]

would have thought that the original terminology was probably correct. The proposed amendment will simply add to the confusion.

The people of Shropshire who live in the parliamentary constituency of The Wrekin believe that they are, for administrative purposes, in the county of Shropshire. If the amendment is passed, the people living in the parliamentary constituency of The Wrekin will be very confused indeed.

Can the Minister clarify exactly what was in his mind when he proposed the amendment?

Mr. Damian Green (Ashford): I have followed the debate with particular interest, and some care. I am not surprised that hon. Members disagree severely about the relative proportionality of d'Hondt and Sainte-Lague, about modifying Sainte-Lague and so on. I am fascinated to discover that the Committee can disagree over which television stations people in Cumbria watch, and which health authorities cover which areas. The regional boundaries that the Government are trying to draw—for electoral purposes in particular, and therefore for purposes of identification—are inevitably artificial.

The hon. Member for Barrow and Furness (Mr. Hutton) said that decisions have to be made. If the best that can be said is, "You have to define a boundary, so you have to take a decision," that tells us that the definitions in the Government's amendments are artificial, open to controversy and therefore open to improvement, as proposed by my hon. Friend the Member for Ryedale (Mr. Greenway).

Mr. Eric Martlew (Carlisle): I am confused about the Conservatives' position on Cumbria. The two Conservative MPs for Cumbria support the North West. My own feeling is that the Conservative party's amendment has been moved for political gain. The Conservatives believe that they will gain seats by putting Cumbria in the North East.

5.15 pm

Mr. Green: I should not wish to comment on the motives of my hon. Friend the Member for Ryedale (Mr. Greenway) in moving the amendment, except to say that they would have been for the best. If the hon. Gentleman disagrees with his hon. Friends on the Government Benches, that merely illustrates my point that the Government are confused. They are not sure where all parts of Cumbria properly belong. Any division that they try to draw is inherently artificial. Therefore, the regions have no validity.

The amendments illustrate a wider point. If the Government are seeking to introduce a proportional system for the elections and are getting into such trouble in defining the regions—not just their size but the boundaries—I am not sure why they did not start with a national list system. If they want a fully proportional system, that is available through national lists. The Government destroyed the constituency link anyway, so they may as well have a national list. The Government could have avoided the problems that they have caused themselves through those inadequate boundaries. Indeed, it would be easier to preserve proportionality, if the Government regard that as all-important, with a national rather than a regional list. I should welcome the Minister's comments on why the Government did not accept the logic of their own position. Although Opposition Members would not accept it, perhaps the Government should have done so.

Of all the points raised so far, possibly the weakest is that the Government's lack of consultation in creating regional boundaries is justified because the Opposition did not consult before tabling the amendments. Apart from the naivety of suggesting that, with the full resources available to the Government, which allow them to consult, there is an equivalent responsibility on the Opposition parties, we oppose the Bill. It is not our responsibility to make it perfect. We are trying, through the amendments, to make it slightly better than it is, but to suggest that every Opposition party should run its own consultation exercise on a bad Bill introduced by the Government is simply absurd. I hope that the Minister will not try to support that line of argument.

We also heard the argument that the regions are sensible because they broadly coincide with the regions covered by the Government offices, and that that will help MEPs to act on behalf of their constituents. That would be a logical argument had the Government preserved the constituency link. The idea that MEPs representing a wide region will act en bloc, across party, is absurd. In the South East, for example, much of the competition for European funds will be inside the region. They will not be looking only for money to go to a particular region. Distribution within the region will be equally important.

Mr. Syms: The Government have already crossed the regional boundaries, because the North West region covers Merseyside and the North West. They have already accepted the argument and are not keeping strictly to the regional boundaries.

Mr. Green: My hon. Friend is completely right. It is merely one more illustration of the fact that, even under the Government's terms, the Bill is defective.

I am simply attempting to address the points, which seem rather weak, made by hon. Members on the Government Benches. In practical terms, MEPs in the various regions will have to compete with each other if they have a constituency to represent, but they will not have a constituency. It will not be like existing MEPs, who, to some extent, try to replicate the job that we in the House do—represent the people of a particular area. The job of an MEP would be different if the constituency link were broken, so it is invalid to argue that electoral regions should coincide with regions covered by Government offices.

The Government's proposed system is deeply flawed. The amendments tabled by my hon. Friend the Member for Ryedale would improve the system slightly, but would not make it acceptable and democratic, and would not improve the job or the job description of MEPs. Nevertheless, I support them, because they would ameliorate some of schedule's worst effects.

Mr. Allan: The hon. Member for Ryedale (Mr. Greenway) said that confusion would be reduced if the lump of Humberside that lies south of the River Humber were taken out of the Yorkshire and The Humber

region and put into another. Although Humberside was unpopular as a local government unit, it was recognised as an economic unit by the previous Government, who created the region of Yorkshire and Humberside. The hon. Gentleman's proposition does not make sense: taking a lump out of a region covered by a Government office would enhance confusion, not reduce it.

I would lend support, however, to the hon. Gentleman's suggestion that there should be an independent review after the election, and hope that one will take place. Issues that arise during the election should be considered subsequently by an independent body, such as the boundary commission, but we are up against a deadline. The boundaries of the Government offices for the regions make most sense. Under the Bill, the North West and Merseyside regions have been merged—lumps were not taken out of one and put elsewhere, which would have caused a problem.

Comments were made about the fact that MEPs currently work en bloc, and it was suggested that they might work against each other. That would be disastrous, and we want the regions to be integral precisely to avoid that problem. We do not want half a dozen MEPs going off in different directions and losing European funds in the process: MEPs and their regional development agencies must speak with one voice to secure funds for the region.

Mr. Gill: People living in Gibraltar will be disappointed that my two amendments have not been selected for debate. They will think that the Minister has been leaned on by Foreign Office Ministers to ensure that the 18,000 people living there are not enfranchised for European Parliament elections.

The First Deputy Chairman: Order. I would not want the Minister to make any mention of which amendments have and have not been selected for debate.

Mr. George Howarth: I accept your ruling, Mr. Martin. The hon. Gentleman will have to find other ways in which to raise that matter, which has already been discussed.

The hon. Member for Ashford (Mr. Green) let the cat out of the bag. Conservative Members have learnt nothing, and the public think that they are completely out of touch. It is no good the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) waving his hands in the air. It was silly of the hon. Gentleman to say that MEPs from the same region may not co-operate. In the House and in the European Parliament, Members of all parties co-operate for the good of their constituents. I hope that he did not mean what he said, and that he accepts that after the next election, MEPs, whatever party they represent and whatever list they have been on, will automatically work for the good of their communities, as we all do.

Mr. Green: My point was that the Government are breaking the constituency link. MPs work together because we have constituency interests, but breaking the constituency link will change that for the European Parliament.

Mr. Howarth: I am glad that the hon. Gentleman has corrected the impression that he gave.

Mr. Gill: Will the Minister give way?

Mr. Howarth: I shall give way when I have finished my point.The hon. Member for Ashford, perhaps inadvertently, created the clear impression that he did not expect MEPs from the same region to co-operate. If he is saying that he did not mean that, I accept it.

Mr. Gill *rose—*

Mrs. Theresa May (Maidenhead) *rose—*

Miss Anne McIntosh (Vale of York) *rose—*

Mr. Howarth: I am inundated with requests, but I shall give way to the hon. Gentleman first, because he was the first to ask.

Mr. Gill: The Minister said that MEPs will work hard for their constituents, as Westminster MPs do, but he has no grounds for saying that. What evidence has he that that will be the case, given that the close link between MEP and constituency will no longer exist? I invite the Minister to answer a question that has not been dealt with: how will the electorate get rid of an MEP whom they consider to be unsatisfactory? That has been within their gift, because they could organise constituency affairs to get rid of an MEP, which they will not be able to do under the list system.

The First Deputy Chairman: Order. I cannot allow the hon. Gentleman to go wide of the amendments. The question how to get rid of an elected representative has nothing to do with the group of amendments before the Committee.

Mr. Howarth: I am not clear what point the hon. Gentleman was trying to make that has not already been debated.

The hon. Gentleman does not seem to understand that we are proposing a regional list system. We are not saying that such a system is the same as a constituency system. It will become more apparent as time goes on that Europe operates at a regional level, and that we should not pretend that cobbling together seven, eight or nine parliamentary constituencies will give an MEP a constituency that makes sense. The truth is that it is currently impossible for MEPs to represent the interests of individual constituents in the same way as Members of this House when their constituencies contain 500,000 people.

Miss McIntosh: I am concerned by the inferences that have been drawn from comments made to the Minister by my hon. Friends. Conservative Members are concerned that breaking the constituency link will have consequences for how future MEPs will behave. People who have been elected to Parliament or to the European

[Miss McIntosh]

Parliament, in which I have the honour to serve, have a code of conduct and etiquette. Representatives from other member states who are on the same side and of the same nationality have no constituency link and no code of behaviour. How will future MEPs work together without treading on each other's toes, and how will they behave towards the media and their own party?

Mr. Howarth: The hon. Lady has direct experience of these matters, but I do not believe that we are letting loose on the country a horde of MEPs who are about to tear each other limb from limb. Whether they are elected from a list or as an independent, and whichever party they represent, those people will co-operate sensibly. I do not share the hon. Lady's gloom.

Mrs. May: Will the Minister give way?

Mr. Howarth: Yes, but then I should make progress.

The First Deputy Chairman: Before the hon. Lady intervenes, I remind hon. Members that we are debating electoral regions. The amendments propose taking part of those regions out of the equation. Therefore, we would be going far too wide if we were to discuss the conduct of elected MEPs after the European elections.

5.30 pm

Mrs. May: I am grateful for your advice, Mr. Martin, and I shall endeavour to keep within the rules that you have just set out. Does the Minister accept that some of the electoral regions that will be created under the Bill are so large that there will be distinct differences within them? The South East, which will be represented by 11 MEPs, includes my constituency and that of my hon. Friend the Member for Ashford (Mr. Green). It is clear from the Government office for the south east that the region is so large that it will be difficult to represent every interest. For example, Kent and the Thames valley have different interests and Thames valley councils are increasingly working together rather than as part of the south-east. Does the Minister accept that that problem may arise?

Mr. Howarth: I shall return to that point, which was raised in a different way by the hon. Member for Sheffield, Hallam (Mr. Allan).

It has already been explained to the Committee how the electoral regions provided for in the Bill came about. As has already been conceded, they are the regions that are served by the Government offices for the regions, with the single exception of Merseyside, which includes my constituency. Merseyside is too small to be a region on its own, so it has been combined with the North West. Some hon. Members may be aware of the origins of the exception for Merseyside, which would take too long to explain now.

When the right hon. Member for Henley (Mr. Heseltine) was Secretary of State, he created a particular way in which to deal with the problems that existed in Merseyside at the time. The Government office for Merseyside developed from that. The regional development agencies that will be created by the Regional Development Agencies Bill, which has just completed its consideration in Committee, will have exactly the same regional boundaries. Many of the European issues will be dealt with by regional development agencies and there is a clear cross-interest in respect of matters concerning MEPs and regional development agencies.

We deliberately selected regions that were well known and well established so that there could be no suggestion that electoral boundaries were being manipulated for party advantage. Let me say to the hon. Member for Ryedale (Mr. Greenway), who skirted around the issue, that it was not appropriate for the boundary commission to decide the boundaries because they were already well established. The boundary commission has great expertise and does a very good job in trying to average out the size of constituencies, while reflecting the interests of different communities within constituencies. However, that is not an appropriate skill in these circumstances as we are dealing with a regional system.

The boundaries were established by the right hon. Member for Suffolk, Coastal (Mr. Gummer) and confirmed by the Conservative Government in 1993. Conservative Members now allude to one or two anomalies that should be put right, particularly in Cumbria, Yorkshire and Humberside, but a great deal must have happened since 1993 for them to say that the entire system should be changed. I am confident that Cumbria will be well served as part of the North West electoral region.

Mr. Martlew: It should also be considered that Cumbria has never had its own MEP. It was always represented by the MEP for Cumbria and Lancashire, North, so there is probably some logic in my hon. Friend's argument. However, I would find it offensive if the same argument were used in respect of regional government as there is less enthusiasm for being part of the North West in the northern part of the county than in the southern part. In respect of Europe, we have always been connected to the north-west, but in respect of regional government and unitary authorities, the logical approach would be to include the north of the county in the north-east and the south of the county in the north-west.

Mr. Howarth: I can assure my hon. Friend that at this stage, I am not addressing what might happen in any future system of regional government. I recognise his knowledge, but no decisions have been made.

In respect of Cumbria, the argument put by the hon. Member for Ryedale was completely demolished by my hon. Friend the Member for Barrow and Furness (Mr. Hutton), who showed through his knowledge of his own part of the county the appropriateness of what is proposed rather than the Opposition's amendments. Similarly, I believe that people who live in North and North-East Lincolnshire will be well served as part of Yorkshire and The Humber. Although the county of Humberside no longer exists, over the years, and helped by the existence of the Humber bridge, close ties—both economic and otherwise—have been built up across the river. The experience of the Government offices for the regions has shown that Cumbria sits well in the North West region, while the region of Yorkshire and The Humber is well established.

The Opposition have argued that rural interests will not be represented properly in areas with large urban concentrations. In a proportional electoral system such as

we are proposing in the Bill, all votes count. Targeting is no longer an appropriate campaign strategy. It is, therefore, in the interests of all parties, in order to maximise their vote across a region, to ensure that they achieve a geographical balance in the composition of their lists so that all parts of a region are equally represented. Similarly, once elected, MEPs simply cannot afford to neglect any part of their electorate.

Mr. Gill: Will the Minister give way?

Mr. Howarth: No. The hon. Gentleman has spoken several times in the debate and I have already given way to him.

I have said that the regions in the Bill—including the North West, which encompasses Cumbria, and Yorkshire and The Humber—are the standard administrative regions used by the European Union for all manner of purposes. It therefore makes good sense to use the same regions for electing MEPs.

A number of hon. Members asked whether, at some point in future, it might be appropriate to reconsider the boundaries. That option is always open to Parliament, and if Parliament wished to do so after the application of the new procedures, it would not be out of the question. However, it would have to be on the basis that there was something wrong with the existing regions, and I do not believe that to be the case. There is no good case for departing from well-established existing boundaries, as Opposition Members accepted as recently as five years ago.

Finally, the three Government amendments are simple drafting amendments which make no substantive alteration to the Bill.

In answer to the point raised by the hon. Member for Ludlow (Mr. Gill), a number of newly created local authority areas have adopted new names. Perhaps I should point out, as the hon. Gentleman may not be aware of it, that The Wrekin has decided to change its name to Telford and The Wrekin, and for that reason, we have tabled an amendment to the schedule. We are merely reflecting a decision that has been made locally. We have consistently used in the Bill the names that are used or are about to be used in the local authority areas.

Mrs. May: Will the Minister give way?

Mr. Howarth: I will give way briefly, but I want to make progress.

Mrs. May: I am grateful to the Minister; I have a very brief point. I hope that he will not forget the question that I asked earlier. I have been listening hard and I do not think that he has responded. Does he accept that large regions, such as the South East, will have diverse interests in their different parts? That may be a problem for Members of the European Parliament trying to represent the whole region.

Mr. Howarth: I have covered that point in two ways. First, it is possible for elected representatives to represent the diverse interests of a region. Our constituencies show that. There is a substantial rural part of my constituency as well as a highly urban area. Secondly, it is open to Parliament to revisit the issue, although I do not think that that will be necessary for some time.

I am sure that the Committee will have no difficulty in accepting Government amendments Nos. 30, 31 and 32. I do not intend to detain us any further on that. I urge the Committee to reject amendments Nos. 59 to 67.

Mr. Greenway: I assure the Committee that we had no intention of being divisive when tabling our amendments. The purpose was to question and test the evidence of popular support for the regional boundaries and their appropriateness. The debate has shown that they are artificial and that at the margins there is no consensus.

Mr. Hutton: The Conservatives imposed them.

Mr. Greenway: Yes, but we did so for a different reason from that in the Bill. The hon. Member for Carlisle (Mr. Martlew) put his finger on the issue. There is a lack of consensus in various sub-regions about which region they belong to. If the Government accept the regional boundaries that we proposed for a wholly different reason—the setting up of regional offices—and say that they are cast in tablets of stone, not just for European elections, but for regional development agencies and, eventually, regional government, without the opportunity for a proper review, we shall continue to oppose them. Proper consultation is needed.

Given that the hour is pressing, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 30, in page 6, line 35, after 'Blackburn' insert 'with Darwen'.

No. 31, in page 7, line 21, leave out 'West'.

No. 32, in page 7, line 36, leave out 'The' and insert 'Telford and'.—*[Mr. George Howarth.]*

Schedule 1, as amended, agreed to.

Schedule 2

MINOR AND CONSEQUENTIAL AMENDMENTS OF SCHEDULE 1 TO THE EUROPEAN PARLIAMENTARY ELECTIONS ACT 1978

Amendment proposed: No. 33, in page 8, line 15, leave out 'candidates' and parties''.—*[Mr. George Howarth.]*

5.45 pm

The First Deputy Chairman: With this, it will be convenient to discuss the following amendments: No. 25, in page 8, line 15, leave out 'and parties''.

Government amendment No. 34.

Sir Brian Mawhinney (North-West Cambridgeshire): I had assumed that the Minister would speak to the amendment. It would be helpful if we could start by hearing the Government's rationale for the amendment. I should be happy to respond to that.

The First Deputy Chairman: So that everyone knows that the Chairman is acting properly, I should explain that anyone is entitled to move an amendment formally.

[The First Deputy Chairman]

That is up to them. I have called the right hon. Gentleman. He can make his case if he wants to. It is up to him.

Sir Brian Mawhinney: If the Government are moving the amendment formally, this is the most disgraceful part of the debate.

Mr. George Howarth: I shall reply.

Sir Brian Mawhinney: It would be more helpful if the Minister made his speech now.

Mr. Howarth: I took it from the remarks of the hon. Member for Ryedale (Mr. Greenway) a few minutes ago that he wanted to make progress and that we could move forward. If the right hon. Gentleman wants to debate the amendment, that is fine. I had assumed that the Conservatives wanted to make progress.

The right hon. Gentleman was kind enough to give notice of his intention to speak on the amendment. Government amendments Nos. 33 and 34 are intended to clarify the original intention of the paragraph, which was to give the power to make regulations to extend the imposition of a limit on parties' national expenditure on European elections.

The European Court of Human Rights gave a judgment recently on a complaint by Mrs. Phyllis Bowman that legislation covering expenditure by third parties at elections infringes the right to freedom of speech under the European convention on human rights. The court found that section 75 of the Representation of the People Act 1983 restricted Mrs. Bowman's freedom of speech and was therefore in breach of article 10 of the convention.

The Government are considering the implications of the judgment carefully. It is a difficult area of electoral practice. We have asked the Committee on Standards in Public Life, chaired by Lord Neill of Blaydon, to look at that aspect of election funding in its wider review of party funding. We shall wait for the committee's view before taking any action on the judgment. In the meantime, the existing provisions of law continue to apply.

The amendments relate to the power to make regulations about the limitation of candidates' and parties' election expenses. Under the regional list system proposed in the Bill, the existing limitations on candidates' expenditure in constituencies cannot apply meaningfully. The electorate are being asked to vote for parties rather than an individual candidate, except in the case of independent candidates. We need to consider whether there should be limitations on expenditure and, if so, how they should be handled. It may be necessary to limit the expenditure by candidates and that by parties. Amendment No. 25 would restrict the regulation-making power to limit expenditure by candidates only. In the context of a regional list system, the limitation of candidates' expenditure alone is insufficient. I therefore ask the right hon. Gentleman not to press his amendment.

The Neill committee might recommend national limits on expenditure by political parties. If so, the House will have to consider that recommendation. In those circumstances, the regulations could be used to implement that proposal in relation to European elections.

Sir Brian Mawhinney: I am grateful to the Minister; that helps to start the debate.

It is a matter of record that, in the time that I have had this job and although, occasionally, the temperature across the Dispatch Box has risen ever so slightly, I have never been personal in my comments. I mean no disrespect to the Minister, but we find ourselves in the most serious situation and it is quite unacceptable that the Home Secretary is not speaking on this group of amendments. The Minister read his brief, but the seriousness of the situation in which we find ourselves might not be as apparent to some as he and I know it to be.

Not only did I write to the Home Secretary when the European Court of Human Rights decision was announced two weeks ago; I pointed out in Committee last week that we would be looking for a preliminary response from the Government. We are doing so not because we are seeking, in two weeks, to pin the Government to some definitive response to the judgment—I think that I know enough about it to share the Minister's view that the Government find themselves in a complicated and difficult situation—but because whatever decision emerges is highly relevant to the Bill, particularly the Government amendments. We tabled our amendment, in part, as a probing amendment to find out exactly what the Government intend. I shall talk generally about the Government amendments rather than specifically seek to defend ours.

When the Minister speaks again—if he catches your eye, Mr. Martin—I should be grateful if he will explain the phrase "a general election" in Government amendment No. 34. Those words have a particular connotation in this House and this country. I do not find them defined in the Bill in any way other than the conventional way yet, in the context of the Bill, we shall not be having a general election.

Mr. George Howarth: To clear up that point, "a general election" is a general European Parliament election.

Sir Brian Mawhinney: That is what I assumed the hon. Gentleman meant. I was—I think, helpfully—trying to point out that there is confusion about the phrase because it normally means something else in this country. Since the phrase is not defined in the Bill in the way in which the hon. Gentleman has just defined it, it would be helpful if he withdrew the amendment and, on Report, made clear what the words "a general election" mean in the context of the Bill.

Mr. Martin Linton (Battersea): Does the right hon. Gentleman accept that the phrase "a general election" has always meant nothing more and nothing less than the

opposite of a by-election? Local or European elections can be general if they are not by-elections. The term does not define only Westminster elections.

Sir Brian Mawhinney: The Minister understands the point that I am making and the spirit in which I am making it. If the hon. Member for Battersea (Mr. Linton) does not mind, I shall not get into a semantic discussion.

Mrs. May: Is my right hon. Friend concerned, as I am, about amendment No. 35, which was not selected for debate—

The First Deputy Chairman: Order. The hon. Lady mentioned an amendment that has not been selected. She should not do that type of thing.

Sir Brian Mawhinney: I shall not follow my hon. Friend down that road.

We have no sense from the Minister's speech that the Government have the first idea of what they will put in place for the funding of European elections at a constituency and candidate level. There was nothing in his speech that indicated whether there might be limits, or whether such limits would be on parties at a regional level or on individual candidates on the list. There was nothing in his speech that indicated whether there would be any relationship between the amount of money that a registered party—we do not know what that means—could spend in a region compared with what could be spent by an independent candidate in that region.

The Minister and his right hon. and hon. Friends have spent some time stressing the fact that the Bill breaks the link between MEPs and their constituencies. The list system will be run from the centre and, as we established last week, much more undemocratically in the Labour party than in the other two parties. We have heard nothing of how the Minister envisages controlling expenditure from the centre at a regional or individual level. This is the worst example of the Government approach: "Trust us; we will come back with the regulation. We will give you an hour and a half to debate it and, with our majority, we will push it through."

Unacceptable as all that is, it pales into insignificance beside the Bowman decision. It might be for the convenience of the Committee if I remind it exactly what that case is all about. In the 1992 general election, as my memory serves me, Mrs. Phyllis Bowman, a senior executive of the Society for the Protection of Unborn Children, had printed 25,000 leaflets setting out the views on abortion of the three main party candidates in the Halifax constituency. Given Mrs. Bowman's point of view—I shall be neutral and non-inflammatory—the record of the hon. Member for Halifax (Mrs. Mahon) was less attractive than those of the other two candidates. The leaflets were not effective, since the hon. Lady was re-elected.

Mrs. Bowman was taken to court, found guilty and prosecuted, and eventually appealed to the European Court of Human Rights on the ground that her freedom of expression, as guaranteed in article 10 of the European convention on human rights, had been transgressed. Two weeks ago, the European Court found in Mrs. Bowman's favour. It ruled that her freedom of expression under article 10 had been transgressed and it would appear that the part of our national law that stipulates that any individual cannot spend more than £5 promoting a person's candidacy in an election particularly upset the court.

The significance of the ruling should be understood. Expenditure on elections in our system—which was touched on earlier, not least in the comments of my hon. Friend the Member for Poole (Mr. Syms)—is controlled by a legally enshrined agent. We have had a ceiling on constituency expenditure, which was possible because expenditure was funnelled down one channel. Individual expenditure up to a limit of £5 was thought to be de minimis and therefore not influential.

In effect, the decision of the European Court on Human Rights is that anyone can spend any amount of money in promoting or denigrating any candidate. That is open sesame—it destroys the basis on which we have funded elections in this country thus far.

During the Second Reading debate of the Human Rights Bill, the Government were generous in recognising that when the European Court of Human Rights had found against British law, Conservative Governments had always moved to change the law of the land. That generosity was appreciated and remarked upon at the time—indeed, it was true of previous Labour Governments also. We now find ourselves with a European Court decision, based on article 10—which is the subject of heated discussion in Committee on another major constitutional Bill—which says, in effect, that British law is no longer appropriate.

6 pm

I heard what the Minister said—in the meantime British law remains as it is. Technically, that is true, but in practice it is not. If the Minister were to spend his hard-earned money on promoting the candidacy of someone at the local elections in just eight weeks' time—or on denigrating an old Labour candidate—he knows that he would not be taken to court, even though he had, prima facie, broken the law of the land. He knows that the European Court would nod his appeal through because it has dealt with the Bowman case.

In practice, if not in theory, we have no law governing expenditure at a constituency or regional level. The Bill does not address that point. What is worse, the Minister says that the matter will be referred to the Neill committee, but that committee's deliberations on the capping of party expenditure will be irrelevant until the Government decide what they will do to close the loophole.

If, for example, the Neill committee said that, at a general election, no party should spend more than the Labour party spent centrally at the last general election—£26 million—that would be irrelevant; anybody could add their expenditure in any constituency in the country in support of or to denigrate any candidate. There is nothing the Neill committee or the House can achieve other than by primary legislation. I mention primary legislation because the amendments and the schedule deal with regulation. The Minister and I will agree that we cannot address the consequences of the European Court's judgment by regulation.

Mr. Gerald Bermingham (St. Helens, South): Does the right hon. Gentleman agree that we cannot even

[Mr. Gerald Bermingham]

address the matter by primary legislation? Our primary legislation must conform to the ruling of the court. The ruling in the Bowman case is simple—anyone can spend anything at an election. No matter what we do—by legislation or regulation—it will be pointless.

Sir Brian Mawhinney: That is a good question, because it goes to the heart of what we are discussing. I am not sure that the hon. Gentleman is right. He might be right.

Mr. Syms: He is nodding.

Sir Brian Mawhinney: I can tell my hon. Friend the Member for Poole that I have been in the House with the hon. Member for St. Helens, South (Mr. Bermingham) for long enough to treat his legal judgments with great consideration. His batting record is reasonable by any lawyer's standards, but I am not sure that he is right because the judgment drew attention to the £5 limit.

For example, the Government might decide to change £5 to £1,000 and be willing to have that tested in the European Court. The consequences would blow a hole in our electoral system. If the hon. Gentleman and half a dozen of his friends decided to spend £1,000 each in the next-door constituency, that would have a profound effect on the election. They would, in effect, be spending virtually as much as the official expenditure channelled through the agent in the constituency.

Mr. Bermingham: The Bowman decision said that £5 was de minimis and ridiculous, but if one reads the judgment carefully, one sees that it goes further. In addition, it was a judgment of the full court, which makes it even more difficult to deal with. It says that a person is "entitled to spend"—it does not say that there should be a reasonable limit. That is why I advance the premise that we cannot alter the judgment, either by primary legislation or by regulation.

Sir Brian Mawhinney: I have acknowledged that the hon. Gentleman might be right. I find it encouraging that we agree on the fundamental nature of the decision and on the coach and horses to be driven through our electoral law.

We are being asked to agree to two Government amendments that we do not find attractive. The Government want to come back to the matter later. The amendments are a cover because the Government have no idea what they should do and no idea of what the limits should be. They have no idea whether list candidates should spend money and, if so, how much. The Government have no idea what system to have in the first place, and they will not decide until Monday. They do not know how to deal with the issue of expenses. The Government are saying that we should touch the forelock and trust the Home Secretary and that that will be sufficient. It will not be sufficient. That is an unacceptable way to proceed in a constitutional Bill and it is made worse by the Bowman decision.

So that no one is in any doubt, the decision means that any vested interest group can target candidates—Labour and Conservative regional list candidates, Members of Parliament and local councillors. Any Member of Parliament who is on the wrong side of a vested interest group—perhaps for the best of reasons, and even if those reasons are supported by 99 per cent. of the constituents he has been elected to serve—can, because of the Bowman decision, be targeted financially. We saw what a rich man tried to do at the last election. A very rich man can decide to spend an awful lot of money in targeted seats to affect the outcome of the democratic process. A trade union might decide to target Tory Members of Parliament, if history is anything to go by.

The Government amendments have not begun to address the problem. They do not know what they are talking about. I felt sorry for the Minister when he was reading his brief because he knows that nobody sitting in the Box can come to his aid with any substantive information on the amendments. They are all quality civil servants, but they do not have a clue—because Ministers do not have a clue.

The First Deputy Chairman: Order. The right hon. Gentleman knows that the Minister is responsible for his brief.

Sir Brian Mawhinney: I understand that, Mr. Martin. I was trying to pay a compliment, but I recognise that no one but hon. Members exists and so I shall talk only about the Minister. He does not know and I do not blame him—well, I do in one sense because before bringing this constitutional measure to the Committee he should at least have had some understanding of how the elections were to be financed, but he does not. He has no idea as to the division between the candidate, the regional list and the centre. In this case, it is not his fault, but the whole subject has been blown wide open by the European Court decision.

Mr. A. J. Beith (Berwick-upon-Tweed): The right hon. Gentleman is right to draw attention to the difficulties that the Bowman judgment presents for our electoral law and the possibility of candidates being targeted by various different causes, but I hope that he recognises and will make it clear that the amendments clarify provisions that would enable a national limit to be set, thus preventing parties buying elections with substantial national expenditure. Does he accept the principle that there should be a national limit?

Sir Brian Mawhinney: The right hon. Gentleman does not understand the Bowman decision. There is no such thing as a cap on national spending any more, whatever the Neill committee, the Government or this Committee might decide. For example, the Neill committee might say that the Government won the last election by spending £26 million nationally, so that will be the limit—that would scare the daylights out of the right hon. Gentleman's party—but it will be the limit only as regards a party's expenditure. There is no legal means of stopping anyone else in this Chamber spending more money on their own behalf to target the right hon. Gentleman or someone standing against him. He has not understood the significance of the Bowman decision.

We find ourselves faced with the most serious problem without the presence of the Home Secretary, or any response, despite the fact that we showed the courtesy of alerting the Home Office to the fact that we needed to have this debate. As I told the Minister, I am looking not for a definitive decision, but for some indication of how we might proceed. The hon. Gentleman and the Home Secretary might think that it would be worth consulting the other parties on this issue. I have always said that I am happy to meet the Home Secretary in those circumstances.

We will meet next week on Report. If the hon. Gentleman accepts my advice about amendment No. 34, which could be more felicitously amended, he could bring it back so amended to the House then and give us some early indication of the Government's thinking on this important issue.

Mr. George Howarth: The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney), gave notice that he wanted to raise this issue. I would not want to minimise his concern, but, although he acknowledged one central fact in my earlier speech, he has not taken it fully into account.

Whatever else is happening as a result of the Bowman case—I shall refer to that in detail in a moment—in the meantime, the existing provisions of the law, section 75 of the Representation of the People Act 1983, continue to apply irrespective of whether we might need at some point to make regulations. So, unless and until it becomes apparent that regulations are necessary, that will be the case. It is not that there is nothing in existence—the existing provisions of electoral law are in place.

Sir Brian Mawhinney: I said that, although the Minister was technically right to point out that that was the law of the land, in practice—I think I used the hon. Gentleman as an example—if he were to spend his money, illegally in terms of that legislation, the Committee knows that nothing would now happen to him. In practice, we have no limits, even though there is a law on the statute book and that is why the matter is of such urgency.

Mr. Howarth: The right hon. Gentleman is correct, and I am not trying to pretend that the Bowman judgment does not present difficulties: it does, and I shall describe what we are going to do about it. We are considering the implications of the judgment as it affects the areas of electoral practice that he mentioned.

In addition, the Committee on Standards in Public Life, chaired by Lord Neill, has been asked to study that aspect of election funding within the wider review of party funding that that committee has agreed to undertake. The important thing is that that review is under way. Obviously, the Bowman judgment needs to be fed into the process. No one could sensibly argue that that should not be the case. If an inquiry into party funding is under way, which has implications for election expenditure, it is sensible that the judgment and its implications should be fed into the process.

At the same time, we are taking advice on the implications, so I do not see that there is that urgency. In amendments Nos. 33 and 34, we are merely being prudent. I am not saying that we know for certain at this stage whether we will need to introduce regulations. Only when we have finished considering the matter in more detail and Lord Neill has had the opportunity to look into it, can we be certain about that.

6.15 pm

In those circumstances, it is prudent to put into the Bill a provision that would enable us to produce regulations. The right hon. Member for North-West Cambridgeshire was kind enough to say that he did not think that we were involved in any conspiracy, and his arguments were reasonable. As he acknowledged, if we introduced regulations, they would have to be debated. It would be done not by the diktat of the Home Secretary or anyone else; it would be a matter for debate in the House.

If, as is often the case, consultation between the parties was necessary before the introduction of any regulations, I am sure that it would take place. The previous Government undertook such consultations, as did previous Labour Governments, and I would expect this Government to do so. The right hon. Gentleman says that the consultations should take place before the Bill comes back to the House on Report. I will pass that view on to my right hon. Friend the Home Secretary, but I think that, although a time will come when consultation will need to take place, it will not be before the Report stage.

The prudent move, which the amendments allow, is that we should have the scope to lay regulations if those should prove necessary as a result of the Neill committee and the advice that we will receive on the Bowman judgment. In the meantime, I am confident that the existing legal provisions apply.

Mr. Bermingham: Will the Minister also suggest to his right hon. Friend the Home Secretary that Bowman is looked into carefully? Its scope may well need to be tested before the European Court before any regulations are laid that could make any sense and if Lord Justice Neill's inquiry is to have any meaning in the long term.

Mr. Howarth: I can assure my hon. Friend that the Bowman judgment is already being considered carefully. He makes an important point, but it has been covered.

In view of those matters, it is important that the ability to make those regulations should be within the scope of the Bill. Amendments Nos. 33 and 34 would help us with that.

Sir Brian Mawhinney: Perhaps the Minister could have amendment No. 34 redrafted to make it clear what the words "a general election" mean.

Mr. Howarth: That is a fair point. As I said, in this context, they mean a European election. The term "general election" has usually meant any election that is not a by-election, as my hon. Friend the Member for Battersea (Mr. Linton) pointed out. So the term applies to a general election for this Parliament and a general election for the European Parliament. Therefore, I do not think that it is necessary to clarify the amendment any further. That is an accepted principle, and that is why the amendment has been phrased in that way. With those comments, I hope that the Committee will support amendments Nos. 33 and 34 and that, if the right hon. Member for North–West Cambridgeshire thinks it appropriate, he will not press amendment No. 25.

Mr. Allan: The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) gave an apocalyptic view of the Bowman judgment. The judgment is

[Mr. Allan]

significant, but we do not yet know whether it will be apocalyptic. It recognised the need to hold free elections—obviously, allowing a wealthy individual to buy a seat would contravene the principle of free elections.

The court considered whether the restrictions in the law that applied to Mrs. Bowman were proportionate to the effect that they produced. It made it clear that she was not promoting a specific candidate, but publishing information about all candidates. It also said that people who were pro-abortion might choose to vote, with the anti-abortionists, for the candidates she tried to highlight.

Mr. Bermingham: If the hon. Gentleman reads further, he will see that the judgment makes it clear that adverse or knocking copy can be electorally effective. We run the risk of going down the American road of black and negative advertising against both person and party.

Mr. Allan: I accept what the hon. Gentleman says. My point is that the courts will have further work to do in testing whether the Bowman judgment will cover a case in which, for example, the Minister—who is clearly a member of a party—spends significant sums promoting himself. I do not believe that we have yet reached such an apocalyptic position, although we have yet to hear the results of the Government's deliberations.

Another critical point is that the court, in justifying its judgment in the Bowman case, specifically referred to the fact that there were no restrictions on national or regional expenditure. Liberal Democrats are happy to support the Government amendments, as they would allow for regulations to limit national expenditure. We believe that such a limit has been a long time coming, and that it should be applied to all elections.

The right hon. Member for North-West Cambridgeshire did not refer to amendment No. 25, which he tabled. We believe that it would prevent the imposition of national limits, which is a disgraceful proposition, given the strong public support for them. Many people will ask why the Conservatives, with their record of dubious finance and heavy election spending, did not want parties' expenditure to be limited nationally.

Sir Brian Mawhinney: If the hon. Member for Sheffield, Hallam (Mr. Allan) had been listening—I am grateful to the Minister, who seems to indicate his support before I have even made my point—he would have heard that I explained precisely what amendment No. 25 would do. As to his point about Bowman, those of us who have been in the House for some time have come to realise that it takes the Liberal Democrats a little longer to understand what is fairly obvious to the rest of us. His short speech underlined that point.

The Minister said that the Bowman case had been referred to Lord Neill, but the matter is not quasi-political—it does not require a cross-party decision on what would be an acceptable political framework. It is a fundamental legal question. I share the view of the hon. Member for St. Helens, South (Mr. Bermingham). We find it difficult to envisage what the Government expect will emerge from the Neill committee on this issue.

Indeed, as I said, the consequence of Bowman is, in effect, to render null and void what emerges from the Neill committee's deliberations, unless and until the Government decide how to amend the law to bring it into line with the court judgment—that has always been the bipartisan tradition in this country. The Neill committee will then have the opportunity to decide what advice it should offer within that new legal framework. I do not expect the Minister to go into the matter now, but I want him to think about it and reflect to the Home Secretary hon. Members' sense of unease about the Government's response.

The Minister also said that there was no great need for urgency. I know that this is not the subject of the debate, so I shall not go into detail, but elections will take place throughout the country on 7 May, and it will be supposed that they will be subject to current law. We have established that that may be true in theory, but no longer necessarily in practice. I would have expected the Minister to think that that merited some urgency.

Again, I agree with the hon. Member for St. Helens, South—I hope that I am not ruining his reputation by agreeing with him so often—who made an important point. The scope and nature of the decision may have to be tested in the courts before hon. Members can form a view about what our response should be in terms of primary legislation. That will take time, and it will impinge on the European elections. Given the speed with which the European Court moves, it might even impinge on the next general election.

I assume that hon. Members will shortly consider in Committee the Human Rights Bill, at the heart of which this matter lies. Before we do that, it would help if the Government could give us some steer on the interrelationship between Bowman and the Human Rights Bill, as well as between Bowman and the European Parliamentary Elections Bill.

Given that I have explained why we tabled amendment No. 25—the Minister heard and understood what I said, even if the Liberal Democrats did not—I am perfectly happy to beg to ask leave to withdraw the amendment.

The First Deputy Chairman: Order. We are discussing amendment No. 33, which is a Government amendment.

Sir Brian Mawhinney: In that case, to be technical, if and when we come to amendment No. 25, we shall not press it further.

Mr. Linton: The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) said that amendment No. 25 was a probing amendment on the Bowman judgment. I think that we would all agree that it was necessary, as the judgment is currently the all-important issue in this area. Like him, I look forward to hearing the Government's response. I am not convinced that the right hon. Gentleman has identified what the final consequences will be. The £5 limit, for example, was an individual limit—it is not absolutely clear that, even if there were national limits, it would apply to third-party organisations.

My substantive point is that amendment No. 25 is not only a probing amendment—it would defend the status quo and an anomaly in law that allows the Conservative party to outspend every other party that is represented in the House. The "open sesame" to which the right hon. Gentleman referred already exists. Indeed, one could

argue that it began more than 100 years ago, when legislation aimed at preventing corrupt and illegal practices in elections referred only to candidates, not to political parties.

Moreover, in the 1950s, a court decided that anyone could publicise political propaganda during an election provided that it did not refer to a particular candidate in a particular constituency. That judgment meant that a poster saying "Vote Conservative" did not count in terms of the limits, whereas one saying "Vote Bloggs, Conservative" did. That anomaly has allowed the Conservative party to spend without limit at every election since then.

The Liberal Democrats' record is not spotless, as in 1974 the Liberal party, as it was then, was the first to advertise in a newspaper during an election campaign, opening the anomaly even wider. Liberals have regretted setting that precedent ever since. I hope that they will support us in reversing the situation.

Under the status quo, which the right hon. Member for North-West Cambridgeshire wants to defend through amendment No. 25, we have the ridiculous situation in which spending on local campaigns, which are no more than a sideshow these days, is limited, but national spending is not.

6.30 pm

Mr. Tim Collins (Westmorland and Lonsdale): The hon. Gentleman is making an interesting case for a limit on political parties being able to advertise in newspapers but not, presumably, for a limit on the amount that newspapers themselves can spend advancing a political cause. Is that perhaps because of Mr. Rupert Murdoch's shift of view during the general election campaign?

Mr. Linton: That does not figure at all in the Government's thinking or in mine.

At the general election, Conservative candidates spent £5 million, as they were limited by law, but the party itself spent £20 million, because there was no limit on that. It outspent the Labour party by about 3:2, and the Liberal Democrats by about 7:1. Conservatives have always denied that the anomaly exists; they did so in evidence to the Hansard Society and to the Home Affairs Select Committee.

The enormous anomaly is clear to every non-Conservative Member. The right hon. Member for North-West Cambridgeshire is right to draw our attention to the Bowman judgment, but he surely cannot defend the existing anomaly.

Mr. Syms: Under the current electoral system, there is a clear division between what is spent in constituencies and what is spent nationally, for the sensible reason that most people who stand as candidates think that their vote will increase if they publish their name, photograph and personal details; so, in election campaigns, one can count the literature bearing the candidate's imprint and measure precisely what has been spent, whereas national expenditure is much more difficult to measure.

Under the regional list system—although we do not know the Government's final proposals—people will vote for one of the parties or for an independent. Most political advertising will by its nature be general rather than specific. In the South-East, for example, parties will probably not put all 11 of their candidates on every piece of literature, with their dogs and families. The literature will tend to say, "Vote Conservative", "Vote Labour" or "Vote Liberal".

Trying to control expenditure at a regional level will be a real problem. One will be able to identify the few leaflets that advertise specific candidates, and it will be relatively easy to tabulate the expenditure of the independents, but it will be extremely difficult to disaggregate regional from national expenditure and determine whether a regional agent is keeping within the limit.

At present, newspaper advertising and poster sites are excluded. Would spending on those have to come within the regional limit? How would one disaggregate the readership of the *Daily Mail*, for example, in the south-east, the west midlands or the north?

Mr. Allan: The hon. Gentleman said that most advertising, and most voting, will be for a party rather than an individual candidate, and we feel that that strengthens the case for imposing limits on parties. He described some of the difficulties, but does he in principle think that those limits should exist?

Mr. Syms: Given the system under which we will have to operate, there will have to be a national limit. My principal point concerns how on earth we are to control a regional limit in a region the size of the South East, for example. How can we differentiate between national and regional spending?

It is perfectly easy to see who the candidates are, and what literature they have produced, in a single-member constituency, but what happens when someone in London hands out political leaflets to people getting on a train to Guildford? How do we disaggregate the expenditure? There has to be some limit somewhere, but the system chosen will be extremely difficult to operate.

Mr. Bermingham: The Bowman judgment is relevant not only to the European issue but to every form of election spending. That is my great worry. I do not want what happened with value added tax on second-hand cars—people were prosecuted and subsequently pardoned, simply because the European courts changed the law—to be replicated. I simply ask that we test what the Bowman judgment means, how broad it is, and what sums and persons it covers. Once we have done that, we will know how to frame our own legislation within the European law.

Mr. George Howarth: The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) said that he was not happy with the situation, but wanted to see how it developed and perhaps have a discussion at some point with my right hon. Friend the Home Secretary. He asked me to draw his observations to my right hon. Friend's attention. He knows my right hon. Friend quite well, as I do, and will know that he is an assiduous reader of everything that is put in front of him. I will draw the matter to his attention, but I am sure that he would have read the *Hansard* report thoroughly in any case.

We have had a useful debate on this difficult matter. Developments will have to take place. The hon. Member for Poole (Mr. Syms) added one fresh point, to which I

[Mr. George Howarth]

shall respond briefly. The matter is not as complicated as he makes out. If expenditure is limited to promoting a regional list or a candidate who wants to be a regional MEP, that would clearly be local expenditure, and would be covered by the relevant limits.

National spending limits are under consideration by the Neill committee, and I hope that we will find an agreed way of controlling such expenditure. The accounting might be more difficult than in a single constituency, but I honestly do not think that it will be impossible. Any regional agent should be able to resolve such a problem without too much difficulty.

I hope that the Committee will feel able to support amendments Nos. 33 and 34.

Amendment agreed to.

Amendments made: No. 34, in page 8, line 15, at end insert

'(including expenses incurred in relation to a general election as a whole)'.

No. 35, in page 8, line 18, leave out 'of MEPs'.— *[Mr. George Howarth.]*

Mr. Clappison: I beg to move amendment No. 17, in page 8, line 31, leave out 'may' and insert 'shall'.

The Chairman of Ways and Means (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 18, in page 8, leave out lines 35 and 36.

No. 19, in page 8, line 41, at end insert—

'(c) the regulations shall require the name of each candidate to appear on the ballot paper.'.

Mr. Clappison: The amendments involve the important subject of by-elections, and we want it to be noted that we consider by-elections an important part of our political tradition from which we should not depart lightly. We need to know more about the Government's intentions. I cannot overlook the telling evidence of the manner in which the Government seek to deal with by-elections in the Bill.

The important subject of by-elections is buried in schedule 2 to the Bill, under the heading:

"Minor and consequential amendments of schedule 1 to the European Parliamentary Elections Act 1978".

We regard the subject as far from minor, and its position in the Bill is telling evidence of the Government's chaotic approach. We need to know more about the contents of schedule 2. Apparently, regulations will have to be made to prescribe the procedure to be followed when a seat becomes vacant. Can the Minister give us some brief details of the proposed procedure? Will he spell out the "specified circumstances" mentioned in the schedule? We know a little about that subject from what the Home Secretary said on Second Reading, but the Minister should spell out the specified circumstances in which a by-election would be held.

We understand that it is the Government's intention that a vacancy will normally be filled by the next candidate on a party list, save in the case of the exhaustion of the list or the loss of an independent candidate. However, the Home Secretary said that that would depend on the next candidate on the list being eligible and willing. We need to know more, including the conditions that will determine whether a candidate is eligible and willing at the time of the by-election. Who will determine that? The regulations have yet to be made and the Bill gives no guidance. The Minister should tell the Committee more about that, because the Bill remains silent.

The amendments address an important subject, given the centralised control that the Bill will introduce and the power that it will give to the party machinery. Only this morning, my eye was caught by a headline in *The Herald*, which revealed that the Labour party intends to ban its troublesome, left-wing Scottish Members of Parliament, but I shall not pursue that point further. I can assure the Committee that I do not spend my time trawling through the newspapers looking for details of internal strife in the Labour party, but my eye was also caught by another headline that stated:

"What Derry's £59,000 could do for your walls".

I shall move swiftly on.

The amendments give the Government the opportunity to spell out how their alternatives to by-elections will work. We believe that by-elections have served this country well. They are a customary part of our political life and have had many desirable consequences for the quality and continuity of our representation in the European Parliament. The Government should tell the Committee more about their new system, instead of burying the subject in schedule 2.

Mr. Beith: Nobody loves European by-elections, least of all the electorate, who vote in extraordinarily low numbers. Under the proposed system, it seems sensible that the next person on the list should fill any vacancy that arises. I am reinforced in the view that nobody loves European by-elections by the fact that the hon. Member for Vale of York (Miss McIntosh), who is in her place, sees no urgent need to impose one on the electors of Essex, whom she represents in the European Parliament. She is not the first to decide that it would be unreasonable to impose a by-election on the electorate, and she has accepted the almost intolerable burden of representing at the same time the Vale of York in the House of Commons and Essex in the European Parliament. Given what hon. Members have said about the demands on Members of the European Parliament, that is a serious burden indeed. It is obvious that either she does not think that she should cause a by-election or Conservative central office has said, "For heaven's sake, don't make us have a by-election."

By-elections will have to be held in some circumstances, some of which are envisaged in the drafting of the Bill. For example, a party might run out of candidates on its list if it had won all the seats in a constituency, which might happen in one or two of the smaller constituencies. The Government may have not addressed the problem of someone leaving a party since being adopted to the list, either through expulsion—like the Lord Provost in Glasgow—or by voluntarily joining another party, as people do with increasing frequency these days. Some provision should be made for such circumstances, although few parties would be enthusiastic about invoking it, because it would increase the risk of legal proceedings on the expulsion of a candidate in the first place—the Labour party has much recent experience

of such proceedings—and the party might not want to face the expense of a by-election. Certainly, most members of the public would think it ridiculous if someone could benefit from his position as next on a party's list, if he had chosen, openly and freely, to leave that party. However, in general, it would seem sensible to use the system set out in the Bill as the means of filling casual vacancies.

6.45 pm

Miss McIntosh: I need not detain the Committee by explaining why it has not been deemed appropriate for me to cause a by-election. I merely point out that I follow a long and distinguished tradition, as the 19th Member of Parliament to have performed the onerous duties of dual representation. Indeed, many distinguished hon. Members who have found themselves in the same circumstances are now serving on the Front Benches.

We have seen the Home Secretary briefly this evening, but he is not present for the debate on these amendments. I hope that the Government will keep an open mind on continuing to hold by-elections. The same points that were made about the Government's choice of a closed rather than an open list, and about their rejection of the current system under which Members of the European Parliament are elected, are relevant. The purpose of a by-election is to maximise voter choice and to elect the candidate of the voters' choice at the time that the by-election is held. By-elections also test the popularity of the parties at the time, but the proposed system could reflect their position some three or four years earlier.

I do not have much sympathy with the argument made by the right hon. Member for Berwick-upon-Tweed (Mr. Beith), that by-elections should not be held to save taxpayers' money, although that point greatly preyed on my mind in my own circumstances. The abolition of by-elections would have the same effect as the proposed closed list and give total control over decision making to the party hierarchies, not electors. I hope that the Government understand that Conservatives stand for democracy. We believe that the electors should decide, not party hierarchies. I hope that the Government will keep an open mind, especially on amendment No. 19, which would allow the name of each candidate to appear on the ballot paper. I hope that the Government will accept it.

Mr. David Ruffley (Bury St. Edmunds): I support the amendments, because they draw attention to the profoundly undemocratic spirit of the Bill. The Home Secretary has spoken in unusually condescending and patronising terms of the electorate's inability to distinguish between candidates. He has said that ethnic minorities and women would be disadvantaged by anything other than a closed list system. However, those are deeply anti-democratic tendencies. If the Government chose not to hold a by-election, as provided for in schedule 2, they would compound the bad effects of a bad Bill.

I support my hon. Friend the Member for Vale of York (Miss McIntosh) in pleading with the Minister to give the Committee some comfort and say that Ministers will keep an open mind. Those members of the public who are following these proceedings will see in the passage of the Bill a profoundly undemocratic process at work. Given Ministers' commitment to newness, modernity and democracy, I am sure that they will want to think again about the contents of schedule 2.

Mr. Gill: I rise to support amendment No. 18. If the two lines concerned are not removed from the Bill, this will be the most anti-democratic feature of a Bill already anti-democratic enough. The Committee fails to appreciate sufficiently that democracy in this country depends on people promoting others to represent them in the House of Commons or, in this case, the European Parliament. The Bill's statement that there may be circumstances in which vacancies will not be filled by election creates a dangerous precedent. The people are cut out of the equation altogether and the vacancies filled by the parties. That will lead inevitably to something that we have not seen in British politics before: corruption.

If the people do not have the ultimate sanction of voting out of office someone whom they regard as unsatisfactory or corrupt, such people cannot be removed. Under the schedule, it is possible for the parties continually to promote someone whom the electorate would not vote for because of such considerations. It is wrong that the electorate's opportunity to fill vacancies at by-elections will be removed in that way.

A vacancy may under these arrangements be filled by people whom the electorate have already rejected or who are unacceptable but who are parachuted in. That cuts across the spirit of our democracy. The voters must be the final arbiter in such matters, and the House and the parties must not remove that ability. This is a question not of the convenience of the House or politicians or of the convenience of and expense to parties but of allowing Britain's electors to retain their democratic right to be represented in whatever forum by people on whom they have had an opportunity to express some judgment. They should not have to be represented by someone on whom they have had no opportunity to express an opinion. The measure turns democracy on its head. It is anti-democratic and for that reason, I support the amendment.

Mr. Collins: In supporting the amendments, I note the extraordinary conversion of some parties on by-elections. I welcome the hon. Member for Wirral, South (Mr. Chapman) to the Committee. He won a famous by-election victory just over a year ago. He will remember in the first days of 1997 sitting alongside the present Deputy Prime Minister saying that it was a democratic abuse that the then Prime Minister had not called the by-election. The then Prime Minister went on to call it, but the party of the hon. Member for Wirral, South no longer favours by-elections.

Even more extraordinary was the proposition of the Liberal Democrats, who have bored the pants off the entire planet for the past 30 years about victories in council and parliamentary by-elections. They now say that they do not want by-elections to the European Parliament. We understand why: they have never won a European by-election and know that they never would. That is why they want to abolish them.

Mr. George Howarth: The hon. Member for Hertsmere (Mr. Clappison) and I have one thing in common: we have both fought by-elections. I was

[Mr. George Howarth]

fortunate enough to win, and while it was unlikely that he could ever have won Bootle, he found another entry into the House.

Mr. Clappison: I fought it twice.

Mr. Howarth: Indeed, the hon. Gentleman fought it twice.

There is a fundamental misunderstanding, exemplified by the hon. Member for Westmorland and Lonsdale (Mr. Collins). There is a difference between the utility of by-elections for this Parliament and their utility for the European Parliament. The purpose of the regional list system is to provide an element of proportionality in respect of votes cast for a party and the number of seats won. The Bill provides for the possibility of vacant seats being filled without a by-election, to preserve that element. A by-election for a single seat in a region would be won by the party with the greatest electoral strength there, irrespective of whether it had held the vacant seat. A by-election would disturb the element of proportionality that the regional list system brings to the result of the election. That would be unfair to the smaller parties. That is the difficulty with the amendments.

We want a proportional system for the European elections that reflects the different strengths of parties and different views across regions. A by-election held by any means imaginable would not fit the bill. Amendments Nos. 17, 18 and 19 would undermine that principle.

Amendment No. 19 refers to ballot papers for by-elections. It is customary that the same ballot papers are used for general elections and by-elections. As the Government have not confirmed that the ballot paper for general elections will include candidates' names, it would be foolish to include a provision specifically for by-elections in respect of an issue that has not yet been decided for general elections.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Does my hon. Friend agree that an electoral system without sufficient faith in the electorate to decide their representatives in a by-election must have a fundamental flaw?

Mr. Howarth: If we were dealing with a first-past-the-post, constituency system, my hon. Friend would have a point, but we are dealing with a proportional regional list system for the European Parliament. I could accept the premise of her argument only for a different set of circumstances.

I ask the hon. Member for Hertsmere not to press the amendments. They are conceived with a mindset that relates to first-past-the-post Westminster elections. They do not take account of the different arrangements that we propose. I ask him to accept that the amendments are inappropriate for our proposed regional list system.

Mr. Clappison: I have listened carefully to this useful debate. I am not convinced by the Minister's response. My hon. Friend the Member for Ludlow (Mr. Gill) made an important contribution on the principle involved. The proposal has not only been introduced in a chaotic way; it is bad in principle.

My hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins) struck the nail on the head when he said that the guiding principle of Liberal Democrat politics is to do whatever is convenient for the Liberal Democrat party. I was surprised by the comments of the right hon. Member for Berwick-upon-Tweed (Mr. Beith) about my hon. Friend the Member for Vale of York (Miss McIntosh). They were not gallant. I do not recall the Liberal Democrat party taking such a purist approach to the necessity for holding by-elections when the previous Member for Torridge and West Devon joined the Liberal Democrat party. The Liberal Democrats must have had a serious argument about the necessity of by-elections. The problem was presumably overcome by the sort of chivalry that the right hon. Gentleman has just displayed and the natural charm and affability of the lady who then represented Torridge and West Devon.

We are not convinced by the Government's arguments. The schedule, instead of being tucked away as a minor and consequential amendment, should have been headed "Mistrust of the People". It is saying that the Government do not trust the people and would rather leave the matter to party bosses and lists, to shuffling around in back rooms under party control. That is a system that we abhor. However, although I have been less than convinced by the Minister's response, in view of the lateness of the hour and the need to make progress, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 40, in page 9, line 30, leave out 'and'.

No. 41, in page 9, line 32, at end insert—

'(c) for sub–paragraph (4) substitute—

"(4) If a person who is disqualified under this paragraph for the office of MEP is returned as an MEP under—

(a) section 3, or

(b) regulations made in accordance with paragraph 3(1),

his return shall be void and his seat vacant.

(4A) If a person who is disqualified under this paragraph for the office of MEP for a particular electoral region is returned as an MEP for that region under—

(a) section 3, or

(b) regulations made in accordance with paragraph 3(1),

his return shall be void and his seat vacant."; and

(d) in sub–paragraph (5), for "elected" substitute "returned".'.

No. 42, in page 9, leave out line 34 and insert—

'(2) For sub–paragraph (1) substitute—

"6.—(1) Any person may apply to the court for a declaration or, as the case may be, a declarator that a person who purports to be an MEP—

(a) is disqualified, or

(b) was disqualified at the time when, or at some time since, he was returned as an MEP under section 3 or under regulations made in accordance with paragraph 3(1).

(1A) The decision of the court on an application under this paragraph shall be final.".'.—*[Mr. George Howarth.]*

Schedule 2, as amended, agreed to.

Schedule 3

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendment made: No. 43, in page 10, line 30, leave out from '4.' to '(extension' in line 31 and insert—

'—(1) The European Parliamentary Elections (Changes to the Franchise and Qualification of Representatives) Regulations 1994 shall be amended as follows.

(2) In regulation 4 (offence of standing as a candidate in more than one Member State), omit paragraph (3).

(3) In regulations 7 and 9'.—*[Mr. George Howarth.]*

Schedule 3, as amended, agreed to.

Schedule 4

REPEALS

Amendment made: No. 44, in page 11, line 19, at end insert—

'S.I. 1994/342.	The European Parliamentary Elections (Changes to the Franchise and Qualification of Representatives) Regulations 1994.	Regulation 4(3).'.

—[Mr. George Howarth.]

Schedule 4, as amended, agreed to.

Bill reported, with amendments.

Bill, as amended, to be considered tomorrow.

Prevention of Terrorism

7.1 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move,

That the draft Prevention of Terrorism (Temporary Provisions) Act 1989 (Partial Continuance) Order 1998, which was laid before this House on 24th February, be approved.

Last year, from the Opposition Benches, I said:

"In government, so long as the terrorist threat remains and there is no lasting peace, we shall maintain and operate the powers in the PTA".—[*Official Report*, 5 March 1997; Vol. 291, c. 928.]

Today, in seeking the renewal of the Prevention of Terrorism (Temporary Provisions) Act, we seek to honour that commitment.

Like the previous Government, this Government are doing all that they can, with the police and the security agencies, to counter terrorism in the United Kingdom and that which is based from the United Kingdom. Strenuous efforts continue to be made to achieve a peaceful settlement, by consent, in Northern Ireland. But recent events in this country and across the world underline the fact that there are those who remain determined to use violent means to achieve their political ends. That is why we are seeking today the renewal of the powers under the prevention of terrorism Act.

The latest atrocity occurred on Tuesday night this week, in Poyntzpass, when Philip Allen and Damien Trainor—friends across the community divide—were shot dead while enjoying a quiet drink together in a public house. As my right hon. Friend the Prime Minister said in the House yesterday, the friendship that those men shared symbolised the future in Northern Ireland, while the gunmen who brutally murdered them represented the past. I am sure that the whole House will wish to join me in extending our sympathy and condolences to the Trainor and Allen families at this devastating time and in condemning those brutal murders.

Mr. David Winnick (Walsall, North): Before my right hon. Friend goes on, may I say that I agree entirely, as everyone in the House obviously does, with his comments about the brutal atrocity yesterday. Is he aware that many of us are very pleased indeed that the leader of the Official Unionists and our hon. Friend the Member for Newry and Armagh (Mr. Mallon) visited the bereaved families? Does he agree that that demonstrates that law-abiding citizens and their political representatives in Northern Ireland want to see a settlement whereby those terrible crimes will no longer be committed?

Mr. Straw: I share my hon. Friend's view. A terrible, appalling situation has arisen in Poyntzpass, a village which, as we now know—many with a better knowledge than me knew this before—had until earlier this week managed to avoid the troubles altogether. I pay tribute to both the right hon. Member for Upper Bann (Mr. Trimble) and my hon. Friend the Member for Newry and Armagh (Mr. Mallon). I saw the right hon. Member for Upper Bann on television. I commend his statesmanship and his condemnation of people who claim to come from his community and appear to have committed those atrocities.

In looking at the context of this renewal debate, I want to speak about terrorism in Great Britain, about terrorism in Northern Ireland and then about international terrorism.

[Mr. Straw]

On terrorism in Great Britain, it is now getting on for a year since the general election campaign. One of the things that I remember about that period—others will have had personal experience of this, too—is how terrorists sought directly to disrupt the campaign. On 26 March 1997, two small high-explosive devices went off at Wilmslow railway station in Cheshire. Fortunately, there were no injuries. Then, on 3 April, two devices, one partially detonated, were found at the conjunction of the M1, M5 and M6 motorways around Birmingham. Very significant disruption of the road network ensued. Warrant Officer Alan Islam of the Royal Logistics Corps was awarded the George medal for his bravery in defusing one of the devices. A fortnight later, on 18 April, a small device exploded at a junction box near Leeds railway station and, on 25 April, two more small devices were detonated under a pylon near the M6 motorway. Over the same period, a considerable number of hoax threats were made, no doubt to cause fear and maximise disruption.

Since May, and the renewal of the IRA ceasefire on 20 July, no more terrorist devices have been found on the mainland of Great Britain. There have been considerable successes in the past year in the investigation of terrorism and the conviction of terrorists. Six men were convicted in July of conspiracy to cause explosions and were each sentenced to 35 years, imprisonment. Their intention had been to knock out the electricity grid in London and the surrounding area. In December last year, three men were sentenced to between 17 and 25 years for terrorist offences related to explosives finds. In each case, the police and the Security Service worked carefully and imaginatively to bring the terrorists to book. Their partnership against terrorism is working.

In Northern Ireland, in the period from last year's debate to 19 July—the day before the ceasefire came into force—13 people were murdered. They included two RUC officers, Constables Graham and Taylor, who were shot dead while on foot patrol in Lurgan on 16 June. During that same period, there were several attacks on the security forces and other forms of terrorist activity, including 87 punishment attacks.

In the wake of the restoration of the PIRA ceasefire on 20 July, the scale of terrorist activity in Northern Ireland has diminished somewhat, but it has not ended. Since the murder of the leading Loyalist terrorist, Billy Wright, by the Irish National Liberation Army in the Maze prison on 27 December last year, there have been three significant bomb attacks—in Enniskillen, Moira and Portadown—and 40 punishment attacks. Fourteen murders have been committed by paramilitaries on both sides of the sectarian divide.

Let me make it clear—I am sure that I also speak for the Opposition in this respect—that the recent setbacks will not deflect the Government and the parties from seeking a peaceful solution to the problems of Northern Ireland. The talks continue to progress towards an agreement between the parties, which can then be put to the people in a referendum. Above all, in my judgment and that of the Government, there is an overwhelming desire among the people of Northern Ireland for a lasting and democratic solution.

The third matter relating to the context of the debate is that of international terrorism. Thanks in no small measure to the work of the police and the security agencies, there has been no repetition here during the past year of the bombings carried out by international terrorists in the past; but the appalling attacks that have taken place elsewhere during the past 12 months demonstrate all too clearly the need for us to stay vigilant.

The House will recall, all too starkly, that in Luxor in Egypt, 58 tourists—including six from Britain—were slaughtered in an act of senseless violence. In Algeria, literally thousands have died at the hands of ruthless terrorists. The United Kingdom is in the forefront of efforts to increase international co-operation against the threat of terrorism. We hold the presidency of the European Union and the chairmanship of the G8 countries; we are progressing work in both those forums on, among other things, countering terrorist fund raising and arms trafficking by terrorists.

We are also determined to ensure that this country is not used in any way as a base for those supporting terrorism overseas. I have power under the Immigration Act 1971, as modified by the Special Immigration Appeals Commission Act 1997, to exclude any foreign national from the United Kingdom if his or her presence here is not conducive to the public good. I have used that power 26 times since becoming Home Secretary. In 1997, 12 people were detained under the prevention of terrorism Act in connection with international terrorism, as compared with two in 1996. Of those 12, criminal charges were laid in seven cases. It is simply not the case, as some abroad have suggested, that the United Kingdom is a safe haven for those who support or promote terrorism.

As my right hon. Friend the Foreign Secretary will make clear in an address to the Anglo-Arab Association this evening, we already do all that we can to curb the activities of any terrorists found here, to bring them to trial where they commit criminal offences and to deport them where appropriate. In addition, we intend to bring forward specific legislation as soon as possible to make it illegal to conspire in the UK to commit terrorist acts abroad. All that must and will, of course, be consistent with our obligations on asylum under the 1951 convention and our commitment to free speech; but the bottom line is that neither terrorists nor supporters of terrorism are welcome in any way in the UK and we shall do all that we can to make sure that that message gets across loud and clear.

As I made clear in my statement to the House on 30 October last year, the Government will never drop their guard in the fight against terrorism. In the light of all that I have just outlined, it is clearly vital that the police and security agencies continue to have the powers to prevent, where possible, and otherwise to investigate, terrorist incidents.

Informing our debate is the report on the operation of the prevention of terrorism Act in 1997 prepared by the reviewer, John Rowe QC. I am very grateful to him for his clear and independent scrutiny of the operation of the legislation and I am pleased that he was able to conclude that the provisions were operated carefully in accordance with the law.

The powers that Mr. Rowe's report surveys include those, in specified areas and for a limited period, to stop and search individuals and vehicles for articles connected with terrorism and to set up cordons and impose parking restrictions. Mr. Rowe reports that all those powers were

exercised fairly and in accordance with the law in 1997. He draws similar conclusions about the operation of the powers to investigate terrorist finances.

Mr. Rowe's report records that, apart from air and sea ports, the arrest and detention powers were used in 1997 in Great Britain on about 30 occasions and in Northern Ireland about 500 times. In each case, he reports that the powers were used properly, as they were at air and sea ports in the same period. In Great Britain, the initial period of detention was extended on nine occasions, as against 23 in 1996; and in Northern Ireland there were 72 extensions, as against 48 in 1996. In his report, Mr. Rowe recommends that the existing port powers should be extended. We shall consider that recommendation in the context of the forthcoming consultation paper on permanent anti-terrorism legislation.

Let me deal briefly with the issue of a judicial element in extension of detention decisions. We have long believed that there is a strong case for that. Mr. Rowe, in his report, supports such a move in principle, while highlighting the inconsistencies that would arise if a judicial element were introduced in Great Britain but not in Northern Ireland. Of course, Lord Lloyd recommended as much in his inquiry into legislation against terrorism. The whole issue will be fully covered in the forthcoming consultation paper on permanent UK-wide counter-terrorist legislation but, until any new legislation is introduced, it would not be prudent to leave the police without the existing executive mechanism for extending detentions. Otherwise, they would not have the means to seek the extended detention of suspected terrorists.

Mr. A. J. Beith (Berwick-upon-Tweed): Despite our respect for much of what he says, we do not accept Mr. Rowe's conclusion that we cannot do that in Great Britain so long as we cannot do it in Northern Ireland. Does the Home Secretary recognise that circumstances in Northern Ireland should not be a bar to improving the way in which the process is conducted in Great Britain?

Mr. Straw: The right hon. Gentleman makes a strong case and it is palpable that there are several arrangements, especially in this sector, which differ between the mainland and Northern Ireland. We shall bear that point in mind.

Mr. Kevin McNamara (Hull, North): I hope that my right hon. Friend will not follow the line of logic drawn by the right hon. Member for Berwick-upon-Tweed (Mr. Beith). If it is right for changes to be made in Great Britain, it must be right that they should be made in Northern Ireland. Indeed, we have entered a derogation because of that.

Mr. Straw: I have already said to the House that it is hardly surprising that we wish to see a judicial element in extensions of detention in any event, but there is an issue surrounding how that is brought in and, as the right hon. Member for Berwick-upon-Tweed (Mr. Beith) said, it is a fact that arrangements have differed in the past. I shall bear in mind what my hon. Friend the Member for Hull, North (Mr. McNamara) says, but I ask him to be patient until we introduce the consultation document on the future of anti-terrorist legislation. By way of reassurance, I can tell my hon. Friend that I have looked carefully for a way to introduce a judicial element in the extension of detention decisions within existing legislation, but it is not possible to do so.

Let me now deal with exclusion powers. Since my statement in October last year, in which I announced the revocation of the 12 remaining orders, I have kept under close review the issue of whether or not those powers should be renewed. At that time, I said that, assuming the security situation did not change, I was minded to see the powers lapsed. Since then, I have, of course, been regularly briefed on security matters and I have kept in close touch with colleagues with responsibility for counter-terrorism. As one would expect, I have also closely read Mr. Rowe's views as set out in his report.

The House will be aware of this Government's long opposition to exclusion powers both on policy grounds, in that they amount to a form of internal exile fundamentally undermining the integrity of the United Kingdom, and because of their limited utility. Nothing in the current security situation, nor any argument of policy that has been put to me, shakes me from the view that it is right for those powers to lapse and the order before the House achieves that end.

I do not lightly set aside the views of Mr. Rowe on the matter. In each of his five years as reviewer, he has argued that the powers are useful and should be retained. Our different stances on that matter are, therefore, nothing new; but nor is it without precedent for a Home Secretary to take issue with a recommendation made by the independent reviewer of the prevention of terrorism Act. Lord Colville, Mr. Rowe's predecessor, in a major review of prevention of terrorism legislation published in 1987, argued that exclusion powers were "draconian" and that they should be removed from the statute book despite the fact that terrorist activity continued at a high level. However, the then Home Secretary, now Lord Hurd of Westwell, decided that it was expedient that they should be retained. We are grateful to reviewers, but Ministers must make propositions to the House, which the House must then determine.

Mr. Tim Collins (Westmorland and Lonsdale): The right hon. Gentleman is absolutely right to say that it is the responsibility of Ministers and the House to take decisions on those matters. In his earlier remarks, he referred to his statement last October, when he said that, if the security situation did not change, he would be minded to do as he now proposes to do. Will he explain to the House why he believes that the security situation has not changed, given that, since last October, according to the Government's own assessment, the IRA has returned to a campaign of murder?

Mr. Straw: As the whole House knows, the situation has changed in some particulars, but the issue is whether it has changed sufficiently to warrant the continued availability of the powers, day by day, to a Secretary of State. In fact, those powers will formally remain on the statute book in any event. I have considered the matter very carefully, as I hope that the hon. Gentleman would expect of me, but I do not believe that the situation has changed sufficiently significantly to justify those powers remaining operative, and available day by day to the Secretary of State.

As it happens, until there can be an opportunity for the House and the other place wholly to revise counter-terrorism legislation—and, I hope, to place it on a

[Mr. Straw]

permanent basis—the powers will remain on the statute book, and could be activated if that was a determination of a future Government or in certain circumstances.

Despite the arguments about the effectiveness of the exclusion powers, it is worth pointing out that they were already withering on the vine under the previous Administration. No orders have been in force in Northern Ireland since 1995. Despite the fact that the ceasefire ended, none was reinstated in Northern Ireland after that period. As for the mainland, my predecessor, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), made no new orders in 1996 or 1997, despite a resurgence of violence, leaving 22 in force when I came into office.

Under the prevention of terrorism Act, it is my responsibility to ensure that exclusion powers are used only when I judge them to be expedient to prevent acts of terrorism. I repeat that it is my best assessment that I do not consider that their use can be justified, and therefore I have decided that they should not form part of the Act to be renewed this year. The forthcoming consultation paper on permanent counter-terrorism legislation will provide the opportunity for discussion on whether these powers should be retained permanently or abolished.

Before concluding, I shall make some brief remarks about that consultation paper, which I told the House in October 1997 that we were preparing. The consultation paper will draw very strongly on the recommendations of Lord Lloyd of Berwick's recent report on legislation against terrorism, but it will also take into account other matters.

Lord Lloyd was asked to consider the need for specific counter-terrorism legislation in the event of a lasting peace in Northern Ireland. Sadly, that eventuality has not yet occurred. However, that does not mean that we must shelve consideration of the recommendations. Terrorism is not a temporary phenomenon anywhere in the world.

The forthcoming paper will set out proposals for permanent legislation to deal with the continuing threat. The aim will be one robust and clear framework of powers for the whole United Kingdom—I say that to my hon. Friend the Member for Hull, North—both effective and proportionate to the threat, to deal with all forms of terrorism.

In the meantime, pending any changes in the principal Acts, the police and the security forces must continue to have the powers that they need to fight terrorism. Those powers are contained in the order before the House. Events of the past few days serve simply to emphasise the need for counter-terrorist powers, and the Government will not shirk from their responsibility to provide them. I commend the order to the House.

7.22 pm

Sir Brian Mawhinney (North-West Cambridgeshire): Mr. Rowe, whose report is central to our debate tonight, should be thanked for his report, which reflects conclusions based on much detailed work and wise consideration. I am happy to join the Home Secretary in extending our thanks to him for the work that he has done.

In the context of Northern Ireland, Mr. Rowe says on page 10 of his report:

"I am clear in my conclusion. Both in Northern Ireland and Great Britain there was terrorist activity in 1997 and it has continued in 1998. Furthermore the threat of it is real.

In 1997 the outward indications of it in Great Britain were the explosive devices which exploded or which were found before they exploded"—

as the Home Secretary said—

"and in Northern Ireland there were many incidents of violence, whether or not with explosives and firearms, and they have continued into 1998.

The terrorist organisations—proscribed and otherwise—are still in place: they have their structures, and they are busy at various activities."

In the context of the international situation, Mr. Rowe said on page 12:

"The summary is this. On the one hand there have not been many major incidents in the United Kingdom during 1997, such as explosions or shootings; on the other hand there have been persons here committed to supporting terrorist acts here or abroad, with arms and violence, and they are still a threat."

He concludes on page 13:

"In all these circumstances the threat of terrorism here is a real one."

We agree with that assessment, so we support the renewal of the order. We are reinforced in that view by what happened in Poyntzpass earlier this week—to which the Home Secretary has referred. I make it clear on behalf of the Opposition that, as was the case yesterday also, we extend our sympathy and our condolences to the families and to the friends of those who were killed and injured.

Two men were friends for many years. They lived together happily. They drank together, happily. They worked and relaxed together, happily. It is worth taking a moment, in this very serious debate about security matters, to reflect on the fact that that is not an uncommon situation in Northern Ireland. The nature of terrorism and its reporting tends to focus on the evil—on the black deeds that are done. But there is much in life in Northern Ireland that is normal, and which all of us would recognise as being on a par with the type of activity that takes place in our own constituencies.

It may be worth reminding ourselves that the basis of that stability is something that is common to the Catholic and Protestant theological traditions in Northern Ireland—the belief, at the heart of the Christian gospel, that man was made in the image of God. Respect for individuals in our society ultimately derives from that piece of fundamental theology, and that was exemplified in that bar in Poyntzpass.

For several years, much effort has been made to find ways in which to enable members of the community to come together and do things together, in a way that became naturally more normal. I am sure that the present Government will continue with such efforts; I make no partisan point whatever. Attempts were made to generate employment, and to diminish and remove discrimination in the workplace.

I had the honour, in the House, to put integrated education on the statute book, to enable those who wanted to choose to have their children educated in that framework to do so. In the same piece of legislation, I introduced, in the new Northern Ireland national curriculum, education for mutual understanding and

courses on cultural heritage, which for the first time opened up to the young people of the Province an understanding of the various traditions in which they found themselves. In that legislation, I also established the Community Relations Council. It is a matter of record that I made available grants, funded by the taxpayer, to explore the history of the Orange Order. I probably gave more support to the integration of the Irish language into the life of Northern Ireland than any of my predecessors.

I want to encourage the House by reminding hon. Members that all over the Province, there are good people, living and working together in a spirit of harmony, which was reflected by those two men—by Damien and by Philip—in the bar on Tuesday. However, I was also Minister responsible for security, so I have a fairly well-informed understanding of the callousness, the evil and the immorality that constitute those who take part in terrorism.

It is worth reminding ourselves that terrorism is worse than murder, for terrorism not only kills indiscriminately, but is intended to create fear. Above all, it is the refuge of those who have turned their backs on the democratic process—who cannot win in the ballot box, so they turn to the bomb and the bullet.

There is terrorism in Northern Ireland, whether it is on the loyalist side or the republican side, and whether it is associated with organisations that have been at the heart of terrorism for the past 30 years or with new groupings—or perhaps with new names for old groupings. That terrorist threat is real. Each bomb, each murder is an attack not just on individuals, but on the community.

There are other attacks—for example, the targeting of individuals. I pay particular tribute to the members of the Royal Ulster Constabulary, prison officers and others, part of whose daily life is to be at risk of being targeted. I pay tribute also to civil servants. I have known people in all three categories who, at a moment's notice, have had to move house because of the risk to their lives as a consequence of such clandestine activity.

Fear and intimidation are generated through knee-capping and by threatening shopkeepers. I have met children who sat in their front room and saw their father gunned down in front of them.

Let us never in this House fall into the danger of discussing terrorism as some sort of intellectual concept that is distasteful. It is vile, wicked and evil, and it is designed to be such. Any democratic Government who seek to defend the rights of their people have a right to put in place orders that, in a normal environment, would cause significant debate. It is right for the Government to make those orders and to see that they are used.

I will articulate why we feel so strongly about the legislation and its annual renewal. I do not intend to go into history, but if the right hon. Gentleman hears in my voice the importance that we attach to it, he will understand, at least in part, why we reacted with so much anger, year after year, when mixed messages went out from this House as the renewal was debated.

The other reason why we feel so strongly about having the legislation available is that it sends a message to the good, law-abiding, resilient, upright people of the Province. I am biased. I declare a vested interest. I know that my accent sounds as though I was born and raised in Peterborough, but that is not the case.

I say with great pride, some emotion and much truth that the people of Northern Ireland deserve the highest praise for their courage, resilience and unwillingness to bow to the terrorist. I say the same of the police and the security forces. They have shown admirable courage, restraint and professionalism. They, too, deserve the renewal of the order.

The Secretary of State said that he would produce a consultation paper. He promised it last year and he has promised it this year.

Mr. Straw: I promised it for this year.

Sir Brian Mawhinney: Exactly. I understand what the situation was on 5 March last year. We look forward to discussing the consultation paper when it arrives. Whatever may be the outcome of the consultation process on the issues surrounding detention, which we may want to discuss with the right hon. Gentleman in more detail depending on what is in the consultation document, I am sure that he is right to take the view that nothing should be changed in the interim. We support him in that judgment.

The right hon. Gentleman also said that he would allow exclusion orders to lapse. That has been a matter of considerable debate. No one in the House has always been entirely comfortable with the concept of exclusion orders, but there have been pragmatic and security reasons for introducing them.

I join the right hon. Gentleman in his judgment that Mr. Rowe offered him good advice, but he is the Home Secretary and the decision must be his. Whether or not we agree with his decision, I for one defend his right to make that decision.

The advice that the Home Secretary got from Mr. Rowe on exclusion orders was based on Mr. Rowe's summary in paragraph 30 on page 16, in which he stated:

"I have seen no improper use of the power of the exclusion order, this year or previously."

He went on to say in paragraph 33:

"My own view is that the exclusion power is effective. And it has been used properly. . . But as to the future, the announcement that the power may be allowed to lapse will not deflect me from my view: the exclusion order is a useful part of the prevention of terrorism machinery".

I have already underlined my acceptance of the fact that the decision is for the Secretary of State to make. I hope that he will do so with his usual sensitivity, recognising that there remains an argument for a different decision. I hope that he will not close his mind to the future possible use of such orders, should the situation deteriorate in a way that neither he nor I would wish.

However the future develops, we agree with the Home Secretary, as we made clear last year, that there will be a continuing need for legislation. I hope that the Home Secretary will abide by the view of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), who was his predecessor, and the views that he himself expressed on 5 March last year—that the House will need to be assured that the situation genuinely has changed before it will be prepared to reconsider with enthusiasm the legislation that we are discussing.

I take this opportunity to affirm again, although I expect that the Home Secretary does not need me to do so, that we support the Government in the talks process. We support the Government in their determination to try

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to find a way forward. We support the Government, as we demonstrated over many years, in recognising that there must be a political, not just a security solution in Northern Ireland.

I shall deal briefly with international terrorism, to which the right hon. Gentleman also referred. I refer to last year's debate in which the then Home Secretary, my right hon. and learned Friend the Member for Folkestone and Hythe, said:

"One area that Lord Lloyd looked at particularly closely was legislation to deal with the activities of United Kingdom supporters of foreign terrorism. He concluded:

'The most significant additional measure which the Government can take is to amend the law of conspiracy so as to facilitate the prosecution of those who conspire here to commit terrorist acts abroad. It may take a prosecution or two before the measure takes full effect but it should then serve as a demonstration, both to those involved and to the international community, of the Government's determination to make the UK as difficult and uncomfortable a place as possible for supporters of terrorism overseas.'"—[*Official Report*, 5 March 1997; Vol. 291, c. 923.]

The Home Secretary has gone out of his way to say that the United Kingdom is not a safe haven for terrorists. He said that the Foreign Secretary would be making that point in a speech this evening. The right hon. Gentleman knows that that is a view that is shared across the Floor of the House, and that we robustly took the same view when we were in government.

The right hon. Gentleman and I, as present and past senior Ministers, also know that there is a perception in the wider international community that there is more that the United Kingdom Government could do to help to curb international terrorism. Both of us might take the view that some of the criticism to which this country has been exposed is unfair. Nevertheless, there is a sense in which, at least in part, that perception exists. Lord Lloyd clearly thinks that it exists.

We hope that the Home Secretary, in his consultation document, will spend some time reflecting on what other steps might be taken to enhance our legislative framework in order to deal with some of the threats that we face. If, at any point, the right hon. Gentleman would find it helpful to consult on these issues, we would be more than happy to do so.

We are here to confirm the renewal of the order; it is part of a continuing process. Already, Ministers—perhaps also Mr. Rowe and others—will be giving thought to whether there are other things that might be done that would be helpful in combating terrorism.

I shall mention briefly two areas that I hope the Home Secretary will consider further. First, there is the financing of terrorism. In the debate last year, my right hon. and learned Friend the then Home Secretary said:

"I am determined that the police should have all the powers they need to combat effectively the current threat from terrorism. That is why I intend to introduce proposals in due course to strengthen the existing controls on terrorist finances. Those proposals will build on Lord Lloyd's very helpful ideas."—[*Official Report*, 5 March 1997; Vol. 291, c. 923.]

We have not changed our view since last year.

We put in place some fairly draconian measures in a free society. With the support of the House and, in quite specific terms, with the support of the present Home Secretary and his colleagues who were then on the Opposition Front Bench, we introduced some additional preventive powers. Those powers have been useful, and Mr. Rowe commends their being and their use. However, the Home Secretary knows that those who operate in such a climate are seriously devious. I expect that the Home Secretary will share my concern, for example, about the money in Northern Ireland that appears to be getting into the drugs trade. I hope that he will commission, if he has not already, a serious review of what can be done to strengthen measures against the financing of terrorism.

I would also like the Home Secretary to consider intimidation—the creation of a climate of fear that stops short of actual violence, but which in itself can be almost as debilitating to a community and to individuals. I think of shopkeepers who are forced to close their legitimate businesses because somebody walks through the door and issues a veiled, and sometimes not so veiled, threat to their business and to their livelihood if they do not do what the bully boys say.

I think also of those shopkeepers who talk to us—and, no doubt, the Home Secretary and the Secretary of State for Northern Ireland—about those who go into shops and say, "We are happy for you to continue trading but we want 25 quid a week." That 25, 50 or 100 quid, whatever it may be, goes to finance terrorism in whatever form. That happens on both sides of the community—I make no particular point—and it is a form of terrorism. It is part of the package that we all wish to resist.

I think of civil servants who are doing their job on behalf of the community, who in the doing of it expose themselves to threats from others in the community who want an unfair advantage or who do not want those civil servants to behave as their masters, the Ministers, would wish them to.

I think also of local newspaper editors, who are put under the most enormous pressure by quiet chats in their own areas to slant their newspaper coverage, one way or the other, to suit local terrorist activists. I could continue, but I do not wish to for I have made the point. I hope that the Home Secretary will consider the areas to which I have referred.

The powers set out in the order are necessary, are used and are effective. Unless and until the everyday world of Northern Ireland changes, along with international relations and intrigue, the powers remain a significant part of the democratic fight against terrorism. We support the order.

Issues of funding, stop and search, detention and border and port controls, to which Mr. Rowe refers—and others—raise various areas of civil rights. The most damning indictment in civil rights terms is denial of the right to live, along with the right to live a quality of life without fear. The House has never had any difficulty in deciding between those competing civil rights. The powers set out in the order must be retained and implemented, and we give them our unconditional support.

7.46 pm

Mr. Kevin McNamara (Hull, North): It is not my intention to keep the House long. First, I join my right hon. Friend the Home Secretary and the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) in expressing my sympathy to the families and friends of those who were brutally murdered or wounded in South Armagh

the other day. I urge my colleagues to put their names to the early-day motion, of which I am a sponsor, that expresses the revulsion that the House feels about that incident.

I welcome yet again, with two-and-a-half cheers, the progress that my right hon. Friend has made towards implementing what he said before the general election he would do. The decision to allow exclusion orders to lapse is of profound importance, including mental importance.

We were saying that a man or woman could be restricted to a particular area, as in Northern Ireland, or parts of Great Britain. We were saying also that they could not move or know the evidence that was being used against them: they could not challenge it. They were subject to an interview behind closed doors, and that was it. If they were sent back to Northern Ireland, they were made prisoners within their own community. Often, they were unable to obtain employment. Often, by the nature of what had been said about them, they were targets for the other side, whichever side that might have been. That was a denial of what the House stands for; we should not agree with it.

I welcome the steps that my right hon. Friend has taken and the fact that he has rejected Mr. Rowe's advice. It is interesting that my right hon. Friend is criticised for rejecting that advice when advice offered by Lord Colville to liberalise the legislation was continually rejected by the Conservatives when they were in power. They accepted no meaningful reduction of the draconian powers in the order.

I understand my right hon. Friend's difficulties and welcome his undertaking about the need for judicial intervention when a person is detained for any length of time so that we come into line with the decisions of the European Court of Human Rights in Strasbourg. I very much regret that one of the Human Rights Bill's main proposals was to put immediately into statute a derogation, albeit with provision for it to be removed.

It would have been far better to have a Bill without a derogation and then to include it, which would have shown intent and the direction in which the Government were going. The ability to have a derogation will exist irrespective of whether we have the Bill. It would have been a better example to have on the statute book the European convention on human rights in its entirety, without the derogation. The steps taken by my right hon. Friend are welcome.

I shall make one point on Lord Lloyd's report—we await with interest the consultative document that my right hon. Friend will produce. The document and the legislation must lean towards civil liberties. It is always difficult against a background of terror and violence to talk about the freedom of the individual, but if we are unprepared to accept those freedoms—I accept that the most basic and fundamental freedom is the right to life—in the most difficult situations, we are falling into the very trap that the terrorists create for us.

When we start to lower our standards, we do two things: first, we give terrorists the opportunity to cry foul, which they frequently do when they have been guilty of the most despicable acts; secondly, we allow ourselves to become hardened, to accept these things and to lower our own sensibilities. We cannot afford to let that happen when pursuing individual human rights. In human rights it is the hard case, the nasty case, the awkward case, that has to be defended, and we must ensure that all the rules—the proper rules, the rule of law—are upheld and not allowed to be bent, for whatever good, immediate, expedient or pragmatic reason, as that takes us down the spiral that the terrorists want us to go down, to give the pseudo-justification that they claim for their actions.

On international terrorism, my right hon. Friend made the point—it cannot be underlined too much—that although we cannot have in this country people plotting vile acts of terrorism, we must be careful with the regimes that allege that that is happening and remember the practices of the regimes themselves. It is strange that regimes that allow the stoning of women taken in adultery and allow public executions and hands to be chopped off for theft complain about the actions of some of their citizens in this country.

We may not justify what their citizens might be doing in this country, but we have a proper history of being prepared to be a haven for people who seek to subvert some of those regimes, some of which are our best customers for some of our best hardware. We must be able to say to those regimes that while their people are in this country and are not engaging specifically and directly in organising acts of terrorism, they will be allowed to stay, to protect their own lives and to establish their rights of free speech and criticism. It should not be a part of any British Government to take the role of a Rupert Murdoch with regard to criticism of the Chinese Government.

7.56 pm

Mr. A. J. Beith (Berwick-upon-Tweed): We have heard in the two preceding speeches the balance that must be struck when trying to ensure that terrorists do not take away the civil rights of the people to whom they pose many other threats. We must ensure that we do not make it possible or easy for terrorists to take away the most basic civil right, people's right to life—the right that was so brutally taken away from Philip Allen and Damien Trainor in Poyntzpass.

It is not many weeks since a friend of mine, a much-loved Presbyterian minister who had served for decades in my constituency, was buried in Poyntzpass. He lived to be nearly 100 and hoped to see in his lifetime peace come to his beloved home Province. He would have been shocked to realise that his funeral would be followed not long after by those of two young men who had their whole lives ahead of them. Their ability to get on with each other across the community divide was one of the things that terrorists hate and attack.

In its brutality, the incident underlined that what terrorists destroy is people's ability to live their lives as they choose, which is one of the most basic freedoms. We must recognise that the problem may well increase, the closer we get to a settlement—a point that the Secretary of State for Northern Ireland has made. It is not that the people of Northern Ireland cannot reach a settlement or endorse one in a democratic vote, but that there will be many threats to them as they go through that difficult process. Furthermore, as is reflected in the order, there is a chance of threats to people in Great Britain.

None of that should deflect us from the search for a peaceful settlement—in which all the parties are currently engaged—but if anyone thinks that the arrival of a settlement will bring an end to terrorism, they are mistaken, because however broadly a settlement is endorsed, there will still be those who want to fight

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against it and try to use terrorist methods to do so. The broader the settlement, the more the supply lines of terrorists can be broken, their refuges removed and their ability to operate in a community destroyed, but their efforts may linger for a little while, even if a settlement is achieved. That fact underlines the necessity for the order.

It is a matter of regret that we have to have extraordinary security powers, which in some measure undermine or remove some of our civil liberties, but they are part of the process of protecting the most basic liberty—the liberty to live one's life without the threat of violence. Because the powers are exceptional, we subject them to exceptional scrutiny. Mr. Rowe's report is part of that process. He states:

"The PTA makes inroads upon civil rights; there are offences which are unusual, and there are powers which are larger than ordinary".

They are extraordinary because of the nature of the threat that we have faced.

We welcome the Government's intention to consult on the implementation of more permanent UK-wide counter-terrorism legislation to deal with longer-term threats and look forward to the discussions that will take place on the consultation document. International terrorism is unlikely to disappear and various groups around the world may resort to it. In the longer term, we hope that legislation will be more limited in scope and more precise in impact than that which has been necessary to deal with the Irish-based threat of recent years.

I emphasise the targeting of the financing and organisation of terrorism. Mr. Rowe stressed the importance of measures aimed at undermining the funding of terrorism. The right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) drew attention to the intimidation used to obtain such funding. Even when terrorist organisations are not bombing and killing, their structures remain in place and their fund-raising and organisational activities continue. We should direct as much effort as possible at intimidatory and illegal fund raising.

For two consecutive years, Mr. Rowe has highlighted concern about the adequacy of staffing of port control facilities, where the legislation is implemented. He has not said that there is a crisis, but Ministers should consider the matter carefully.

In an intervention, I made it clear that Liberal Democrats want a judicial role in the extension of detention, which is an extraordinary power. The Home Secretary has indicated his interest in moving on the matter. Mr. Rowe is in favour of the proposal, but believes that it would not be right to implement it in Great Britain if it cannot be implemented in Northern Ireland. Mr. Rowe has made it clear in consecutive reports that the proposals could not be implemented in Northern Ireland because judges there cannot yet be asked to extend detention.

Aspects of the judicial system in Northern Ireland, such as the Diplock courts and non-jury trials, are not ideal. I hope that those aspects will be changed as soon as is reasonable, given the security situation in Northern Ireland, but there is no barrier to the judiciary in Great Britain becoming involved in extending detention. People in Northern Ireland may be denied a further safeguarding of their civil rights because of the problems of the judiciary having that power at the moment, but that does not justify not proceeding with the measure in Great Britain.

We agree with the Home Secretary that exclusion orders should not be continued. They send the wrong signal. The signal that we are trying to send is that people are citizens of the United Kingdom, no matter what part of it they live in. The discussions on the future of Northern Ireland are not designed to take away that entitlement. Indeed, they may produce further entitlements, especially if a settlement is reached that makes different sections of the community in Northern Ireland feel comfortable with the constitution: a minority of the community has been unhappy with it for many years.

Exclusion orders send the wrong signal. They no longer have the same security value and they give ammunition to people outside the country who argue that our activities in Northern Ireland are repressive when, in fact, they protect the civil rights of citizens in every part of the community.

I made the point to Mr. Rowe that, when these and other measures are being scrutinised, as much detailed information as possible must be examined. His review of decisions, which is a random examination of cases, is important because people who do not see such information must be confident that he can say with certainty that procedures have been followed correctly and that processes have been used in the right way and for the right purpose.

Mr. Rowe should play the same role as the commissioner under the Interception of Communications Acts and be able to examine intelligence information without identifying sources. Then, we could be sure that the information justified the action. If the information that is available to him is only second hand, he will not be able to make the judgments that we want him to make. Such judgments should be examined by one person occasionally rather than by a wider group of people. The fewer people have access to that information, the easier it will be to maintain security in the future.

Mr. Rowe does not want to see the details of the intelligence information on which decisions are based, but giving him a role similar to that of the commissioner under the Interception of Communications Acts would help him to make his decisions.

The order should be renewed. The powers, which are necessary, are exercised by people in the various services who often place their lives at risk while defending us all. We always emphasise the maintenance of civil rights, but we also acknowledge that the order is a regrettable necessity.

8.5 pm

Helen Jones (Warrington, North): I represent a town that knows only too well the consequences of our failure to defeat terrorism. Warrington has suffered two IRA bombings, the second of which killed two children and injured several other people. Where I come from, we never underestimate the magnitude of the terrorist threat.

A large number of people of Irish descent live in my constituency. They are law-abiding people and I am conscious of the need to protect their civil liberties. I am acutely aware of the balance that must be struck

in anti-terrorism legislation. Wherever the terrorist threat comes from, there will always be tension between the rights of those who may be suspected, sometimes wrongly, of committing a crime, and the rights of those who must be protected from violence.

We walk a tightrope, and we must be honest as legislators and admit that we do not always get it right. Few hon. Members would argue that the prevention of terrorism Act is flawless, but, equally, no one could argue that such legislation should not remain on the statute book. As the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) rightly said, terrorism is not only about murder, but about undermining the fabric of society. Terrorists attempt to make normal life impossible. While the terrorist threat remains, there must be a law on the statute book to combat it.

It is our duty to think clearly about which powers in the order are necessary. There is no dispute about several of them. The reviewer showed clearly that powers to stop and search and to impose cordons and parking restrictions have been operated carefully and in accordance with the law. Those powers must be used only in specified areas and for limited periods, but those who argue that they should not remain on the statute book are telling my constituents that the police and the security forces should be denied the power to prevent someone from driving a bomb into the middle of town if they ever, God forbid, received information about another bombing in my area. My constituents would not accept such an untenable argument.

We all agree that the powers that we are discussing tonight represent a restriction on the civil liberties of ordinary law-abiding people. Of course they do—but the greatest restriction on anyone's civil liberty is the ending of his or her life. Two children in Warrington suffered the greatest possible restriction on their liberty.

I accept that there is more concern about the powers of arrest and detention under the Act. The evidence is that they are used sparingly in Great Britain, although perhaps more widely in Northern Ireland. However, each time they are used is a cause for concern. Although I believe in the right of the police to detain suspected terrorists, I was pleased that my right hon. Friend the Home Secretary said that he would consider introducing a judicial element into the continuation of that detention. The threat to civil liberty is such that ultimately we shall have to take that course of action. I accept that it cannot be done under the current framework but I hope that the matter will be addressed in future.

I cannot support the use of exclusion orders, however, and I am glad that they will be allowed to lapse. I do not believe that they work or that they prevent terrorism; they merely move the threat somewhere else. They introduce into the United Kingdom a form of internal exile that cannot be tolerated in a united country.

The decisions that we have to make this evening are not easy, straightforward or welcomed by anyone in the House, but I believe that we have got the balance about right. I agree with my right hon. Friend the Home Secretary that what we have before us tonight will not suffice in the long term.

The terrorist threat will not go away. Even if we achieve peace in Northern Ireland—as all right hon. and hon. Members hope—there will still be a threat of international terrorism. Last year, 12 people were detained under the prevention of terrorism Act in connection with international terrorism. We need to ensure international co-operation against that threat, but in the long term we need permanent anti-terrorism legislation that has been properly discussed and considered by the House. I hope that we shall press ahead with the consultation that my right hon. Friend mentioned and that, in due time, proposals will be brought before the House for us to debate and consider properly. Until then, my constituents and others deserve protection from acts of random and senseless violence. If the House wills those ends, it has to be prepared to legislate the means.

The Act is not perfect, but the order gives my constituents and others the protection that they need and for that reason I commend it to the House.

8.12 pm

Mr. David Trimble (Upper Bann): I rise to support the extension of the legislation for another year. I shall not try to emulate the speech by the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) as I could not better his eloquent description of the threat. I shall refer to some specific points in Mr. Rowe's report and then make some general comments.

We owe a debt of gratitude to Mr. Rowe for his report. It meets the standard of previous reports and contains the views of many who have commented on the legislation and acted for the House in that respect. We need to put on record our indebtedness to him for his careful work.

I support the action that the Home Secretary has taken in respect of exclusion orders. As he knows, we have been critical of exclusion orders as a matter of principle. The hon. Member for Warrington, North (Helen Jones) described them as "internal exile", but that is not entirely accurate. I could be attracted to the notion of internal exile, properly described, particularly the way in which it operates with regard to the Mafiosi in Italy, where it has been extremely effective. However, exclusion orders are a crude device and they are objectionable in principle.

I note with interest Mr. Rowe's comments on detention powers. I wish that some of those who criticise the legislation, the powers of detention and the provision for the extension of detention for up to seven days would read pages 26 and 27 of the report and see Mr. Rowe's careful consideration of the use of those powers. He does not act as a judge deciding whether detention was correct in any particular case; he simply checks that the procedures were followed and that the legislation was properly applied. However, one could not fail to read that passage and similar passages in previous reports without realising that the powers are being exercised sparingly, here and in Northern Ireland.

I note the comments of the right hon. Member for Berwick-upon-Tweed (Mr. Beith) with regard to intelligence, and I do not disagree with his suggestion that Mr. Rowe might look more closely into the cases. Of the three extensions of detention founded purely on intelligence grounds, two cases resulted in criminal charges, so intelligence is not being used simply to cover abuse of the legislation.

The House will know that in previous years we argued for a judicial element in extensions of detention. I consider the comments that have been made on the issue this evening to be misconceived, as is Mr. Rowe's report. People are paying too much attention to the word

[Mr. David Trimble]

"judicial" and giving it an interpretation that is understandable here, without appreciating that the term originates in the European convention and the practice of the European Court of Human Rights in Strasbourg.

When we talk of a judicial element in the extension of detention, we mean judicial not in the sense of a High Court judge, but as the word is applied in the European convention and defined by the European Court of Human Rights and within the practice of other European legal systems. It would mean importing into our legal system a feature of continental procedures. It should not involve giving our judges a task that is inappropriate for them. I hope that we do not do that.

It would be much better to look at the practice elsewhere. In many respects, that is unnecessary and our own practice is superior to that in continental countries, but because of the interpretation of the convention by the European Court at Strasbourg, it is necessary for us to follow what I consider to be the inferior practice of some continental legal systems. However, in this context the word "judicial" should be understood as it applies in the convention and as it is interpreted by the European Court at Strasbourg and by other continental countries. If it is understood that the term "judicial" does not apply to proper judges and that distinction is borne in mind, there is no problem with judicial participation and no distinction needs to be drawn between Northern Ireland and Great Britain. Therefore, I consider the discussion on the issue to have been misconceived.

On port and entry powers, I note Mr. Rowe's reference to manifests on page 34. His comments are eminently sensible. I mention in passing that we have a common travel area in the British Isles, but it seems to operate more on informal understandings than on a clear legal basis. I sometimes think that there is a case for having our own mini-Schengen agreement, to put matters on a more regular basis. However, that is another issue.

I underline the points made by other hon. Members with regard to terrorist financing. It is an important issue—the Achilles heel of terrorist organisations—which, until recently, has not received much attention. I consider that it is still not receiving enough attention. There are powers in the existing legislation and we are told that they are being utilised, but we see little evidence of that. We see very few cases being brought and very little sign of money and assets being confiscated. That is the test of the effectiveness of the legislation. The powers are used largely to deter and to gather intelligence.

There is a parallel with the approach to intercepted communications. Too often, the emphasis is on gathering intelligence rather than finding evidence with which to obtain convictions. There is a difference in approach between the security services and the police forces. We need the approach of the police forces, whose aim is to obtain evidence to secure convictions. Gathering intelligence is not sufficient—we must go beyond that.

Hon. Members have also referred to international terrorism. The evidence of arrests and charges shows the need to maintain the legislation to deal with that. The treatment of people who sought political asylum in the 19th century is no longer practical. At the end of the 20th century, with modern communications and travel methods, those who come here seeking political asylum could easily be involved in terrorism and pose a threat to other countries. We have an obligation under international law to ensure that our territory is not used as a base to attack societies elsewhere. That may mean an occasional regrettable intrusion into the circumstances of those who have sought refuge here, but that is unfortunately necessary.

I endorse the comments that have been made about the appalling murders this week at Poyntzpass. I also reflect on the bombs at Moira and Portadown, in my constituency, together with all the shootings and other incidents that have occurred since Christmas. We should consider the period since Christmas as of a piece. There has been a series of events aimed at destabilising the situation. I fear that that is likely to continue—indeed, it may even intensify.

It is difficult to be clear about who is responsible. There is a tendency in the media to pass off the bombings as the work of what is called the Continuity Army Council or the Continuity IRA, but I must enter a question mark on that. The Continuity Army Council has been around for a long time and has not had the manpower, the skills or the resources to mount operations such as those that we have seen in recent weeks. There is speculation about defectors from the mainstream IRA. There were some defections before Christmas, including Mr. McKevitt, the former quartermaster of the IRA who left to form a separate group. We also believe that there are people who may be called defectors who are still in place in the mainstream IRA.

The likelihood is that the recent bombs in Northern Ireland have been constructed by such people, who are still members of the mainstream IRA but who are co-operating with recent defectors—perhaps even some with a CAC background, although I am inclined to discount that. The bombs are probably constructed by the McKevitt group and sympathisers in South Armagh. There is reason to believe that the North Armagh IRA was responsible for delivering the bombs to Moira and Portadown.

Elements in the republican movement are involved in those operations. The question is whether they are doing so as part of an overall plan or independently. A recognised IRA codeword was used for the Portadown bomb and the bomb scare in Armagh the same day, but it was a couple of months out of date. I suggest that that was carefully contrived to enable some to come to the conclusion that because the codeword was out of date, those responsible must have defected from the organisation.

We do not know whether we are dealing with a real split in the republican movement or a pretend split. We must remember that we are dealing with a conspiratorial organisation. No apparent effort is being made by the leadership of that organisation to restrain its members from acting contrary to the ceasefire that is allegedly in place. It is likely that the IRA is deliberately increasing pressure through violence to take advantage of the Government's no claim, no blame approach. While pretending that a ceasefire is in place, the republican movement is going back to violence, but trying to cast the blame for it on other elements, to avoid the opprobrium that would come from the nationalist community if there was an open and avowed return to violence.

We must not underestimate the fact that there is no general support among nationalists in Northern Ireland for a return to violence. That is part of the reason for the underhand behaviour of the IRA. The IRA also wants to provoke and manipulate loyalists. It is clearly succeeding in that. There is reason to believe that the leaders of the mainstream loyalist paramilitary organisations want to maintain their ceasefire, but some groups, such as the Loyalist Volunteer Force, have broken away. There is also evidence to suggest that elements in the mainstream loyalist paramilitary organisations have returned to violence. That may have ended for a while, but there is no assurance that that suspension will continue.

The explanation for the events since Christmas is that the republican movement knows that the political process will not deliver its core objectives. In the words of a leading republican at a meeting in South Armagh a few months ago, they are going back to what they do best in the hope that that pressure will produce political movement from the Government. Over Easter and through the summer, we can expect continued violence. The medium-term objective will be preventing an agreement or wrecking any agreement that comes into operation.

Some commentators and analysts take an optimistic view of the situation, while others take the more pessimistic view that I have expressed this evening. The Government must be prepared for the worst eventualities. It would be terrible if they allowed terrorists to dictate events. Some fear that that has already been happening in recent weeks and months. I sincerely hope that the Government will prove by their actions that those fears are groundless.

8.27 pm

Mr. Paul Stinchcombe (Wellingborough): I shall be brief, because I have only a few points to make. A week or so ago, I spoke in the House in support of the Human Rights Bill. I bow to few in the strength of my conviction and commitment to human rights. However, none of us should forget that the greatest human right is the right to live—and not just to live, but to live in peace, free from fear, violence and intimidation.

As with all rights, that is matched by responsibilities. Perhaps the greatest responsibility is that which falls on the shoulders of the Government, to take action as necessary to protect their citizens. Therefore, as long as there is a terrorist threat to our citizens, we must take measures to ensure that we can meet it. Even if and when, as we all hope and pray, Northern Ireland finds its peaceful solution, the threat will remain by virtue of the terrorist threat from abroad.

However, because we are committed to human rights, we must tailor our measures carefully. We must meet the terrorist threat, but in ways that do not trample unnecessarily on the very human rights that we endeavour to protect. It is for that reason that I support the decision that the time for exclusion orders has gone. I agree with everything that my right hon. Friend the Home Secretary said on the issue. Exclusion orders were draconian and objectionable in principle. The powers were already in decline, and it is right that they have disappeared.

I also take the view that the case for introducing a judicial element in the process of extension of detention is compelling—as touched on by my right hon. Friend the Home Secretary and others in the debate. Such protection should be built into permanent legislation, which is now due, and when passed, should be national in character, covering the entirety of the United Kingdom.

In opening this debate, my right hon. Friend the Home Secretary called for a robust, clear but proportionate framework of powers across the UK, to meet the terrorist threat. That should indeed be our aim. I hope that, one day soon, it will be our achievement.

8.31 pm

Mr. Andrew Hunter (Basingstoke): In supporting the comments of my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney) and many of the points made by the Home Secretary, I shall be selective.

The first theme to which I shall refer is the Government's plans for reforming the framework of counter-terrorism legislation, of which the prevention of terrorism Act and the continuance order are essential parts. I have no quarrel, in principle, with such a move at all. Indeed, on the contrary, I welcome it; it is overdue. The legislative framework is contained principally in two Acts. One is described as temporary, and the other as emergency—showing that its provisions were not intended to last long.

Both Acts represent the latest versions of legislation that was introduced well over 20 years ago in response to the threat of terrorism. Sadly, the intervening years have made a mockery of the hope that legislation to combat terrorism can be regarded as temporary. It is a fact of life that the threat of terrorism is here to stay, at least in foreseeable circumstances, and it is therefore right that the Government should think of creating permanent legislation.

The Home Secretary referred to his statement on 30 October, when he announced that he and the Secretary of State for Northern Ireland intended to publish proposals in the form of a consultation paper early in the new year. I suppose that, as we are still in the first quarter of the year, this is still early in the year. Obviously, the subject is immensely complicated. There are conflicting issues to be taken into account and difficult balances to be achieved. All that requires careful consideration. I nevertheless hope that we shall not have to wait very much longer; we may soon become a little impatient.

Although I do not complain about the delay in the appearance of the consultation paper, I quarrel in one respect with the Government's handling of anti-terrorism legislation so far. There are strong arguments for ending internment and for allowing the power to exclude to lapse. We shall be looking for the emergence of a package of measures from the consultation process, the totality of which meets the threat of terrorism and safeguards, so far as possible, human rights and civil liberties. I genuinely believe that the Government have been mistaken to anticipate selectively what should have been considered part of a debate on a total package.

With regard to exclusion orders, I must confess that I am not yet convinced by the Home Secretary's line. I dare say that, in that respect, I am in a minority of one, but I shall nevertheless state my views on the subject. I do not share the negative view of the effectiveness of exclusion orders that many hon. Members have expressed. Exclusion orders have been effective on occasions. They can disrupt the chain of communication and command,

[Mr. Andrew Hunter]

without which terrorist operations cannot take place. They are a weapon of pre-emptive strike; they prevent terrorism. Moreover, the use of an exclusion order marks the recipient of it and makes him virtually unusable to a terrorist organisation. In that sense, of course, arguments for exclusion orders reflect arguments in favour of internment.

The Home Secretary has not yet convinced me on another point. The fact that exclusion orders have been used with decreasing frequency in recent years is not a justification for abandoning entirely the power to use them in future. I find it impossible to say that, some time, somehow, circumstances will not arise when, in the absence of evidence to bring other charges, the use of an exclusion order might frustrate a terrorist operation and save human life.

Back on 30 October, the Home Secretary significantly based his justification for ending exclusion orders on two considerations. One was the fact that Viscount Colville, in his 1987 review of anti-terrorist legislation, had recommended it. The other was that the Home Secretary had taken into account the views of those who advise him on security matters. The annual review of the PTA is not written in stone; it does not have divine authority. However, it is worth recording and noting that Viscount Colville's successor is, effectively, one of the Home Secretary's security advisers—albeit one who operates in a narrowly defined remit—and Mr. Rowe does not agree with the Home Secretary.

We should note that, in his report, Mr. Rowe confirms the firmly held opinion of police officers

"that the power is of use in combating terrorism".

In the same paragraph, he continues:

"I have seen, in times past, two clear instances where an exclusion order deterred the excluded person from engaging in terrorist attacks in Britain."

As hon. Members know, he offers his personal view that the exclusion power is effective. He concludes with this sentiment, which I share:

"the announcement that the power may be allowed to lapse will not deflect me from my view: the exclusion order is a useful part of the prevention of terrorism machinery".

For the time being at least, I continue to share that view.

The final theme that I wish to explore is judicial involvement in extending detention. The House will know that, two years ago, Mr. Rowe argued against that. He reasoned that it would be

"unusual . . . a straining of the judicial function."

He argued that a judge acting in such a capacity would be acting

"in name only . . . exercising a function which could be called judicial only because he happened to be a judge by his profession and occupation."

I noted with interest the comments of the right hon. Member for Upper Bann (Mr. Trimble) on that, and I must confess that I, too, must have missed an essential point. All the debates on extending judicial involvement in which I have taken part over the years have also failed to make the distinction that he made. Nevertheless, Mr. Rowe reported last year that he had undergone something of a Damascene conversion. His view had changed, not least because judges were much more involved in one-sided, ex parte and secret hearings in respect of applications for public interest immunity certificates.

In a debate last year, I incurred some unpopularity among my right hon. and hon. Friends by saying that I had an open mind on judicial involvement, although I was not convinced by the arguments of the Home Secretary and Mr. Rowe. My view has moved on from last year, and I now accept in principle the desirability of judicial involvement—as I understood it, before the statement of the right hon. Member for Upper Bann. It is right for the Government to consider carefully how it can be implemented.

I accept in principle the desirability of the Government's aspiration to bring about judicial involvement in extension orders, but there are accompanying dangers. The issue is not clear cut. It is imperative that judges are not regarded as an arm of the Executive. That would undermine the independence of the judiciary. The other danger is that extensions of detention are an obvious part of the process of arrest and detention, and that, arguably, is not an area in which the judiciary should become involved.

Finally, I agree with Mr. Rowe's conclusions unreservedly. There is a need for a prevention of terrorism statute and for the provisions of the PTA, and I share his opinion that each of the sections is needed for the forthcoming year. I deeply regret that, in one respect, that is not the view of the Government.

8.41 pm

Mr. Straw: This has been an interesting debate, which has showed the widespread agreement in the House for the proposals in the order—that, with the exception of part II of the 1989 Act and one or two other more detailed points, the PTA should be renewed for the forthcoming year.

I wish to pick up a number of the points raised in the debate. Before I do so, I pay tribute to the eloquent words of the right hon. Member for North–West Cambridgeshire (Sir B. Mawhinney), who spoke movingly from his own experience about the situation in Northern Ireland. He spoke about the way in which—despite the terrorism and the efforts of the terrorists to pull the communities apart—there are thousands of people from both sides of the divide who have been determined to make unity and not division the reality in their lives. The right hon. Gentleman drew not only on his experience as someone who comes from the Province, but on eight years as an Under-Secretary and Minister of State attached to the Northern Ireland Office from 1984 to 1992.

The right hon. Members for North-West Cambridgeshire, for Upper Bann (Mr. Trimble) and for Berwick-upon-Tweed (Mr. Beith) asked whether adequate steps were being taken to target effectively the finances of terrorists. The frank answer is no. I am not satisfied with the powers—but not the efforts—and the results being achieved in pursuing terrorists and other serious criminals in a way that often can hit them the most—through their bank balances, safe deposit boxes and the cash they have stashed abroad.

There are two problems. The first is the insufficiency of the existing powers; the second is the problem of following up court decisions to fruition. In terms of the non-terrorist situation, the amount we take in each year is tiny compared with the ostensible value of the orders

achieved by the courts. I am concerned about that. So far as terrorism is concerned, we are examining it closely in the context of the consultation document that we shall publish shortly. I will come to the question of when precisely, which was raised by the hon. Member for Basingstoke (Mr. Hunter).

In October, we were looking at whether we could use civil procedures to bear down on the confiscation of assets generally. Those techniques have been used successfully in the United States, Canada and—it must be said—the Republic of Ireland. We are examining their experiences because we cannot have a situation where serious criminals—terrorists or not—achieve substantial increases in their incomes and then use the protection of the law to stop us getting at their funds.

The right hon. Member for Upper Bann raised an interesting point about the terminology of the European convention on human rights. Article 5(3) of the convention states:

"Everyone arrested or detained should be brought promptly before a judge or other officer authorised by law to exercise judicial power."

The right hon. Gentleman was right—it is always worth while examining the texts. We are doing so in the context of the consultation document. The obvious way of doing that is through a judge, but it must be borne in mind that there are many stipendiary magistrates, and their numbers are increasing.

I had a meeting the other day with a magistrate from a continental country—I shall not mention which one. Magistrates in that country are judicial officers, but some of their functions are a combination of the functions exercised by the police and Home Office officials in this country. We must recognise that it is against that background that the European Court of Human Rights has come to its decisions.

My hon. Friend the Member for Hull, North (Mr. McNamara) apologises through me to the House for the fact that he has had to leave before the end of the debate. He asked whether we should have included within the Human Rights Bill a derogation relating to the PTA. We regret the need to start the Bill's life with the derogation, but it is unavoidable if we are to preserve the existing power to extend detention. Only fresh primary legislation to introduce a judicial element will get over the need to continue the derogation. Under the Human Rights Bill, the derogation will itself lapse after five years, unless it is specifically renewed.

The hon. Member for Basingstoke referred to the exclusion powers, and I understand his point. He quoted Mr. Rowe, and accepted that, in other respects, Mr. Rowe's views—and his own—had changed. I am grateful to Mr. Rowe who has, as usual, done a thorough job. It is a fact that on some issues we are bound to take different points of view. It is worth drawing it to the attention of the House that, although he has reported from time to time the view of the police and the security forces in favour of exclusion orders, he has also reported that this is not a unanimous view. I draw to the attention of the House paragraph 29 of his 1995 report, in which he said:

"The overwhelming majority of port officers gave me the answer that the orders are useful and should be retained. But there was a fair number of officers, of all ranks, who held the opposite view."

That is a fact and, in reciting the opposite view, he said:

"On the other hand, the argument is that in the absence of exclusion, a known and experienced member of an organisation can be noticed at the port, and followed thereafter, and kept under surveillance."

Sir Brian Mawhinney: I apologise to the right hon. Gentleman for missing the first few minutes of his reply. Having been in the Chamber since 4 pm, I had gone to get something to eat, so I apologise for missing those first few minutes. He has been talking about detention and the derogation. Can he remind the House how long that derogation still has to run? I am trying to tempt him into speculating whether his legislation will be before the House before that derogation is up, or whether he contemplates having to renew it.

Mr. Straw: I was not talking about the derogation that has been entered on the record before the Council of Europe, derogating from the European convention. I was talking about the fact that we have had to repeat that derogation within the body of the Human Rights Bill. It is within that that the derogation will lapse within five years, unless it is renewed under powers given in the Bill. I anticipate that we shall sort this problem out well within the five-year period, including making provisions within article 5(3) for a judicial element in extensions of detention. The right hon. Gentleman was in government for much longer than I have been so far and will be aware of the pressure on parliamentary time. However, it is no great secret that I hope and believe that we should legislate permanently in that field in the next two or three years.

The hon. Member for Basingstoke gently tweaked me for the fact that, in my statement on 30 October, I said that I hoped to publish the consultation document early in the new year. That was being over-optimistic. It is now early in the new year, but I am anxious to publish it in the next two or three months. It is a complicated, but also an important, matter.

I think that I have answered the main specific points that right hon. and hon. Members have raised. My hon. Friend the Member for Wellingborough (Mr. Stinchcombe), in a short but eloquent speech, said that we needed to remember that the greatest fundamental human right was the right to live, free from fear, intimidation and terror. It is the duty of the Government and of the House to secure that fundamental right above all. Without it, no other rights or freedoms can be enjoyed. Against that background, and with that fundamental right in mind, I commend the order.

Question put and agreed to.

Resolved,

That the draft Prevention of Terrorism (Temporary Provisions) Act 1989 (Partial Continuance) Order 1998, which was laid before this House on 24th February, be approved.

Owen Oyston

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

8.52 pm

Mr. Dale Campbell-Savours (Workington): You will know, Mr. Deputy Speaker, that this a particularly difficult issue to raise. Members of Parliament do not usually stand up in the Chamber and allow themselves to be identified with those who would seek to defend a man successfully prosecuted for the offence of rape. What I say here this evening could easily be misrepresented.

I take that risk because I believe that someone must speak up on this case. Arising out of the Oyston trial, I see the danger of future miscarriages of justice, where cases are badly investigated, men are charged with rape and juries convict on the basis of uncorroborated evidence in closely contested cases. I am talking about convictions in the complete absence of medical or scientific support.

This debate is about the case of the rape of a 16-year old girl by a 57-year-old man. I am arguing that the case raises issues of public policy and natural justice. I want it to be referred to the Criminal Cases Review Commission.

This was one of a series of six such allegations made against this man. A magistrate found no case to answer in three of the cases. A Crown court acquitted him in two. The allegations, which a jury upheld, were that the man indecently assaulted a young woman, whom I will call J, in the back of a car in the presence of two other passengers, one of whom was her friend. Twenty minutes later, J alleged, he raped her in his own bed in his own home. Both allegations were challenged by J's friend Lysa Rubotham, who was in the car and in the bedroom.

I have met Mr. Oyston on two occasions. The first time was in 1988 when, following allegations by a Conservative Member of Parliament about his activities in Derbyshire, I met him in a hotel in my constituency to confront him with the allegations. I conducted my own inquiries, which included interviewing people in Derbyshire. The allegations proved unfounded.

I then presented Mr. Peter Carter-Ruck with a file of papers that had come my way from a number of sources. Those papers were, I believe, used in a successful libel case. My activities included tabling an early-day motion, which proved a considerable embarrassment to Mr. Oyston. I did so in the belief that I was acting in the public interest. Allegations had been made that were damaging to the Labour party and, as far as I was concerned, someone had to investigate.

On the second occasion in 1995, Mr. Oyston asked to meet me in the House of Commons and told me that he was the subject of a conspiracy—his words. He was being prosecuted for rape. I could not comment on the issue of conspiracy—I have no knowledge of those matters. He told me that he had been very stupid, an admission he was subsequently to make in the course of his trial. He also told me that he had been having sexual relationships with young women. He seemed to me to be admitting that he had taken advantage of his position as a media tycoon. During the meeting, I spoke to his lawyer on the phone and told him that I was not prepared to take any action, because I believed that the matter was sub judice. However, I did state that I would like to be kept informed of developments because of my previous inquiries in the late 1980s. I have now read much of the evidence in this case, including sworn statements to the police and affidavits in relation to the new evidence. I have also read the available transcripts of both trial and appeal.

The question is whether a charge of rape should have been brought against Owen Oyston. Oyston admits that he took advantage of young women. The House will deplore such conduct, and I find it unspeakable—but such is life. We have never legislated to make such relationships illegal, although some hon. Members may want to. However much we might condemn such behaviour, it is not a criminal offence, whereas rape is a particularly serious and nasty offence.

Did a change in the law on rape, five days before Oyston was charged, prejudice his trial? I have often asked why that change was introduced only five days before he was charged and whether there was a connection. A rule that had obliged judges to warn juries about the dangers of convicting on the uncorroborated word of one complainant in a rape case had been abolished. In 1993, the then Home Secretary said that it had to go. He said that it was outdated and demeaning to women, particularly in rape cases. I believe that that rule change was critical to the Oyston trial.

The danger of the change was outlined by Baroness Mallalieu in some detail, on Second Reading of the Criminal Appeal Bill 1995 in the House of Lords. Indeed, I am informed that, in north-west England, at least six other rape cases since 1995 have resulted in what has been described as grotesque and disastrous injustice, involving the suicide of innocent people and the gaoling of others who have made false allegations. Because of shortage of time, I have been unable to examine the detail of each of these cases.

In the case against Oyston, the prosecution brought an uncorroborated allegation of rape. However, the defence produced an eyewitness, Lysa Rubotham, J's friend—the other woman in the car whom the Crown acknowledged to have been present. I have interviewed this woman. During an interview at my home four weeks ago, she told me that she believed that an injustice has been done. She insisted that no assault had taken place in the car in which she was travelling, and that no rape had taken place in the house that the two girls had visited.

The case hinged entirely on the credibility of the two women witnesses. Both the Crown and the defence agreed that the two women had been present in the defendant's home on the only occasion when an offence could have been committed. Lysa Rubotham believes that J lied to the court. She told me that she would believe for the rest of her life that an injustice has been done. In my home, she openly wept over her failure to be believed in the court.

No other material evidence was available to the defence or the jury, as J could not say in what precise part of any year, season or month any offence had been committed. Most remarkably, she allowed two whole years to pass before she revealed to anyone that the rape had taken place.

Did the police, in the gathering of evidence, act as even-handed investigators? The first police interview notes in the case are now missing. Summing up for the defence in the Oyston trial, Mr. Anthony Scrivener said that Lysa Rubotham, who was questioned on 24 occasions, was asked only once—informally and on the telephone—about J's allegation. Scrivener said:

"It does not require a great brain to realize in the circumstances that Lysa Rubotham must be an important potential witness.

She was never asked to make a statement about it. Obviously a material witness—and when she was asked she indicated to the police that she would not be corroborating the police's version of it and so"

the police felt that

"it was not necessary to make a statement."

Another important question is whether the witnesses were treated equally. Why was J given anonymity, whereas the character of the only other eye-witness, Lysa Rubotham, was torn to shreds before the jury? Was article 6(3)(d) of the European convention on human rights breached? Under that article, everyone charged with a criminal offence has a right to

"examine or have examined witnesses against him and obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him."

As the complainant in a rape case, J was granted anonymity and protected from certain lines of cross-examination under section 2 of the Sexual Offence Act 1976. She could not be asked about her sexual and personal life. No such protection was afforded to Lysa Rubotham, whose evidence directly contradicted the evidence of J. Miss Rubotham was cross-examined in the way that rape complainants used to suffer in the days before the 1976 Act. That could hardly be described as examination "under the same conditions" as described under article 6.

Lysa Rubotham was named. Her home address and carefully selected photographs were published in many newspapers. As she feared, she was forced by the Crown to reveal details of her youthful promiscuity. She was portrayed in newspapers after the trial as a liar and a loose woman. After she had admitted having a sexual relationship with the defendant, she was asked by Mrs. Helen Grindrod, for the Crown, to say whether she had had promiscuous sexual encounters, at the age of 17, with four business men, who were all named in open court.

The questioning was designed to demonstrate that, although Lysa Rubotham was a friend and colleague of the complainant, she was promiscuous and might have a stronger loyalty to the defendant and be prepared to lie on oath for him.

The trial judge told the jury that one of the two witnesses must have lied to them. He also told them that their resolution of the conflict of evidence was central to the question of guilt. Since the two contradictory witnesses were not examined "under the same conditions", as required by the European convention, the jury could not weigh accurately the evidence of one young woman against the evidence of the other young woman.

Many people in Lancashire believe that the defendant was denied a fair trial. My view is that, if each of the witnesses had been treated in the same way, the jury might well have come to a different verdict.

I received a letter from a woman in Silverdale in Lancashire. It says:

"Re: Owen Oyston.

Dear Sir,

I have been interested to read that you, as I am myself, are greatly concerned at the misjudgment used in the above case and are willing to help to right an obvious breach of what is fair in:

The way the case was conducted.

The biased questioning of participants.

The length of the sentence handed out.

The obvious bias of the policeman involved, whose comments were totally unacceptable on television."

I confess that I was unaware of those matters.

"The sending to Garth prison of a man who has never been involved in violence. One of the prisons used for the worst type of offender.

This man, whom I have never met, has obviously upset people in high places. I can only conclude that what has happened to him is as the result of a deliberate conspiracy.

Please join with me in righting this wrong and bring it to the notice of Parliament."

The letter was signed.

I do not want to comment on any conspiracy theories, but I thought that that letter was an indicator of the opinion of many people in Lancashire who have been following the case, and I thought it appropriate to read it to the House.

There is one aspect of the preparation of the case against Owen Oyston that I find particularly disturbing. Why was the evidence of the appalling and chronic abuse of drugs not adequately researched or considered by the police, the Crown Prosecution Service, the Crown court, or even the Court of Appeal? At one trial, J was formally given immunity from prosecution for past drug abuse. However, the police did not carry out a full inquiry into her heavy use of amphetamines, Ecstasy and cannabis. This was a woman whose memory of events, late one night four years earlier, would be so vital to the jury at the trial of Owen Oyston.

The question is whether courts should be allowed to rely in rape trials wholly on the evidence of those who have repeatedly used drugs. I note that, once again in our legal system, three Court of Appeal judges have been able to reject a mass of new evidence—some of which has recently been drawn to my attention—gathered in a man's defence after his conviction, but unavailable to his lawyers or to the jury in his trial.

As I have said, raising a case of this nature is very difficult for a Member of Parliament, but I feel very, very strongly that something is wrong, and that the truth has got to come out. A barrister recently said to me that the Oyston trial had implications for the whole of the law on rape. Something, somewhere, is wrong. The law is being brought into disrepute. I can only foresee great injustice being done in the future, unless we again review the law.

Before his trial, Owen Oyston was told by lawyers that, if he was prepared to say that he had consensual sex with J, a conviction for rape would be very unlikely, because of the operation of the law on consent. However, Oyston refused to adopt what he claimed was a dishonest defence. Both Oyston and Lysa Rubotham were adamant that no sex, consensual or otherwise, had ever taken place between Oyston and J.

[Mr. Dale Campbell-Savours]

Although I have not met Oyston for three years and have not been able to discuss the case with him, he has let it be known from prison that he will not admit his guilt, even to placate the parole board. His message from prison, to the girl who gave evidence for him, was:

"You told the truth. I will not make a liar of you by admitting a crime I did not do. I would stay in jail for ten years if it was needed to prove my innocence and your honesty".

As we adopt the European convention on human rights, do we not have an obligation to show that our own house is order in that difficult area of the law? It is with that in mind that an application will be made to the Criminal Cases Review Commission for a review of the Oyston case. The commission has two criteria—exceptional circumstances and new evidence. The application can meet both criteria. I earnestly hope that the commission, when it receives the application, will refer the matter back to the Court of Appeal. There is sufficient new evidence available to warrant its intervention.

Finally, I should like to make it absolutely clear that neither Mr. Oyston nor any member of his family has asked me to raise this case in the House. I have done so of my own volition. I believe that something is not right.

I wish to leave the House with some very simple facts to consider. First, Oyston admits that he had sexual relations with young women. Secondly, he has consistently denied rape, even though that may have adverse implications for parole. Thirdly, no scientific evidence for rape exists. Fourthly, no medical evidence exists. Fifthly, there is no firm date for the offence. Sixthly, the police lost the original interview notes. Seventhly, the incident was not reported until two years after it took place.

Eighthly, the accused refused to admit to any sexual activity even though that could have enhanced his prospects of acquittal or brought a lighter sentence. Ninthly, the friend of the victim, Lysa Rubotham, who was present throughout, insists that no rape took place. Tenthly, the victim admitted to being a regular user of hallucinatory drugs. Something is wrong, and I want something done about it.

9.14 pm

The Attorney-General (Mr. John Morris): I congratulate my hon. Friend the Member for Workington (Mr. Campbell-Savours) on his good fortune in securing this debate, and thank him for his courtesy in providing advance warning of the points that he intended to raise. It must be the best part of 30 years since I replied to an Adjournment debate.

Although I cannot endorse my hon. Friend's portrayal of Mr. Oyston's conviction as a miscarriage of justice, I acknowledge his courage and sincerity in bringing the matter before the House. The House has no more sympathy for properly convicted rapists than do the people we represent. He acts, however, in the best parliamentary traditions by putting forward with his customary vigour the case of an individual whom he believes to have a legitimate grievance, notwithstanding that his cause may be unpopular and that he has criticised that individual in the past.

My hon. Friend's difficulties go deeper, because I know he recognises that questions of guilt or innocence in individual cases are a matter to be determined through judicial processes rather than in a political forum. Similar constraints attach to my role, as I would not expect to answer to the House for the nitty-gritty of each and every one of the 1.3 million cases conducted annually by the prosecuting authorities that I superintend. He largely recognised these limited roles by stating at the outset that he seeks consideration of the case by the Criminal Cases Review Commission.

Mr. Oyston had his appeal to the Court of Appeal dismissed. He does not require my leave or that of a court to apply to the CCRC. He is entitled to do that as of right. The commission has no power itself to change the decision of a court. Its task is to consider whether there is some merit in an applicant's case, and, if so, to examine it to decide whether it would have a real possibility of succeeding if it were given a further hearing in an appeal court. The commission reaches its decisions impartially.

I want to elaborate slightly on what I have already said, but there is not the time tonight to go into my role and duty of superintendence of the Crown Prosecution Service. On 19 December 1979, Lord Havers gave a written answer to the House on that matter. Had there been time—I have only eight minutes—I could have set that out.

Mr. Campbell-Savours: On a point of order, Mr. Deputy Speaker. Cannot my right hon. and learned Friend speak until 10.30 pm?

Mr. Deputy Speaker (Mr. Michael Lord): The hon. Gentleman is correct: there is no shortage of time.

The Attorney-General: I am obliged. I can deal with the matter in extenso. I am most grateful to my hon. Friend for putting me right, not for the first time.

I have a statutory duty to superintend both the Crown Prosecution Service, which was responsible for the prosecution of Mr. Oyston, and the Serious Fraud Office. The term "superintendence" has been in use for more than 100 years. To my mind, it strikes a proper balance in our democratic society between the need to ensure proper accountability to Parliament while guarding against improper Executive or political influence over the prosecution.

In a speech outside Parliament in 1979, Lord Havers explained his views of "general superintendence" over the Director of Public Prosecutions' activities and the extent to which he was responsible to Parliament for them. He added:

"but I am not responsible for the individual decisions of the DPP or his officers. The DPP, although being an officer under the Crown, is thus completely independent and non-political. He"—

she at present—

"acts for the public, in the public interest, and for no one else. He will of course discuss particular cases with me and consult me generally; but the decisions taken in the field where he is vested with the discretion to prosecute will be his decision."

I referred earlier, when I wrongly thought that I did not have the time to give the quotation, to Lord Havers' written answer. He said:

"My responsibility for superintendence of the duties of the director does not require me to exercise a day-to-day control and to give specific approval of every decision he takes. The director makes many decisions in the course of his duties which he does not refer to me, but nevertheless I am still responsible for his actions

in the sense that I am answerable in the House for what he does. Superintendence means that I must have regard to the overall prosecution policy which he pursues. My relationship with him is such that I require to be told in advance of the major, difficult, and, from the public interest point of view, the more important matters so that, should the need arise, I am in the position to exercise my power of direction."—[*Official Report*, 19 December 1979; Vol. 976, c. *187*.]

My primary responsibility, therefore, is to oversee the effective and efficient administration of the prosecuting authorities that I superintend. Hence my establishment of the Glidewell review. I cannot and do not hold myself out as responsible for the day-to-day conduct of each and every prosecution, although these constitutional niceties explain to the House how I approach my responsibilities.

The comments by my hon. Friend raise three key questions. The first is whether Mr. Oyston should have been prosecuted. The evidential test is that there must be sufficient evidence to provide a realistic prospect of conviction. Given the verdicts of the jury convicting Mr. Oyston of rape and indecent assault of this girl, which were upheld by the Court of Appeal, I do not think that I need say more about that first test.

The second test is that the prosecution of the case must be in the public interest. There can be few, if any, circumstances in which, if the evidence were sufficient, the public interest would not require prosecutions in relation to rape and indecent assault such as were alleged against Mr. Oyston.

The second question raised by my hon. Friend concerns the law on corroboration. He is right to say that, before 3 February 1995, the law required trial judges in cases involving allegations of sexual misconduct to give a warning to the jury to the effect that it would be dangerous to convict the defendant on the uncorroborated evidence of the complainant.

The warning proved a fruitful source of appeal by those convicted, and was often seen as casting an unwarranted slur on female complainants. In 1991, the Law Commission recommended the abolition of the relevant law. After full debate here in Parliament, that recommendation was implemented by sections 32 and 33 of the Criminal Justice and Public Order Act 1994.

Those provisions do not mean that a warning is never given. Trial judges still have a discretion to give the warning, but there has to be an evidential basis to justify the warning. It is not to be given merely because the female makes an allegation of sexual misconduct. I should be surprised indeed if this House voted for a reversal of that position. To meet the question asked by my hon. Friend, as a matter of fact, the trial judge exercised his discretion in Mr. Oyston's favour, and did give such a warning to the jury.

Before I move to the next of my hon. Friend's points, I digress to note that the two criticisms are markedly at odds with the criticisms generally levelled at the Crown Prosecution Service for being reluctant to prosecute, and the criminal justice system for making it too difficult to bring rapists to justice, in particular through inadequate protection of the complainant. Prosecutors might perhaps be forgiven for thinking at times that "damned if you do, damned if you don't", is their eternal lot.

That brings me to my third issue. My hon. Friend refers to the evidence of Lysa Rubotham, and the point he makes excellently demonstrates the limitations on the House and on myself. My hon. Friend saw her, and clearly formed a favourable impression. The jury also saw her—and, for that matter, saw the complainant as well. They heard Lysa Rubotham give evidence, and the cross-examination which followed. They clearly did not believe her. I have no means of reconciling those views, and nor does the House.

The issue as to the cross-examination of J, as referred to by my hon. Friend—Miss C, as she is referred to in the law reports—about her previous sexual experience is one which Mr. Oyston's learned and very experienced counsel was more than able to deal with at trial and at the Court of Appeal. The trial judge was in the best position to decide what questioning would be allowed.

The nature of the defence was that the events had not taken place at all, and not that she had consented, which is a frequent defence in such cases. I repeat, the defence was that the events had not taken place at all, and not that she had consented. None the less, there was in fact limited cross-examination about the previous sexual conduct of the complainant directed specifically to the issue which was said to be the defence.

My hon. Friend has also raised the manner in which this witness was cross-examined about her sexual history. He has referred to article 6 of the European convention on human rights. It is true to say that section 2 of the 1994 Act limits the manner in which a complainant in a case such as this can be questioned, but only if such questioning cannot be justified in the context of the case.

Further, the trial judge is under a duty imposed by the common law to do his utmost to restrain unnecessary cross-examination of any witnesses. Additionally, the Bar Council code of conduct requires counsel to limit cross-examination of witnesses to matters which are not merely scandalous or intended to vilify, insult or annoy the witness. Such protection is afforded to both complainants and other witnesses.

In any event, the article 6 point was not and could not then be pursued by defence counsel at either the trial or before the Court of Appeal. I contrast that with the situation that we hope will prevail when the Human Rights Bill has been passed by both Houses and the European convention has been incorporated into United Kingdom law. If Mr. Oyston's advisers now feel that there is merit in that point, it is a matter for them how to pursue it.

My hon. Friend spoke of fresh evidence. The Court of Appeal considered the fresh evidence. There were doubts about the weight that could be attached to some of it, and, in any event, the court declined to accept that it could have an impact on the safety of the verdicts. I should say, for the sake of completeness and with all due respect to my hon. Friend, that what he says about the complainant's involvement with drugs seems to exceed what was said by Mr. Oyston's counsel at the trial, who at one stage in cross-examination put it no higher than "dabbling".

Mr. Campbell-Savours: The reason why there is more information about that aspect of the trial is that, in a subsequent trial, in which a Mr. Peter Martin was prosecuted, the barristers were able to extract far more information from J on that matter. In my view, that information would have been relevant in the previous trial, if it had surfaced at that stage.

The Attorney-General: I do not have with me the dates of that trial, which, as my hon. Friend said,

[Mr. Campbell-Savours]

was subsequent, in order to compare them with the date of the appeal in the Court of Appeal. If there had been a change of position by defence counsel, one might have been right to anticipate that that point would have been explored in that court, so my hon. Friend's point lacks the force that it might otherwise have had.

I stress, because it is important for future debates of this kind, that the House is not in a position to review the guilt or innocence of those tried in our courts on allegations of criminal misconduct. There is an established appeal procedure, and, if and when that is exhausted, convicted persons can apply to the Criminal Cases Review Commission. Previously, Mr. Oyston would have had to petition the Home Secretary; that is no longer the case. Since 31 March 1997, the Criminal Cases Review Commission has been up and running.

In Mr. Oyston's case, the Court of Appeal has recently given its view that the convictions were safe. Mr. Oyston now has the right to apply to the commission if he so wishes. He does not need the leave of the courts, the Home Secretary or myself. It will be for the commission to assess the merits of his application, and, if so invited, it may take account of, and give full weight to, matters to which my hon. Friend alluded.

I cannot say more. Parliament has set up the Criminal Cases Review Commission, and, if Mr. Oyston so wishes, he may avail himself of its procedures.

Mr. Campbell-Savours: I thank my right hon. and learned Friend.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes to Ten o'clock.

House of Commons

Friday 6 March 1998

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PETITIONS

Countryside Issues

9.34 am

Sir Geoffrey Johnson Smith (Wealden): I have the honour to present a petition that has been signed by 100 residents of my constituency, who live in one of the rural areas there. It reads:

That the non-rural population of these islands has become distanced from the realities of meat, egg, milk production and pest control.

Wherefore your Petitioners pray that your honourable House;

(i) takes notice of the concerns expressed by those who marched on 1st March, 1998;

(ii) endeavours to keep animals and animal welfare in perspective,

(iii) refrains from interfering with traditional British rural pastimes such as foxhunting.

And your petitioners, as in duty bound, will ever pray.

To lie upon the Table.

Shooters Hill Fire Station

9.35 am

Mr. Clive Efford (Eltham): I have a petition from the residents in the vicinity of Shooters Hill fire station, who request that the House of Commons

urge the Home Secretary to refuse to grant permission to the London Fire and Civil Defence Authority to close Shooters Hill Fire Station.

This afternoon, I shall be presenting a similar petition of 13,000 signatures to No. 10 Downing street.

To lie upon the Table.

Wild Mammals (Hunting with Dogs) Bill

As amended (in the Standing Committee), considered.

New clause 1

FOX CONTROL IN NATIONAL PARKS

'.—A person shall not be guilty of an offence under section 1(1) if he uses a dog for the control of foxes in the interests of sheep farming within the boundaries of any national park.'.—*[Mr. Campbell-Savours.]*

Brought up, and read the First time.

9.36 am

Mr. Dale Campbell-Savours (Workington): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following: New clause 3—*Mink*—

'.—(1) Subject to compliance with subsections (2) and (3), hunting of feral mink with dogs shall be permitted on any land, river, lake, waterway or coastal area at the request of the owner or occupier thereof where that person reasonably believes that mink need to be controlled there in order to protect or conserve fish (whether required for angling or human consumption), waterfowl, ground nesting birds or other wild life.

(2) Any person hunting mink under subsection (1), should take all reasonable steps to avoid unnecessary damage to habitat or wild life.

(3) When any otter is located during the course of hunting all dogs under the control of the person hunting shall be withdrawn from the vicinity immediately.

(4) Hunting of feral mink shall not be permitted in any area certified by the Environment Agency or the Scottish Environment Protection Agency as unsuitable for hunting because of likely disturbance to the habitat of wild life, provided the relevant Agency controls the mink in such area by other means.

(5) For the purpose of this section "owner" shall include riparian owner.'.

New clause 6—*Gun Packs*—

'.—(1) A person does not commit an offence under section 1(1) if as a member of a gun pack:

(a) he hunts foxes with dogs for the purpose of culling, whether or not foxes are killed by dogs in the process, or

(b) he hunts an injured fox in order to kill it with dogs where it is reasonably believed by the person in control of those dogs to be the most effective method of killing it.

(2) In this section "Gun Pack" means any club or association registered with the Welsh Farmers Fox Control Association or any like Fox Control Association with similar purposes established in England, Scotland or Northern Ireland and which operates according to the code of practice prescribed by that Association'.

New clause 7—*Control of foxes in national parks*—

'.—A person shall not be guilty of an offence under section 1(1) if he uses a dog for the control of foxes in the interests of animal husbandry within the boundaries of any national park.'.

New clause 19—*Circumstances in which shooting is unsafe or impractical*—

'A person does not commit an offence under section 1(1) if he hunts any wild mammal with dogs on land where the owner or occupier thereof reasonably considers that such hunting is necessary in order to kill, control or disperse such mammals and either:—

(a) because the public have rights of access thereto or such land is in close proximity to a highway or public right

of way or otherwise the owner or occupier reasonably considers it unsafe to kill or control such mammals by shooting, or

(b) the owner or occupier of such land reasonably considers that it is impractical to kill or control such mammals by shooting.'.

New clause 25—*Licensing of terrier work*—

'.—(1) Terrier and other work by dogs to dig out foxes shall only be allowed under licensing arrangements.

(2) The Secretary of State shall determine whether it is expedient to establish a licensing authority for terrier work.

(3) If the Secretary of State determines that a licensing authority shall be established, it shall be funded by a separate levy on terrier packs and shall be run at no cost to public funds.

(4) The conditions attaching to licences for terrier work shall be established by the authority, but shall include—

(a) a prohibition on the use of hard or baiting dogs;

(b) a provision that foxes bolted using terriers or other dogs shall normally be despatched with a suitable firearm and by no other means; and

(c) a requirement for all dogs used for this purpose to be fitted with electronic locators to establish their position underground.'.

Mr. Campbell-Savours *rose—*

Mr. Peter Atkinson (Hexham): On a point of order, Madam Speaker. Before we start the debate on this wide-ranging group of new clauses, may I seek your guidance on a question of procedure? At some stage, no doubt, we shall have a Division on new clause 1. There are those of us who would, for example, disagree with new clause 1 but agree with new clauses 3 and 6. Will we have an opportunity to have separate Divisions on new clauses 3 and 6 and, for all I know, on other new clauses in the group?

Madam Speaker: At this early stage of the debate, I am not prepared to commit the Chair. I need to hear the debate. I am aware that there are distinctions between the new clauses. I shall consider separate Divisions when we reach that stage. I understand the point of order that has been raised by the hon. Gentleman.

Mr. Campbell-Savours: This is not a wrecking new clause.

Mr. Andrew F. Bennett (Denton and Reddish): Rubbish.

Mr. Campbell-Savours: I support the Bill, and I voted for it on Second Reading. I remind my hon. Friends that if they wish to know the origins of the new clause, they should check Labour policy documents from the mid-1980s. References to the contents of the new clause are to be found in agriculture policy papers written by members of the Labour party and approved by the national executive committee of the Labour party before the 1987 general election.

Mr. Edward Garnier (Harborough) *rose—*

Mr. Campbell-Savours: I do not intend to give way. I know that the intention of Conservative Members is to wreck the Bill. I am not in the business of wrecking this particular Bill.

When the Bill was considered in Committee, my hon. Friend the Member for Worcester (Mr. Foster), who has been a doughty campaigner on these issues and has handled the Bill with great skill, unfortunately, in winding up one of his contributions, made a statement that I thought should be addressed on the Floor of the House. It involved an interview with a man called Mr. Christopher Ogleby from the Coniston hunt. He had said during the course of his interview that he hunted in the Lake district with a fell pack for reasons of sport. That might well be the case for Mr. Ogleby, but the reality is that there are many people who hunt in the Lake district, not necessarily for sport, but out of necessity. They believe that it is the only way of dealing with the fox as a predator.

I want to say a few words about how the fox is a predator in the Lake district and, I presume, to some extent in other national parks. Every year, farmers telephone the local hunt in my own and neighbouring constituencies and ask those in it to clear the fells of the fox. They do so because they are worried about lamb losses. Over the years, the anti-hunting lobby, of which I would generally form a part, has argued that it is untrue that foxes take lambs. I have seen lambs that have been taken by the fox. It often happens in my constituency. I cannot allow the debate to proceed on the basis of something that I know to be untrue.

There is adequate evidence that, in the Lake district, on the fells, the fox takes the lamb. I am told by those who support the Bill that the way to deal with the problem is to shoot the fox, but I invite my hon. Friends to think through the implications of shooting in the Lake district post-Cullen, because people are moving from handguns to rifles. They are holding them legally. There is a great danger that people will come into the national park with rifles under the pretext that they are shooting foxes, and there will be an accident, possibly in an area where tourists are using the countryside tracks.

The House should remember that we are also considering introducing right-to-roam legislation, to increase access in areas where there are many tourists. It is quite wrong for Parliament to carry through legislation that will in effect allow people to carry guns into the heart of my constituency. I am arguing for an exemption in national parks, because, historically, the fell packs have had a useful role to play. We are not talking about what I call social hunting in the national park, with people galloping around on horses, wearing red coats and blowing horns, although on occasion they do blow horns. We are talking about packs with only two or three people on foot, with dogs—packs that are called out by farmers to clear the fells, especially during the lambing season. That is what I am seeking to protect through my new clause.

I understand that the right hon. Member for Penrith and The Border (Mr. Maclean) will argue against my case, on the basis of what happens over the border in areas outside the national park. That is for him to argue; I am protecting the foot packs that exist in the national park. Many of his constituents in the Blencathra hunt, which is based in his constituency, look favourably on my new clause, because they believe that it is the only way to proceed.

Mr. Tony Baldry (Banbury): I seek your guidance, Mr. Deputy Speaker, as this is a wide group of new clauses, which range from the national parks to new clause 19, which is—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael Lord): Order. It is for the Chair to decide on those matters. The hon. Member for Hove (Mr. Caplin) should not intervene in that way.

Mr. Baldry: New clause 19, which stands in my name, relates to hunting where shooting is impractical. I seek your guidance, Mr. Deputy Speaker, on whether it is your intention that we should debate the new clauses in this group, which are rather diverse, clause by clause, or will you allow us to debate all six new clauses?

Mr. Deputy Speaker: Madam Speaker has already dealt with that in part. The new clauses were grouped in this way so that the debate can range over all of them. We shall eventually vote on new clause 1. Whether the House divides on the other new clauses will depend on how the debate has proceeded.

Mr. Baldry: I was not asking about voting so much as introducing—*[Interruption.]*

Mr. Deputy Speaker: Order. Hon. Members can discuss any of the new clauses that are grouped in this way.

Mr. Baldry: In that case, I shall speak to new clause 19, which stands in my name. I am not sure why hon. Members on the Government Benches are so restive. Some of us sat for many weeks in the Standing Committee that considered the Bill, and for many weeks the Committee did not progress further than line 1 of clause 1. We were then confronted with the extraordinary situation whereby the Bill was effectively rewritten. The Bill before the House today consists almost entirely of new clauses, which were not before the House on Second Reading, so it is not unreasonable that we should turn our attention to these issues.

Mr. Tom King (Bridgwater): May I be clear about this, as it is alleged that filibustering might occur today? My hon. Friend said that in Committee it took many weeks to reach the second line of the Bill, but is it not true that the filibustering that took place in Committee was by the Bill's supporters, not its opponents?

9.45 am

Mr. Baldry: My right hon. Friend is correct. The House and the country can draw its own inferences from the fact that those of us who were opposed to the Bill played an intelligent and constructive part in the Committee's proceedings, because, if passed, the Bill will be part of the criminal law of this country, so it is important that Parliament should get it right. It was a frustrating role, because for many weeks it was clear that the supporters of the Bill did not wish to make progress, simply because they wanted to hog the Committee's time.

Mr. Garnier: Does my hon. Friend recall that not only did the hon. Member for Worcester (Mr. Foster) encourage filibustering tactics throughout the first five sittings of the Committee, during which we discussed only the first two lines of the Bill, but he then tabled amendments and voted against them?

Mr. Baldry: Absolutely. If ever there were evidence of the tactics that the hon. Gentleman adopted, it is that he tabled and voted against his own amendments, which was pretty bizarre.

Mr. Douglas Hogg (Sleaford and North Hykeham): Will my hon. Friend remind the House how long the Committee spent on the first two lines of the Bill?

Mr. Deputy Speaker: Order. Before the hon. Member for Banbury (Mr. Baldry) responds, there is little point in going over the time that the Committee took. Will he now address himself to the new clause before the House?

Mr. Baldry: I hope that I shall dispatch the new clause much more speedily than the time it took the Committee to get through line 1.

Clause 3(1) provides that a

"person does not commit an offence . . . if he uses a dog to stalk a wild mammal . . . for the purpose—

(a) of obtaining"—

Mr. Michael Heseltine (Henley): On a point of order, Mr. Deputy Speaker. In respect of your ruling, I am at a loss to understand the dilemma that my hon. Friend faced. I understand that the Bill is regarded by its proponents as a matter of some urgency, and that they feel, perfectly legitimately, that there is a strong case that the law should be changed. I heard my hon. Friend refer to the public being able to draw inferences from the delays. I am not sure what inferences he is talking about. I was hoping that he could explain to the House the inferences that members of the public might be able to draw.

As I understand your ruling, Mr. Deputy Speaker, you think that my hon. Friend should not legitimately explain what went on in the Standing Committee. The purpose of today's exercise is to report the Committee's proceedings to the House, and people like me have come here with a relatively open and detached mind on these matters. I cannot do my constitutional duty and reach a proper and detached judgment on which way to vote—in the event of any votes being reached—unless I am allowed to listen to members of the Committee explain precisely why a Bill that was so urgent when it left the House became so dilatory in Committee. We could have dealt with this urgent matter many weeks ago, so will you, Mr. Deputy Speaker, allow my hon. Friend—

Mr. Deputy Speaker: Order. I have already dealt with that point of order. The purpose of today's proceedings is to discuss the new clauses before the House.

Mr. Baldry: The 14 new clauses that now form part of the Bill were not before the House on Second Reading, so we are considering an entirely new Bill today. The Committee having spent so many weeks considering just line 1, the Home Office panicked and had to rewrite the Bill entirely.

Mr. Nicholas Winterton (Macclesfield): On a point of order, Mr. Deputy Speaker. I am concerned by what my

[Mr. Nicholas Winterton]

hon. Friend has just said. I was under the impression that this was a private Member's Bill, yet we hear that the Home Office is responsible for a massive redraft. I hope that, in what has so far been an excellent speech, my hon. Friend will explain precisely what has happened for the benefit of the House, which is very interested in private Members' Bills. He says that much of what we are now debating did not exist on Second Reading or in Committee. The House has a role to play in scrutinising not only what has happened, but the detail of the new clauses.

Mr. Deputy Speaker: Hon. Members may refer to those matters, but only in so far as they are relevant to the new clauses before us.

Mr. Baldry: The clauses before us are all new and, as I am sitting next to my hon. Friend the Member for Macclesfield (Mr. Winterton), who chairs the Procedure Committee, I should tell him that although the Government claim to be neutral on the Bill, when they saw that the way in which it was drafted by the hon. Member for Worcester was such a complete and utter shambles—a dog's breakfast—they felt beholden at least to put some order into it and redraft it. I suspect that it is for the Procedure Committee or some other Committee of the House to decide whether it is appropriate for the Government to profess to be neutral, while helping hon. Members by drafting their Bills.

Mr. Michael Colvin (Romsey): My hon. Friend would be the first to acknowledge that there are such things as private Members' Bills in the form of Government handouts. I took through the House a private Member's Bill that was essentially a Government Bill and assisted the Government in getting their business on the statute book, when there was not enough parliamentary time for them to do so themselves. Does my hon. Friend suggest that the Bill, in its present form, is effectively a Government handout?

Mr. Baldry: I can report only that the Bill consists almost entirely of new clauses written by parliamentary draftsmen on behalf of the Home Office.

Conservative Members who, at some time, had the opportunity of serving in the previous Government, know that when Ministers introduce new clauses, they have the benefit of notes on clauses. A Committee usually has the benefit of notes on clauses, too, because, as a courtesy, Ministers make them available to members of the Committee. This situation is truly bizarre, because the Minister concerned wanted to remain neutral and did not even give the notes on clauses to the promoter of the Bill. Thus parliamentary draftsmen handed to the Minister new clauses that he did not understand, and the Minister handed the new clauses to the hon. Member for Worcester, who understood them even less, so neither was in a position to explain them to the Committee. They were totally unable to explain to the Committee the meaning of simple English legal words such as "permit" or "allow".

Mr. Garnier: My hon. Friend is being a little unfair on the Minister, who sat patiently—he was probably suffering from great frustration—as he listened to the hon. Member for Worcester (Mr. Foster) attempt to explain what the Bill was about. I appreciate that it was a difficult task. However, the Minister moved away from his neutral position when he voted in favour of an amendment that introduced the concept of intention into the hunting issue. He should be congratulated on that, because he was brave enough to move away from the Government line, to attempt to improve the original clause 1, which has long since disappeared from the Bill. I suspect that that vote was the genesis of the complete redrafting of, and the throwing away of much of the rubbish in, the original Bill. I therefore hope that my hon. Friend will not be quite so cruel to the Minister.

Mr. Baldry: I like the Minister. He is a nice guy. I make no complaint against him, but it was his misfortune to be on the Bill. Because he was desperately trying to maintain his neutrality, he kept secret from the Committee all the notes on new clauses from which the Committee would normally benefit.

Mr. Michael J. Foster (Worcester): On a point of order, Mr. Deputy Speaker. We have been listening to the speech of the hon. Member for Banbury (Mr. Baldry) for some 14 minutes and he has yet to discuss the new clause. I wish to know when he will address the new clause.

Mr. Deputy Speaker: That is a matter for the Chair.

Sir Peter Emery (East Devon): On a point of order, Mr. Deputy Speaker. Will you make it absolutely clear to everybody in the House that any reference to the new clauses, whether in Committee or elsewhere, is in order?

Mr. Deputy Speaker: Provided that hon. Members refer their remarks to the new clause under discussion, that is correct.

Mr. Baldry: I was surprised by the point of order from the hon. Member for Worcester, because I and other members of the Committee listened to him with great courtesy week after week, hour after hour, yet he does not have the patience to listen to me for just 14 minutes.

Mr. Ian Bruce (South Dorset): My hon. Friend is not being totally fair to the Home Office. The Home Secretary made it clear to *The Daily Telegraph* and *The Times* that he had nothing to do with drafting the Bill. We know that the Home Office has given a handout Bill, but the Home Secretary says that it has nothing to do with him. Moreover, we do not even have an Agriculture Minister on the Government Front Bench—

Mr. Deputy Speaker: Order. Before the hon. Member for Banbury (Mr. Baldry) responds, I repeat that I should be grateful if he would now deal with the new clause before the House.

Mr. Baldry: Clause 3(1) provides that

"A person does not commit an offence . . . if he uses a dog to stalk a wild mammal . . . for the purpose . . . of obtaining food for human consumption . . . controlling the number of a particular species in a particular area, in order to safeguard the welfare of that species . . . if he takes reasonable steps to ensure that the wild mammal is shot as soon as possible".

Under the clause, if a dog is used to stalk a wild mammal, steps must be taken to shoot the wild mammal as soon as possible, so it follows that a dog must not, in any circumstances, be allowed to kill it. However, the Bill permits dogs to be used for certain purposes.

10 am

Mr. James Gray (North Wiltshire): We must get to grips with the use of the word "dog". Is my hon. Friend aware that a dog is something other than a hound, and that the animals that we are discussing should properly be called hounds? The Bill's title is incorrect.

Mr. Baldry: My hon. Friend may wish to develop that point later, but the lack of understanding of how the countryside works among the supporters of the Bill has characterised proceedings.

Mr. John Gummer (Suffolk, Coastal): I was not a member of the Committee, so will my hon. Friend explain whether it discussed the clause? Currently, one can allow a dog to chase and kill rats. Under the Bill, would one now have to shoot the rats? Are rats more appealing than any other animal to the Bill's promoter?

Mr. Baldry: It is clear that the Bill allows the hunting of rats and rabbits with dogs, but not of hares or foxes. The Bill should be entitled, Some Wild Mammals (Hunting with Dogs) Bill. It is difficult to find any intellectual justification for hunting some wild mammals with dogs, but not others.

Mr. Hogg: My hon. Friend has referred the House to the exemption in clause 3(2), and to the word "shot". As I understand it, the protection provided by clause 3 applies only in the limited circumstances there set out. He will know that some wild animals, such as hares, are often dispatched otherwise than by shooting when removed from cover, perhaps by being struck on the head with a stick. Is not clause 3(2) ineffective in providing the protection that one assumes the Home Office intends to confer?

Mr. Baldry: None of the Home Office's new clauses was examined with the care with which they should have been, because the Committee spent so many weeks considering the first line of the original clause 1. The promoter of the Bill was keen to rush through consideration of the 14 new clauses so that the Bill could reach Report today, otherwise we would have had a rather dull Friday. The Bill has monopolised Standing Committee C, so no other private Member's Bill is in Committee. As my right hon. and learned Friend said, the exemptions are limited and have not been discussed thoroughly.

Clause 3(1)(a) and (b) provide a complete defence for the sport of stag hunting in the west country, but not for fox hunting when a fox is killed by hounds above ground. Stag hunting contrasts with fox hunting, because the hunted animal is shot with a shotgun at close range when it is at bay, which is the first opportunity to shoot it at such a range that its immediate death, by a clean and painless kill, is assured, and when it does not present a moving target. That fully meets the requirements of clause 3(2).

When the Home Office redrafted the Bill, the promoter of the Bill may not have realised that clause 3(2) provided a defence of stag hunting, but it clearly does so, in the normal use of English law and language. In contrast, foxes do not stand at bay at any time or for any reason. Thus, they seldom present a stationary target for shooting, and are never still when aware of a human presence. Shooting foxes is impractical, and fox hunting when a fox is killed above ground could never meet the requirements of clause 3(2).

The purposes of stag hunting in the west country are covered by clause 3(1)(a) and (b), and the purpose of fox hunting is covered by clause 3(1)(c), yet fox hunting would be made illegal and stag hunting not. That is another example of the Bill's illogicality. Clause 3 refers to "a dog", and hunting involves a number of hounds, as my hon. Friend the Member for North Wiltshire (Mr. Gray) has made clear. However, section 6 of the Interpretation Act 1978 provides that in any Act, words in the singular include the plural, and words in the plural include the singular. Under the Bill, however impractical or inhumane it may be, foxes could be controlled only by shooting.

Mr. Gummer: Who will decide the moment at which it is appropriate to shoot? My hon. Friend sensibly said that the appropriate moment in a stag hunt is when a stag can assuredly be shot. The Bill does not deal with the issue of who decides the appropriate moment. Stags have been hunted for many centuries, so people know what is the appropriate moment. Could someone tell a huntsman, "You had a chance to shoot the stag 25 minutes ago. Because you did not do it then, you may not do it now"?

Mr. Baldry: My right hon. Friend makes a good point, which applies to several issues dealt with by the Bill.

The Bill provides for severe criminal sanctions. If it becomes law, magistrates will have to make value judgments in difficult circumstances. As a lawyer, I am concerned that owners or occupiers would be committing an offence if they permitted hunting on their land. Not only would the Bill criminalise everyone involved in field sports; it could put every farmer in the country in jeopardy. In Committee, the Bill's promoter and the Minister were unable to explain the meaning of the word "permit". Would farmers or landowners be committing an offence if they actively did not prevent a hunt from taking place on their land?

My right hon. Friend made the good point that it will be extremely difficult for people to know whether and at which moment they are committing an offence. We are dealing with natural events, which humans cannot always control.

Mr. Nicholas Soames (Mid-Sussex): May I draw to my hon. Friend's attention a matter that touches on the point made by the hon. Member for Workington (Mr. Campbell-Savours)? Keepers may be out night after night with a rifle, trying to shoot a fox that is doing demonstrable damage to lambs or ground game. Could the right time for the keeper to shoot be defined, or does my hon. Friend agree that, as the hon. Gentleman said, foxes are most effectively dealt with in such circumstances by the fell packs?

Mr. Baldry: My hon. Friend makes an extremely good point. The Bill has been drafted by people whom I suspect

[Mr. Baldry]

have little understanding of how the hunt and the countryside work. It is being promoted by people who represent urban constituencies and have urban values. They want to impose their urban values on the countryside.

Mr. Nick Hawkins (Surrey Heath): My hon. Friend has raised a point that worries me, as a lawyer—the question of "permit" and the potential criminal penalties that might be visited upon some farmer or landowner who has not been involved in any activity. Are not Labour Members being intolerant? It is noteworthy that many of those in the House today are new Labour Members. At the same time as they seek to destroy the privilege of an Englishman's home being his castle by supporting the right to roam, they want to impose criminal sanctions on landowners and farmers who may not have been involved in any activity. Is not it the criminal sanctions that are of particular concern to law-abiding farmers and landowners?

Mr. Baldry: It is staggering that the potential jeopardy in which the Bill will place every farmer in the country has not been picked up by the media and is not fully understood throughout the country. It should be, because under the Bill, many of the masters and fellows of a number of Oxford and Cambridge colleges are likely to find themselves up before the beak.

I can hardly believe it, but it is obvious that there is no understanding among Labour Members of the fact that one can have an interest in land other than as an owner or occupier. No Labour Member appears even to have heard of the Law of Property Act 1925, under which lords of the manor retain the hunting rights over considerable tracts of land. If hunting takes place on that land, will lords of the manor—many of the titles have been flogged to Americans—be liable to criminal sanctions? As my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) said earlier, enormous numbers of people will be in jeopardy under the Bill, on terms and in circumstances that are unclear.

Mrs. Angela Browning (Tiverton and Honiton): As my hon. Friend knows, I was not a member of the Committee. Earlier, he mentioned shooting at night. How will the Bill impact on current legislation dealing with night shooting licences? He, like me, served as a Minister at the Ministry of Agriculture, Fisheries and Food, which issues the licences. Will there be a huge new bureaucratic system, whereby people will have to apply for more night shooting licences, with all the bureaucracy that that entails?

Mr. Baldry: If my hon. Friend were to ask the hon. Member for Worcester about night shooting licences, I suspect that he would not have the foggiest idea what my hon. Friend was talking about. The hon. Gentleman did not have the benefit of notes on clauses, but he wanted to rush through the Bill. I shall gladly give way to him if he wants to tell me what night shooting licences are—but in fact on this matter, like on many others relating to the countryside, he has no knowledge.

Mr. Garnier: My hon. Friend mentioned the lack of understanding among Labour Members who represent urban areas. I want to correct him on that point. Although Labour Members may be urban folk, there are still plenty of people who live in towns who perfectly understand the case that my hon. Friend is making. Many of the people who come to Leicestershire to hunt live in London or other conurbations. I hope that my hon. Friend will not fall into the trap of saying that this is a country versus town issue; it is a liberty of the subject issue, among many others. I am sure that my hon. Friend will take that into account in the remainder of his remarks.

Mr. Baldry: Throughout the Committee proceedings, my hon. and learned Friend demonstrated that he was much more inherently fair-minded than me.

Mr. Colvin: One of the most notable absentees from the Labour Benches is the Minister of Agriculture, Fisheries and Food. My hon. Friend referred earlier to fell hounds. One of the most famous packs of fell hounds—John Peel's hounds—comes from the Minister's constituency, so if anyone should be participating in this debate, it is he.

Mr. Baldry: I do not think that MAFF—where I served until the election—has had any involvement in any stage of the Bill. Therefore, there has been no advice from anyone who has any understanding of the government of the countryside.

10.15 am

Mr. Gummer: Another notable absentee is the hon. Member for Middlesbrough (Mr. Bell), who speaks on behalf of the Church Commissioners. No one seems to have noticed that under my hon. Friend's interpretation of the Bill, there is no doubt that the Archbishop of Canterbury could be in jeopardy—*[Interruption.]* It is a serious matter. The hon. Member for Worcester (Mr. Foster) and, even more, the Home Office that has helped him with the total recasting of the Bill, are in a difficult position. If the Archbishop of Canterbury and other leading prelates are to be arraigned before the courts because someone has inadvertently shot—

Mr. Deputy Speaker: Order. Interventions are going wider and wider of the mark. I ask the hon. Member for Banbury (Mr. Baldry) to stick to discussing the new clause.

Mr. Baldry: Indeed, Mr. Deputy Speaker—

Mr. Hogg: My hon. Friend referred to MAFF. He will be aware of the precise terms of new clause 1 and new clause 7, which I tabled. Both new clauses suggest that hunting should be permitted in the interests of husbandry, as broadly defined. Would it not be of enormous convenience to the House to have a spokesman here from MAFF, who could tell us whether we are right to think that there are circumstances in which good husbandry requires fox hunting?

Mr. Baldry: A number of other new clauses probe whether such advice could be obtained.

Mr. Geoffrey Clifton-Brown (Cotswold): My hon. Friend was developing an important argument in response

to the intervention from my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), namely, that the Bill—in particular, clause 8—would impose what some would call very draconian criminal sanctions. My hon. Friend's new clause 19 specifically refers to an offence being committed by "the owner or occupier". Surely, as we emerge into the 21st century, we all believe that a wild animal has the right to be humanely dispatched—and the person most likely to be sufficiently skilled to dispatch that animal is the keeper or person charged with killing it, not the owner or occupier, who may be opposed to hunting but allow it on his land to control an animal that is creating a nuisance.

Mr. Denis MacShane (Rotherham): On a point of order, Mr. Deputy Speaker. Is there anything in "Erskine May" that would allow you to stop this absurd and undemocratic filibustering by Conservative Members?

Mr. Deputy Speaker: That is not a proper point of order.

Mr. Baldry: My hon. Friend the Member for Cotswold (Mr. Clifton-Brown) made a sensible point

At the heart of the debate is the fact that many of us—as my hon. and learned Friend the Member for Harborough (Mr. Garnier) said, town dwellers as well as country dwellers—actually understand how the countryside works and has evolved over many centuries. Keeping control of pests has evolved over many centuries, as has doing so humanely. The Bill was drafted in haste. It contains severe criminal sanctions that will not benefit anyone.

Mr. Christopher Gill (Ludlow): If I understand my hon. Friend correctly, the burden of his argument is that the Bill has been badly drafted. New clause 1 refers to hunting with dogs. Does my hon. Friend agree that, in general parlance, a dog is taken to be the male of the canine species? Therefore, if the Bill as it stands is enacted, there will be a total exemption for hunting with bitches. *[Interruption.]* I am fascinated by the mirth of my colleagues. If the Bill's supporters fully understood what the Bill was about, they would surely understand that basic difference and rephrase the Bill accordingly.

Mr. Deputy Speaker: Order. We are not debating the Bill in general: we are debating new clauses.

Mr. Baldry: As the Bill's promoter finds it difficult to tell the difference between a dog and a hound, I am not surprised that he cannot tell the difference between a dog and a bitch.

Mrs. Browning: The point referred to by my hon. Friend the Member for Ludlow (Mr. Gill would surely not be acceptable to Labour Members, because it would allow no gender balance.

Mr. Baldry: A shot at a fox from anything other than close range, particularly when it is moving, is difficult. It would be impossible to ensure a clean kill, and a shot is likely to cause injury and extreme suffering. That applies even to gun packs in Wales, where the fox is flushed from cover by hounds and fired at with a shotgun while it is in motion.

Sir Nicholas Lyell (North-East Bedfordshire): My hon. Friend's point is central to the new clauses. Clause 3(2) of the redrafted Bill states:

> "Subsection (1) applies to a person only if he takes reasonable steps to ensure that the wild mammal is shot as soon as possible after it is located or emerges from cover."

Subsection (1) is the anti-hunting provision. New clause 6 deals, in part at least, with the issue of gun packs. What is the attitude of the Bill's supporters, in so far as my hon. Friend has been able to divine it from Committee, on gun packs and the issue of culling foxes, partly by the use of hounds or dogs and partly by shooting? It is totally unclear to me—

Mr. Deputy Speaker: Order. The right hon. and learned Gentleman's intervention is becoming a speech. He must be brief.

Sir Nicholas Lyell: I fully accept that, Mr. Deputy Speaker, and I shall finish in a few words. Could my hon. Friend answer that important question?

Mr. Baldry: I do not think that the Bill's supporters have applied their minds to the issue of gun packs.

The Bill was running out of time in Committee, and the Home Office told its supporters, "The Bill as drafted is such a mess that we cannot let it return to the House. The only way in which it can make progress is by the acceptance of all the new clauses." There are 14 new clauses, and this is the first time that the House has seen them. Because of the conduct of the Bill's supporters in Committee, they ran short of time and, despite the agreement of those who opposed the Bill—the sittings motion, for example, could have taken us through the night, and we were perfectly co-operative on that—issues such as gun packs were not properly debated. My right hon. and learned Friend is right to say that the Bill's supporters never turned their minds to these issues. It would be interesting to hear whether the Bill's promoter and his supporters can coherently and intelligently explain any one of their proposals.

Mr. Patrick Nicholls (Teignbridge): Is not the problem that my hon. Friend is trying to find the Bill's rationale, particularly in the context of new clause 1, but that the hon. Member for Workington (Mr. Campbell-Savours), when moving new clause 1, gave the game away by justifying it not in terms of animal husbandry or animal welfare, but by saying that we need not worry about the new clause, because it would not involve people dressing up and riding around on horses? Is not class bias the key to the Bill and to that new clause?

Mr. Baldry: One of the more bizarre features of the Bill is that throughout its long time in Committee, the hon. Member for Worcester said many times that he was a keen angler. We were never able to establish why field sports should be regarded as "cruel" while angling was

[Mr. Baldry]

not. How can one philosophically justify one but not the other? We were told by the hon. Gentleman and by others that it was because field sports—

Mr. Deputy Speaker: Order. The hon. Gentleman is again going wide of the mark by dealing with a matter that would have been more appropriate on Second Reading. Will he please return to the new clauses?

Mr. Hogg: On a point of order, Mr. Deputy Speaker. My hon. Friend the Member for Banbury (Mr. Baldry) said that 14 new clauses that were not envisaged on Second Reading have been introduced. You will wish to take that into account when considering whether there should be a stand part debate on every clause. I hope that you will give full weight to what my hon. Friend said, namely that—

Mr. Deputy Speaker: Order. We do not have stand part debates on new clauses.

Mr. Baldry: The only way to minimise the possibility of a fox being injured is to use a rifle to shoot it when it is unaware of the presence of the shooter, who must be a skilled and experienced marksman. That is the only humane way to kill a fox. *[Interruption.]* I am not sure why Labour Members think that the humane killing of foxes is a matter for laughter. We are debating serious issues, and people might be put in jeopardy. The fox can be shot humanely only when it is unaware of the marksman's presence and is motionless, and that be done only at long range. Even in ideal circumstances, there is not a 100 per cent. guarantee of a clean kill, as I am sure many of my hon. Friends who are experienced marksmen will agree.

Mrs. Ann Winterton (Congleton): My hon. Friend's point goes to the heart of the argument. In stag hunting, the stag is brought to bay and can be shot cleanly because it is standing still. I spoke to some of my farmers last weekend, and we discussed the shooting of foxes by rifles. They said that they thought that less than a third could be killed cleanly. That is probably too high an estimate. What about the other two thirds of foxes, which could be wounded and left to die a lingering death? Are not people concerned about that?

Mr. Baldry: Apparently not. My hon. Friend makes a good point. The Bill, if passed, will cause an enormous amount of unnecessary suffering and cruelty in the countryside. I hope that hon. Members and those outside understand that.

Mr. Mike Hancock (Portsmouth, South): I am interested in the clean kill syndrome. I do not know how many times the hon. Gentleman has been at a hunt, but has he been present when there was not a clean kill? What happens to the fox at such times?

Mr. Baldry: The hon. Gentleman should address the issue that fox hunting has managed over the years effectively to control a pest. If he thinks that marksmen in the countryside seeking to pick off foxes at long range with high-powered rifles is a better way to control the fox population, that demonstrates how little he understands the countryside.

Mr. Soames: Although I am a keen shooter, I have never shot and would never shoot a fox. Can my hon. Friend envisage a fox obediently and politely standing still while it is shot or does he anticipate, as I think he does, that someone trying to kill a fox will lie up somewhere and take pot shots at a moving target at a range of possibly 300 to 400 yd? However good and experienced a marksman someone may be, he will not kill a fox—he will wound it, if he even hits it. May I tell my hon. Friend that much the most effective way of controlling the fox population remains hunting with hounds?

Mr. Baldry: I would go further than that, in developing my hon. Friend's point, and say that, in some instances, the use of a rifle is plainly unsafe. It is obviously unsafe to use a rifle where there are footpaths, roads, walkers, farm labourers or buildings that may be out of the sight of marksmen.

Mr. Peter Luff (Mid-Worcestershire): Before my hon. Friend moves on to his point on the safety of other people using and living in the countryside, may we return to the issue of bitch packs? I do not know whether that is a serious issue, but one of the hunts in my constituency uses a bitch pack. After killing a fox, bitches typically do not eat the carcase; they cleanly kill the fox and leave it there for the huntsmen to pick up. Many of the foxes that huntsmen pick up have serious injuries from bad shooting.

10.30 am

Mr. Baldry: I have absolutely no doubt that that is correct. It should be evident to every hon. Member that no fox will stand still and invite a shooter to shoot it, and that, if one attempts to shoot a moving target, the chances of a clean kill are minimal.

Mr. David Prior (North Norfolk): Does my hon. Friend agree that not rifles but shotguns will be used to kill foxes, and that nothing could be more cruel or give a fox a worse death than shooting it with a shotgun?

Mr. Baldry: That is absolutely right.

Mr. Colvin: In the interests of saving the time of the House—[HON. MEMBERS: "Oh."] I shall make only this intervention, which will save my having to make a speech. The point that is being made is valid. During consideration of the anti-fox hunting Bill tabled by the hon. Member for Hull, North (Mr. McNamara), the point was made that, that year, the Cambridgeshire hunt had kept a statistical record showing that 40 per cent. of foxes killed were suffering from gangrenous gunshot wounds. It is worth putting that percentage on the record.

Mr. Baldry: I agree; the point is well made.

Mr. Ian Bruce: Will my hon. Friend give way?

Mr. Baldry: I am sure that other hon. Members would like to speak to this group of new clauses, so I must make some progress.

If there is to be a right to roam, there may be many areas where ramblers are walking—quite properly and lawfully—and they could be vulnerable to being shot by a rifle. Powerful rifles have a range that could exceed three miles. A shot can be fired that finishes outside the range of the human eye. In more densely populated parts of the country—where people, animals, cars and buildings can be concealed from view—the danger caused by stray bullets and ricochets need only be imagined. Shooting could pose a significant risk of property damage, and even of human injury or death.

Thus, there are areas in which it is impossible, impractical or unsafe to shoot foxes effectively and humanely. In those areas, shooting will be either impossible, dangerous or inhumane. A wounded mammal's suffering is very great—far greater than that which would be caused even by illegal means, such as gassing or poisoning. Wounded foxes suffer prolonged pain and stress for hours, days or even weeks. They die, eventually, from gangrene or starvation.

It could be suggested that foxes should be trapped or snared. The law requires that traps or snares be inspected every 24 hours. In 24 hours, the stress suffered by a wild animal held captive in unnatural surroundings is extreme. There have been cases in which snared foxes have bitten off their trapped legs to get free. Moreover, the use of such traps and snares poses a danger to other species, such as badger, deer and otter, and even to farm animals such as sheep and lambs, which are to be protected. In such areas, the safest and the most efficient and humane method of control is to hunt the fox with dogs and hounds, and to allow the hounds to kill the fox—which they can do instantly. Consequently, there is no suffering, and no danger to the public.

I therefore hope that the House, in considering this group of new clauses, will carefully consider new clause 19.

Mrs. Llin Golding (Newcastle-under-Lyme): I wish to speak to this group of new clauses, but especially to new clause 3, which deals with mink. Although I was not a member of the Standing Committee, I read with interest all its proceedings. I should, therefore, like to correct a misapprehension about my hon. Friend the Member for Vauxhall (Kate Hoey) and myself, which was expressed in Committee by my hon. Friend the Member for Brigg and Goole (Mr. Cawsey). He said:

"Neither of them represent a rural constituency . . . their views are not valid because they come from areas where . . . the need for hunting is not understood."

He went on to say:

"in terms of the Bill they could be likened to the dogs involved, inasmuch as they seem to be barking on this issue."—[*Official Report, Standing Committee C*, 28 January 1998; c. 123.]

The ancient borough of Newcastle-under-Lyme, which I am proud to represent, has nine parish councils, three of which are in my constituency. Until recently, we had a cattle market. Indeed, the office of the National Farmers Union is in the town centre, and I often meet its representatives. They would be very interested in the observation by my hon. Friend the Member for Brigg and Goole that we are not a rural constituency. They would also wonder why I am barking, and why I regularly meet them to discuss rural issues. If my hon. Friend cannot recognise where the countryside is, no one should take any notice of his views on it, as he is incapable of dealing with the matter comprehensively.

New clause 3 deals with the protection and conservation of our wildlife. In Standing Committee, no one on either side of the argument disputed the fact that mink are vicious creatures and need to be controlled. No one disputed the fact that they kill indiscriminately; neither did they challenge the evidence that I produced on Second Reading of the devastation caused by mink to the bird colonies of black-headed gulls, common gulls and common terns on islands in Scotland. Neither did they challenge the newspaper report in the *Evening Courier (Halifax)* of a cat torn to pieces by a mink. People who love cats—there are many cat lovers in this country—should take note of this Bill and of the need to protect cats.

The Committee also did not deal with the case of the two children's guinea pigs, one of which was killed outright, whereas the other's face was so badly torn that it had to be put down. Neither did Committee members deal with the case of the woman who told of savage attacks on her ducks and chickens, which were her livelihood. It did not deal with the fishery manager who estimated that, in two years, he had lost to mink more than £1,000-worth of fish, most of which were left to die with fins torn off and lumps bitten out of them.

The Committee also did not have any response to the Royal Society for the Protection of Birds, which said in a letter to me that

"many birds are destroyed by mink and . . . the problem is perhaps out of control."

I emphasise the words "out of control". The Committee also did not deal with the leaflet from the Game Conservancy Trust which, in recognising the serious problem, said that more attention should be given to mink control. Therefore, I am not alone in thinking that mink should be controlled.

All those matters were ignored in Committee—they were neither disputed nor discussed. Committee members who supported the Bill decided that there was no need for mink control.

I have, therefore, had to table new clause 3, which deals with the conservation and protection of wildlife. Subsection (2) of the new clause states:

"Any person hunting mink under subsection (1), should take all reasonable steps to avoid unnecessary damage to habitat or wild life."

Of course! But which group is more likely to take those reasonable steps than mink hunters—who really care for wildlife and are doing something to preserve it?

Mr. Soames: Does the hon. Lady agree that many local councils and other bodies that are responsible for good order on river banks are extremely grateful to mink packs for the work that they do in keeping the river banks a better and safer place?

Mrs. Golding: I entirely agree with my hon. Friend. I have a letter from East Dorset district council, which has congratulated the mink hounds group in the area on helping it to control the mink population on the Moors Valley river. The council found that the mink were getting out of control and called in the hounds. In fact, they managed to catch a fair number of mink. Some people might think that the hounds do not catch mink, but I have here the record of one of the hunts which shows how many have been caught and how our wildlife has been preserved.

[Mrs. Golding]

Subsection (3) of new clause 3 states:

"When any otter is located during the course of hunting all dogs under the control of the person hunting shall be withdrawn from the vicinity immediately."

That is the rule of the organisations involved and it already happens.

Mr. Gray: Would the hon. Lady care to comment on the Wildlife and Countryside Act 1981, under which it is not illegal to hunt an otter, but just illegal to kill one? The reason is that it is extremely difficult to ascertain whether one is hunting an otter or a mink. Has the hon. Lady given any thought to how a hunt would ascertain whether it was hunting a mink or an otter and, in particular, how it should proceed if it discovers that it may be hunting an otter?

Mrs. Golding: As I understand it, the hunt examines the tracks of the animal, and if there is any possibility that the animal is an otter, the hounds are immediately withdrawn.

Subsection (4) states:

"Hunting of feral mink shall not be permitted in any area certified by the Environment Agency or the Scottish Environment Protection Agency as unsuitable for hunting".

Who could dispute that? There can surely be no argument abut it. If certain areas are protected, there should be no hunting there.

Mr. Garnier: The hon. Lady is making a thoughtful speech, and I congratulate her on it. I advise her not to be too discomfited by the hon. Member for Brigg and Goole (Mr. Cawsey). He appointed himself as the official cheeky chappie of our Standing Committee. I urge her not to be too concerned by what he had to say at any stage.

Subsection (3) deals with otters. In Committee, the hon. Member for Basildon (Angela Smith), who is one of the sponsors of the Bill, alleged that mink were under threat from otters because otters hunted and killed mink. I am reasonably sure that the hon. Member for Newcastle-under-Lyme (Mrs. Golding) knows rather more about the subject than the hon. Member for Basildon. Will she comment on the hon. Lady's allegation?

Mrs. Golding: Certainly I can comment on it. I read the Committee proceedings closely. The hon. Lady did indeed say that, but when challenged by the hon. Member for Montgomeryshire (Mr. Öpik), she immediately changed her mind, so I am not sure whether her views are valid. I thank the hon. Member for Montgomeryshire for his gallant protection of myself and my hon. Friend the Member for Vauxhall.

Mr. Lembit Öpik (Montgomeryshire): The hon. Lady is most welcome; it was the least I could do for such honourable Members.

Mrs. Golding: The hon. Gentleman follows in the footsteps of his predecessor.

Mr. Hogg: The hon. Lady was setting out the purpose of subsection (4) of new clause 3, and I entirely understand what she has in mind. Does she consider, should the Bill go any further—to another place, for example—that there would be merit in amending subsection (4) so that if there was a refusal by the Environment Agency or the Scottish Environment Protection Agency, there could be an appeal to a magistrates court or Crown court? Otherwise, the absolute say rests with the agency, and that may be deemed to be unsatisfactory.

Mrs. Golding: I thank the right hon. and learned Gentleman, but subsection (4) provides that the relevant agency should control the mink in such areas by other means. That puts the onus on the agency, so I think that the point is well covered.

Subsection (5) states:

"For the purpose of this section 'owner' shall include riparian owner."

There can surely be no dispute about that.

The Bill is supposed to deal with the protection of our wildlife, among other things. If we do not destroy mink, they will destroy our wildlife.

10.45 am

Kate Hoey (Vauxhall): Will my hon. Friend say a little about the suffering that mink will undergo if an alternative method such as caging is used? How likely is it that the mink will suffer even more? Some hon. Members who were anti the factory farming of mink for fur said that caging animals made them go mad and that they suffered enormously. How does my hon. Friend think that caging compares to hunting with dogs in terms of cruelty?

Mrs. Golding: I certainly do not want to follow that line of inquiry; it goes rather wide of the Bill. However, trapping can by its very nature be destructive. Traps have to be examined once every 24 hours and recharged with fresh meat, otherwise the mink will not go near them. People claim that hounds destroy and disturb wildlife on the river banks, but having traps on the river banks means that people have to trample the land every day, which is even more destructive.

Mrs. Browning: I agree with the hon. Lady. Does she agree that on average a mink hunt—I have one in my constituency—will, in a season, cover some 800 sq km and that the equivalent in terms of trapping costs alone would be about £200,000?

Mrs. Golding: Yes, those are the figures that I have been given. There is also a problem with trapping in that it is absolutely useless in tidal waters, as I am sure the hon. Member for Montgomeryshire will confirm. Keepers on the River Dovey say that they cannot trap mink because of the tidal waters.

Mr. Öpik: I can confirm that. There is an emphatic belief that the Bill would herald the end of much other wildlife due to the proliferation of mink in that neck of the woods, were it to be passed in its current form.

Mrs. Golding: I understand that mink go through the water no more than twice in any season, which I would not regard as a disturbance of the wildlife.

I hope that new clause 3 will be accepted. It deals with the protection and conservation of our wildlife and with the people who go out in all weathers to control mink, which are vicious and unnecessary and do nothing but damage our wildlife.

Mr. Öpik: I served on the Standing Committee, and I have to say that I am glad that I am not the hon. Member for Worcester (Mr. Foster). Like him, I am a member of the class of 1997, but I believe that his job has been immeasurably more difficult than mine as he is the promoter of this Bill. Things have been a bit strained from time to time, which is hardly surprising, but I am sorry to say that the debates have at times got a bit personal. The issue should not be personal, despite its very strong emotive elements and the feelings that it arouses on both sides of the debate.

In speaking to new clause 6, I hope to reaffirm that my motive is sincerely to create good legislation and proper reform.

Mr. Garnier: The hon. Gentleman and I both served on the Standing Committee. On the subject of being personal, will he join me in thanking the hon. Member for Knowsley, South (Mr. O'Hara), who chaired the Committee ably and with great good humour during the eight or 10 weeks that it sat? He was sometimes assisted by my hon. Friend the Member for Hertford and Stortford (Mr. Wells) and the hon. Member for Argyll and Bute (Mrs. Michie).

Mr. Öpik: I echo the sentiments expressed by the hon. and learned Gentleman. All hon. Members who served on the Committee have sincerely held views which they expressed with a good deal of humour. I do not question the motives of the hon. Member for Worcester or organisations, such as the League Against Cruel Sports, that worked on the Bill. My argument with the hon. Member for Worcester relates to the content of the Bill and not his reasons for introducing it.

Let me explain my reasons for introducing new clause 6. Gun packs are an absolutely vital and central element in the rural activities that I have observed in Montgomeryshire and mid-Wales. The new clause seeks to modify the regulations proposed in the Bill to make them more workable. I do not disagree with the reference to flushing in the Bill. Last summer, the hon. Member for Worcester listened to my concerns about gun packs and changed the Bill, as then drafted, to accommodate my wishes. I praise him for that. He was willing to listen and was sincere in his desire to draft proper legislation.

Mr. Richard Livsey (Brecon and Radnorshire): As a Member for mid-Wales, I feel that there is no doubt that the arguments that were put to the hon. Member for Worcester (Mr. Foster) were compelling as there is a huge problem of fox infestation within the monoculture of woodlands in mid-Wales, particularly those that have been planted since the war.

Mr. Öpik: I reiterate what my hon. Friend says as his constituency borders mine within Powys. The problems in Montgomeryshire are not confined to mid-Wales, but affect many parts of the United Kingdom, particularly Cumbria, Scotland and other outlying areas. There is a fairly successful long-standing tradition of gun packs stretching across the United Kingdom to a greater or lesser density, so in speaking for mid-Wales, I am also speaking for other hilly and less accessible parts of the United Kingdom.

Mr. Edward Leigh (Gainsborough): I am extremely worried about the new clause singling out gun packs. Although there may be some controversy about whether hunting purely with hounds controls foxes, it may prevent other more cruel ways of culling foxes. We should remember what Mr. Scott Henderson KC said in his 1951 report to Parliament:

> "We have no hesitation in saying that unless great care is taken shooting may be an extremely cruel method of control."

Will the hon. Gentleman address that point?

Mr. Öpik: Indeed. Without opening up to debate issues that are not currently before us, I acknowledge that many people believe that shooting is more cruel than hunting with hounds. I shall not stray too far from new clause 6, but the argument is that hounds either kill the fox or they do not; there is no halfway house. There is no question of wounding the fox so that it runs off and dies in agony, or even of starvation, having been rendered unable to hunt. My personal view, having seen gun packs in Montgomeryshire, is that an expert gun pack involving sufficient numbers of individuals, by and large gets the fox straight off. Having said that, the central point is what happens if the fox is wounded and runs away.

Mr. Hogg: I support what my hon. Friend the Member for Gainsborough (Mr. Leigh) said. Apropos of the use of gun packs, does the hon. Gentleman agree that if people use shotguns to shoot foxes, it is vital that they use a very heavy load of shot and do not use the same shot that they use for pheasants or birds generally?

Mr. Öpik: There is a belief that a massive attack of that nature is more likely to achieve a result straight off than using a narrower-bore shotgun. Having said that, I am not an expert in ballistics and there are probably others here today who could furnish the House with more detailed information.

Mr. Soames: Perhaps I can help the hon. Gentleman. I am sure that any gun pack would seek to use BB shot, which is a heavier shot with 11 pellets per cartridge. That is a very heavy load indeed, and is the absolute minimum requirement to knock over a fox. Will the hon. Gentleman clarify another point? Although new clause 1 seeks to confine the activity to national parks, it has almost the same effect as new clause 6 in that it refers to packs that exist solely to help farmers control the fox because of the very real damage that it does to the land. Does he also agree that many gun packs, when finding a fox in a thick wood, will chop the fox on the spot, so it will never get out? Indeed, it will be killed in cover.

Mr. Öpik: I thank the hon. boffin—the hon. Member for Mid-Sussex (Mr. Soames)—for his education about ballistics. I shall address his second point in just a moment. First, let me explain why I am taking so many interventions. As hon. Members know, I have always believed that sensible interventions add value to the debate. It is not my intention to delay the House unduly.

[Mr. Öpik]

I shall now answer some of the points that have been made about why I, along with the hon. Members for Vauxhall (Kate Hoey) and for Mid-Worcestershire (Mr. Luff), have tabled new clause 6. The Bill is not about whether or not we should permit the killing of foxes, although the debate sometimes strays into that territory; it is about the process that should be used to cull foxes. I cannot place too much emphasis on that distinction, which is crucial to our debate. I would like to believe that hon. Members on both sides of the argument support the hon. Member for Worcester in his desire to ban inhumane and barbaric activities from the countryside. It goes without saying that there is a need for definition and that is the grey area that we are discussing today.

Nevertheless, the debate is not about whether or not foxes should be killed. All three major political parties in the United Kingdom accept that, in certain circumstances, there is justification for killing foxes. That point was recorded on a number of occasions in Standing Committee. In that context, the entire debate revolves around how it should be done.

Let me explain what gun packs are and how they operate as that is fundamental to the new clause.

Mr. Hancock: Is my hon. Friend seriously suggesting that hounding an animal across the countryside and allowing it to be torn apart by dogs is not barbaric?

Mr. Öpik: Once again, I am referring only to gun packs—*[Interruption.]* I shall give way to my hon. Friend so that he can clarify his point.

Mr. Hancock *rose—*

Mr. Deputy Speaker: Order. The hon. Member for Montgomeryshire (Mr. Öpik) is quite correct. He must stick to the new clause.

Mr. Hancock: I am grateful to my hon. Friend for taking a further intervention. He was making a point about the style of death involved and suggesting that shooting animals could lead to a fox dying a pretty barbaric death. I was trying to draw a comparison between what happens when an animal is shot and possibly wounded, and what happens when an animal is chased across the landscape by hounds and then torn apart in an obscene and barbaric way.

Mr. Öpik: I do not want to deviate too much from the new clause, but as I always try to answer direct questions directly, perhaps I shall be forgiven if I take 30 seconds to address my hon. Friend's point. No doubt we shall return to the specific issue that he raised about hunting with hounds and killing foxes when we debate other clauses and amendments.

In my view, however, the emotive language that my hon. Friend the Member for Portsmouth, South (Mr. Hancock) used emphasises a problem that we have had throughout the debate. The debate tends to shift from philosophical consideration of the moral right of animals to be treated in a certain way into the domain of feelings and emotions. I do not blame my hon. Friend for having feelings and emotions on this matter, but I believe that it is unhelpful to shift from one to the other in the process of a logical argument.

Mr. Colvin: Will the hon. Gentleman give way?

Mr. Öpik: I see that you would like me to move on, Mr. Deputy Speaker, but I shall give way, and take the risk that the intervention will be regarded as out of order if it concerns hunting with hounds.

11 am

Mr. Colvin: My intervention concerns shooting. My hon. Friend the Member for Gainsborough (Mr. Leigh) mentioned the Scott Henderson report. I refer the hon. Gentleman to that report, because I believe that it answers the question that he was asked. The Scott Henderson report, to which members of the Royal Society for the Prevention of Cruelty to Animals contributed, concluded that any method of controlling foxes would involve some cruelty, whether it was hunting, shooting, trapping, gassing, snaring or poisoning—some of which methods were illegal anyway—but that, of those methods of control, hunting involved less cruelty than any other method. That was confirmed by the Phelps report of 1997.

Mr. Deputy Speaker: Order. We are again going very wide of the mark.

Mr. Öpik: I remind hon. Members on all sides of the debate that when we eventually discuss other groups of amendments, we can have a full debate on this subject in order and to your satisfaction, Mr. Deputy Speaker.

Mr. Livsey: I want to concentrate on the point that my hon. Friend is making. References to the Scott Henderson report and speech do not address the fact that, in the part of the world that we come from, there has been widespread planting of softwoods since 1951, and in some parts, the woodland is so dense that foxes can be controlled only with gun packs.

Mr. Öpik: I thank my hon. Friend for his contribution, which provides me with a convenient way in which to return to my main arguments.

Before our little canter through hunting with hounds, I was about to describe, for the benefit of the House, what gun packs mean. The response that I have had from less rural areas suggests to me that there is a public perception that fox hunting means putting on a red coat, sitting on a horse and chasing off into the countryside with a sherry in one's hand, until some poor fox gets torn to pieces by hounds. However that may be in certain parts of the United Kingdom—

Mr. Clifton-Brown: To return to a serious point—the point that I was making in relation to what my hon. Friend the Member for Banbury (Mr. Baldry) said—I am anxious that all wild mammals should be dispatched as humanely as possible. New clause 6 speaks of gun packs being registered with any fox control association. Will he explain how that association is likely to be constituted? I am very worried lest packs of cowboys travel around the country, wounding foxes.

Mr. Öpik: That is a useful and valid intervention, and I shall answer it briefly now, in the belief that I can return

to the subject if I catch your eye, Mr. Deputy Speaker, when we debate another group of amendments. I agree with the hon. Member for Worcester in his desire to reform the process of hunting, and I believe that the creation of a regulatory authority will be a crucial element in such reform—[HON. MEMBERS: "Not reform—abolition."] I would attest to the House that abolition is an extreme version of reform.

For the effective implementation of my proposal in new clause 6, it would be very helpful—perhaps essential—to have a regulatory authority that had the trust of the majority of people on both sides of the debate. I do not pretend that, even with the proposal in new clause 6, we could necessarily satisfy the requirements of the extremists on either side in this debate, but I would be satisfied if the regulatory authority had the confidence and trust of the House and of the general public, many of whom are sympathetic to what the hon. Member for Worcester is trying to do.

I shall now define gun packs and what they do. In essence, a gun pack consists of a group of individuals, with a pack of hounds, who go out usually into quite inhospitable, hilly terrain, where it would not be easy to use horses or any approach other than travel on foot, to locate foxes and shoot them. The hounds come into the process because they are sent in to flush from cover the foxes, which are then shot, usually by a fairly large number of individuals bearing shotguns.

It is clear to me that, in Montgomeryshire, where I have had most experience of observing these matters, gun packs are well-organised groups. They tend not to practise other types of fox hunting, such as hunting on horseback—or, indeed, running to ground and digging out, which is yet another process that we are likely to discuss in a future debate. Gun packs tend to consist of non-professionals—usually farmers. Often there is a hunt master, who exercises a professional or semi-professional capacity during the hunt and, usually, looks after the pack.

The hon. Member for Workington (Mr. Campbell-Savours) made a distinction between sport and control. My answer to the question, "Why do they do it? Is it a sport?", is that gun packs' primary motive is not sporting, but a genuine belief that what they do is an effective way in which to control the local fox population.

There is a secondary element, but it is not as much sporting as social. Many people who participate in gun packs live extremely remote lives. They are very isolated, and the opportunity to get together as gun packs—indeed, as foot packs running foxes to ground—forms part of their rural culture. I am pretty convinced that they do not go out with the primary desire to practise what they do as a sport. I am sure that they enjoy some aspects of it, but I have never observed blood lust, and much of the time the interest is more to count the number of foxes that they have got in a year. That is the crucial statistic for gun packs. Their main concern is to consider the number of foxes that the pack caught during the year, rather than the nature of the killing, or how the fox reacted when it was shot.

Mr. Soames: The hon. Gentleman has made the very good point that although, for people living in remote areas, the hunt is an agreeable and convivial gathering, it is essentially for the extremely important purpose of preventing expansion of the fox population, which greatly damages the interests and prosperity of farmers, who are the sole guardians and backbone of the economic situation in the uplands. Will the hon. Gentleman reinforce that point? This is not some sort of love-in; it is an absolutely essential utilitarian operation.

Mr. Öpik: That is a completely fair economic analysis of what the gun packs—I emphasise that I am talking about gun packs—regard as their primary role. The sheep farming industry is the backbone of many of these areas, and they are densely populated by sheep. As the hon. Member for Workington said, unquestionably, foxes take lambs. They also take chickens. Anyone who lives or works in, or represents, a rural constituency knows that. We could debate the numbers, and there is an interesting debate on the percentage of animals taken by foxes, but it is beyond debate that foxes take farm animals.

Mr. Gray: Is the hon. Gentleman aware that the National Farmers Union has said that between 10 per cent. and 15 per cent. of lambs in hill farms suffer because of foxes? Outdoor-reared pigs also suffer. I suspect that many of those hon. Members who are opposed to fox hunting are in favour of outdoor farrowing, but it is meals on wheels for the local fox—as the piglets appear, they are eaten.

Mr. Öpik: The hon. Gentleman is correct, although I do not think that I would have used the same terminology—perhaps the foxes in mid-Wales are not as calculating in their activities.

Gun packs are regarded by the farming unions and farmers as an effective and humane way in which to control the fox population. I believe that such arguments have persuaded the hon. Member for Worcester to include gun packs in his Bill, for which I applaud him. Between 100 and 150 gun packs operate in Wales, and there are others in Scotland, Cumbria and the west country.

Mr. Nicholas Winterton: The hon. Gentleman clearly knows a great deal about gun packs, and his explanation is extremely helpful to the House. Can he say how many times a gun pack kills a fox—that is, the hounds kill the fox before it has broken cover? How many times is the fox, having been flushed out of cover by the hounds and outrun the hunters, marksmen and the shooters, killed by hounds in the open?

Mr. Öpik: The overwhelming proportion of foxes that are killed after being run from cover are, in fact, shot. A small proportion escape—perhaps 5 per cent. to 10 per cent, although I stress that that is an estimate based on my soundings and could be off the mark. Unfortunately, some of those foxes are wounded before they run clear of the gun pack.

Labour Members have often said that I am being used. I emphasise that I do not appreciate the implications of that accusation, which is that my comments are designed to detain the House so that the Bill falls. Whatever hon. Members may think of my argument, I ask them to credit me with the integrity to defend the interests of the people who elected me to the House and to discuss as well as I can matters that are of great importance to them. I shall not respond further to such accusations, except to say that Labour Members grossly underestimate the sincerity of my intention in making these comments.

[Mr. Öpik]

The Bill, as drafted, presents difficulties to gun packs. Although it would permit them to operate, unless it is modified, there will be a double danger that the suffering endured by a fox will be increased. New clause 6 states:

"A person does not commit an offence under section 1(1) if as a member of a gun pack:

(a) he hunts foxes with dogs for the purpose of culling, whether or not foxes are killed by dogs in the process, or

(b) he hunts an injured fox in order to kill it with dogs where it is reasonably believed by the person in control of those dogs to be the most effective method of killing it."

Mr. Campbell-Savours: The hon. Gentleman will lose his seat for filibustering.

Mr. Öpik: I hear the hon. Gentleman say that I will lose my seat. If I lose my seat for trying to act in what I believe to be the best interests of my constituents, I am willing to do so.

Several hon. Members *rose—*

Mr. Öpik: I am not going to give way yet, although I shall in a minute.

Mr. Gray: On a point of order, Mr. Deputy Speaker. Am I right in thinking that the hon. Gentleman is being intimidated by cries from across the Chamber? Is that in order?

Mr. Deputy Speaker: I am quite sure that all hon. Members are well able to look after themselves.

Mr. Öpik: Nevertheless, I thank various hon. Members for their moral support. *[Interruption.]* My point is important, and I think that it behoves hon. Members to listen. In tabling new clause 6, I wanted to modify the Bill profoundly, which—given the way in which the Bill was amended in Committee and what I learned during those debates—I felt was appropriate.

11.15 am

Mr. Owen Paterson (North Shropshire): I am most grateful to the hon. Gentleman, who represents a neighbouring constituency, for giving way. Last night, I talked to the master of a hill pack that operates in both our constituencies, who told me that the Bill would be absolutely devastating for the economy and wildlife in the areas in it hunts. I urge the hon. Gentleman to continue putting his case forcefully and to ignore comments from Labour Members.

Mr. Öpik: I thank the hon. Gentleman for that comment.

Sometimes foxes are not killed cleanly—they escape, having been wounded but not killed. If the fox cannot be pursued by hounds, it will suffer a period of agony before it dies, either from blood loss, damage to the vital organs, an inability to hunt prey or disease. I have seen the corpse of a fox that had escaped the hounds but had died of starvation because the lower part of its jaw had been shot away while it was running away. If hounds are allowed to pursue the fox when the intent is genuinely to kill it with a gun, that would, I suggest, massively reduce the suffering of a fox that had been wounded, but would otherwise escape, as happens in a minority of cases.

More importantly, given that the intention of the Bill is to reduce the pain and suffering inflicted on wild mammals, allowing the hounds to finish the job—as long as that is sensibly regulated—is an entirely reasonable desire for the gun packs to have. That is one reason why a regulatory authority must be trusted and effective, as there could be abuse—every hunting pack in the United Kingdom could suddenly register itself as a gun pack and carry on regardless. A code of practice must be well defined, so that that does not happen.

Some hon. Members may believe that my proposals would weaken or even wreck the Bill. They should consider them from a gun pack's point of view. The overwhelming majority—perhaps all—of the individuals I have met who are involved in gun packs are sincere in their belief that shooting foxes is the best way in which to proceed and to control the fox populations in the areas where they operate. They do not spend their time celebrating the death of a fox and they are not particularly interested in shifting their tactics from shooting foxes to tracking them down with hounds—that is an entirely different approach.

By including new clause 6 in the Bill, we would signal our confidence that people in the countryside act in good faith and that those who are part of gun packs are, by and large, honourable people who are trying to do what they believe is best for the protection of livestock and in the interests of agriculture. The House must debate those issues. I believe that the Bill's measures relating to gun packs are better than nothing, but they do not work in the context of the intentions of the hon. Member for Worcester. Obviously, I would rather have a completely different approach to reforming hunting from that of the hon. Member for Worcester, but we can return to that later.

I believe that my proposal would make the gun packs work. It would be easier to include it now rather than letting the matter go to the courts, which would have to settle all sorts of precedents about whether a gun pack acted intentionally or unintentionally in allowing hounds to chase a fox. More than anything, it clarifies the point that the hon. Member for Worcester is not seeking to curtail the activities of those who sincerely share his view that culling should be done in the most humane way.

Mr. Gray: I have a point that I fear the hon. Gentleman may not make. New clause 6 fits neatly with clause 3 of the Bill as amended in Committee. Would it not be sensible to ask the hon. Member for Worcester (Mr. Foster) to accept it, as it is in much the same spirit as the clause that he drafted?

Mr. Öpik: I would be delighted if the hon. Member for Worcester would accept new clause 6. I have made it known to the Speaker that I would like a separate vote on new clause 6 because it is so different from the general intent of the Bill.

Gun packs are not the preserve of the idle rich nor regarded as a sport by those who use them. They involve no blood lust; it is just how we do things in some parts of the countryside. Whatever happens to the rest of the Bill, new clause 6 and the issue of gun packs are so

distinct from the general thrust of the Bill that they deserve a separate vote. The House's judgment on new clause 6 may be different from its judgment on the Bill. In requesting a separate vote, I am highlighting the desperate worries of many people who have little interest in the rest of our debates, but simply ask for the right to pursue their traditional and, in their view, effective approach to controlling foxes in an area where they believe it is not simply a pastime, but an agricultural way of life.

Kate Hoey: It is with great pleasure that I follow the hon. Member for Montgomeryshire (Mr. Öpik). If some of my colleagues think that there has been filibustering this morning, I refer them to my hon. Friend the Member for Bolsover (Mr. Skinner), who told me earlier that he spoke for three hours to block a private Member's Bill that he felt strongly about. While some hon. Members may be intending to filibuster, the number of interventions is in the nature of a private Member's Bill and reflects how this draconian legislation has been advanced. I pay tribute to the members of the Committee—I was not on it—who tried, in the emotional atmosphere of putting through draconian legislation, to have a genuine debate.

Mr. Garnier *rose—*

Kate Hoey: I shall take an early intervention, but not many more.

Mr. Garnier: I am grateful to the hon. Lady for taking an intervention from a member of the Standing Committee. Does she accept that one reason why so many hon. Members wish to intervene is that the Bill is a different creature from that which we debated on Second Reading? This 14-clause Bill bears almost no resemblance to the original Bill.

Mr. Hogg: Clause 1 was removed.

Mr. Garnier: As my right hon. and learned Friend says, clause 1 was removed. It is a question not of filibustering but of what the new Bill is all about.

Kate Hoey: There is a genuine problem in that the Bill has come back in a very different form from the Bill that went into Committee. There are many new clauses because many hon. Members have been thinking about how we can make unworkable, unenforceable legislation more relevant to the lives of the people who will be most affected by it.

I shall have more to say later on other new clauses, but I have a few words on this one. I agree with the desire of my hon. Friend the Member for Workington (Mr. Campbell-Savours), who moved the new clause, for the exemption of national parks. If he can put a good case for such an exemption, it is clear that there are other areas in respect of which people can put up good cases for exemptions. His new clause shows that the whole Bill is deeply flawed.

I object to the idea—I am sure, knowing him, that my hon. Friend the Member for Workington did not really mean this—that it is all right to kill animals with dogs as long as people are not riding horses and wearing red coats. Some people—I do not include my hon. Friend—who have not looked deeply into the issue, are motivated by the feeling that people in red coats on horses are people whom we should not like because they are part of an era that we want to see no more of. I resent that. I have said many times that I do not hunt, but I know people who do. It is difficult to be in the House and not know someone who hunts. I do not believe that someone who hunts is de facto a cruel person. The Bill's proponents have no right to say that they are cruel people, or they do not believe in animal welfare.

I shall now move on to the new clause.

Mr. Leigh: Would it not help our debates if both sides were more honest and those who support hunting admitted that it not only culls foxes and is a part of country life but a sport, and those who oppose fox hunting admitted that, if it is abolished, foxes would still have to be culled, perhaps in a more cruel way?

Mr. Deputy Speaker: Order. I should be grateful if the hon. Lady did as she said she would and returned to the new clause.

Kate Hoey: Those of us who feel that the debate has become polarised and sterile want some honesty in it.

I agree with my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding), who knows about mink hunting. She represents the views of the people who live where mink hunting takes place.

New clause 25 deals with the licensing of terrier work. I am concerned about some of the things that happen in terrier work attached to hunting. I pay tribute to the National Working Terrier Federation, which has tried hard to get people to understand what it does. The National Working Terrier Federation produced a document, "Hunting with Dogs. A Consultation Paper", which it has just brought up to date. It is important to understand what terriers do because, as the hon. Member for Montgomeryshire said, all parties agree that foxes must be controlled; we are discussing the process. The involvement of terriers is part of the process.

It is clear that, in some areas and instances, the use of terriers is necessary. That does not mean that we cannot control the way that they work and ensure that any malpractice, particularly in the more unofficial use of terriers, can be controlled. The federation was founded in 1984 to promote the efficient and humane use of working terriers for pest control purposes. It is made up of member working terrier clubs, affiliated organisations and individual supporters, and its code of practice and conduct for terrier work is accepted as a measure of good practice, and recognised by most practising terrier men as more comprehensive than any other.

Clearly, no one in an organisation can control all its members. I am especially concerned, now that there are more foxes in our inner cities and other urban areas, about the actions of some of the thugs who have attached themselves to the idea of what they see as a real form of sport and are moving into the inner cities and using dogs to go after foxes at night.

People may say about me, "What does an urban Member know about hunting?" Actually, I know an awful lot about it, but I shall not go into my background again now. Besides, we must face the fact that, in inner cities

[Kate Hoey]

such as London, foxes are becoming a major pest and will have to be controlled. We shall have to find ways of dealing with them.

11.30 am

I do not suggest, as the hon. Member for Worcester (Mr. Foster) implied, that we should have a Vauxhall hunt, but we shall have to consider the issue seriously and find ways of dealing with it. At first, people in inner cities are happy to see a fox, and they encourage it, but within three or four days, two weeks at most, they see the reality of what foxes can do. The House will have to address that problem in some way at some stage.

Our new clause would allow foxes to be dug out only under licensing arrangements—arrangements that we should have to work out with the National Working Terrier Federation. There is no point in trying to enact legislation to control some of the practices now taking place in the countryside unless we get the vast numbers of people now engaged in those practices to work with us—and that has not been done.

We shall talk more about that aspect later, but it is nonsense that a piece of draconian legislation can be going through the House without one Select Committee report or any independent inquiry since 1951, and without any real consultation with the people, whether one likes them or not, whose lives have been involved with those activities and whose jobs could be at risk. That is the reason—a reason that has nothing to do with filibustering or with the strength of people's feelings—why the Bill will not work and cannot be allowed to go through.

New clause 25 refers to licensing arrangements involving the Secretary of State. I am afraid that, with the Bill, we are giving the Home Secretary a huge amount of work to do, whether it goes through in its present form or in the form that we suggest—or at all.

Mr. Nicholas Winterton: Will the hon. Gentleman give way? [*Laughter.*] I am sorry, I meant the hon. Lady. I am grateful to the hon. Lady, the Member for Vauxhall (Kate Hoey), for giving way to me. Will she confirm that the overwhelming majority of people involved in fox hunting, whether they hunt to eradicate a pest or for sport, fully support regulations on terrier work? That includes the Masters of Fox Hounds Association. They all want to eradicate what, unfortunately, does happen in a small number of cases.

Kate Hoey: I forgive the hon. Gentleman for his mistaken impression of my sex.

Before Second Reading, I was not involved with any of the lobby groups on either side but, since then, I have been surprised and impressed by the genuine willingness of people who hunt to consider measures to control some of the excesses, and to recognise that the number one priority must be animal welfare. I wish that some—only some—of the people who are adamant about banning hunting with dogs really thought about the subject from an animal welfare point of view as much as the hunters do.

Mr. Ian Bruce: Will the hon. Lady give way?

Kate Hoey: No, I shall not give way any more, because I want to finish this section of my speech.

Obviously, there must be discussion about what is to go into the licence. Our suggestions are not prescriptive; they are simply some ideas:

"The conditions attaching to licences for terrier work shall be established by the authority, but shall include—

(a) a prohibition on the use of hard or baiting dogs;

(b) a provision that foxes bolted using terriers . . . shall normally be despatched with a suitable firearm and by no other means; and

(c) a requirement"—

that is already happening in terrier packs associated with some of the better hunts—

"for all dogs used for this purpose to be fitted with electronic locators to establish their position underground".

Mr. Gray: I entirely support the principle behind the new clause, but may I suggest two amendments that the hon. Lady might want to suggest if the Bill goes to another place? First, she uses the expression "terrier packs", but that is inaccurate, because there is no such thing as a terrier pack. I believe that, under MFHA rules, one can use one terrier, or two, on some occasions, so that expression may need amending.

Secondly, subsection (4)(b) of the new clause refers to foxes having been "bolted" before being dispatched. That is an unfortunate juxtaposition of words, because one cannot bolt a fox. More often, a fox will be dispatched having been cornered in the earth rather than having bolted.

Kate Hoey: That shows how difficult it is to deal with a complex and complicated issue in a sensible way. In other debates, we shall talk about independent inquiries, and so on, because they represent the way forward.

Mr. Ian Bruce: Will the hon. Lady give way?

Kate Hoey: I shall, because I did not give way to the hon. Gentleman before—but this must be the last time.

Mr. Bruce: I am grateful to the hon. Lady, because I wanted to find out whether she had had any intelligence from the Home Office about what is happening in the review of people's ability to own guns. Clearly, that is crucial. There may be legislation telling people that they will have to use guns to control foxes, yet the Home Office may shortly say that most people will not be allowed to have rifles or shotguns.

Kate Hoey: I have been much too busy in the past two days to have discussions with any of my colleagues on that issue.

I support the range of new clauses. They all have different aspects and claim rights for particular areas and groups. I hope that the House will have the opportunity to vote on some of them separately, because it is important that we should be able to register separate votes on separate new clauses.

Mr. Hogg: I want to say a few words about new clause 7, but before I do so I shall repeat what I said on Second Reading: I am whole-heartedly against the Bill. I oppose it root and branch. I do so because I think that it is a monstrous infringement of civil rights. That is the basis on which I oppose it. None the less, I have to contemplate the possibility that the House may approve the Bill and

send it to another place. On that basis, and that basis alone, I have tabled many new clauses and amendments, and wish to speak to them.

I shall begin by commenting on what the hon. Member for Workington (Mr. Campbell-Savours) said about new clause 1. In that new clause, he has accepted the principle that it is important to retain fox hunting for some classes of animal husbandry, but he has confined that exemption to sheep farming. I know of no reason so to confine it. Once one accepts the principle that it is right to use fox hunting as a means of controlling foxes preying on livestock, it is wrong in principle to confine the exemption to sheep farming. That is why I tabled new clause 7, which would extend the range of husbandry for which fox hunting may be retained.

Mr. Gray: I find myself in the curious position of having my name alongside that of the hon. Member for Workington (Mr. Campbell-Savours) in proposing new clause 1. It refers specifically to sheep in the context of national parks because the largest animal group in agriculture is sheep. I have not discussed this with the hon. Gentleman, but I dare say that, if the Bill goes elsewhere, we might consider other amendments to extend the clause into other areas of agriculture, such as pigs or poultry.

Mr. Hogg: My hon. Friend is wise in what he says, and I imagine that the hon. Member for Workington will pay great attention. However, two other problems are associated with new clause 1.

Mr. Desmond Swayne (New Forest, West): May I draw to the attention of my right hon. and learned Friend a problem with the new clause? The key question is whether it applies to the New Forest in my constituency. Although it is not defined as a national park in accordance with the 1947 legislation, the New Forest heritage area enjoys the benefits of planning policy guidance note 7. In other words, in planning terms, it has the benefits of a national park. If the clause does not apply to the New Forest, why on earth not?

Mr. Hogg: My hon. Friend makes an important point, which brings me to my second criticism of the new clause. It is reflected in my new clause 7, one of many which the Madam Speaker was good enough to select. No principle that I can readily identify justifies confining the exemption to national parks. The principle is whether we need fox hunting to maintain good husbandry. Whether the land is in a national park is neither here nor there. When my hon. Friend the Member for North Wiltshire (Mr. Gray) and the hon. Member for Workington reflect on that point, they might like to extend new clause 1 to provide an exemption in respect of all animal husbandry and to remove that part of it which confines it to national parks.

It is dangerous to confine the clause to national parks. By the nature of things, fox hounds run. They are no respecters of the boundaries of national parks, and it would be a total nonsense if people had an exemption for fox hunting while they remained within the national park but committed a criminal offence as soon as they crossed the boundary.

Mr. Tim Collins (Westmorland and Lonsdale): May I suggest another reason why the new clause may have been tabled by the hon. Member for Workington (Mr. Campbell-Savours)? He knows that the Bill is about as popular as the black death in the Lake district. In my constituency, 80 per cent. of votes at the last general election were cast for candidates publicly committed to opposing such legislation. Does my right hon. and learned Friend agree that, if the hon. Gentleman does not succeed with the new clause, he should, by right, oppose the Bill in its entirety?

Mr. Hogg: My hon. Friend is wholly right. The hon. Member for Workington—with whom I have served in this House for nearly 20 years—is a man of principle. By proposing new clause 1, he is conceding the principle of fox hunting. He has tried to restrict it, for the reasons that he has explained, but he has admitted the justification of principle.

I have talked about husbandry and national parks, and I wish to record my dismay that the Minister of Agriculture, Fisheries and Food is not in his place to advise the House on the matter. I also record my dismay that the Secretary of State for the Environment, Transport and the Regions, who is responsible for national parks and the environment, is not in his place to assist the House on the application of new clause 1.

11.45 am

Mr. Nicholas Winterton: My right hon. and learned Friend has drawn attention to the nonsense of permitting hunting merely in national parks. While they are running, hounds are no observers of whether or not the land over which they are running is in a national park. In addition, the boundaries of individual farms do not coincide with national park boundaries. Is it right that lambs and sheep in a national park should have a degree of defence against foxes as predators, while those located just outside the national park should not have the same defence?

Mr. Hogg: My hon. Friend makes a yet more subtle point than perhaps he fully appreciates. Within a national park, there will be a number of farms—some with sheep, some not. What is being contemplated in new clause 1 is that, provided that the objective is the preservation of sheep, no offence is committed. As my hon. Friend rightly observes, fox hounds are no respecters of boundaries. They could cross from a farm within the national park where there are sheep to a farm within the national park where there are no sheep. The latter farm will probably have no protection.

Mr. Garnier: Surely the problem is not the ability of the hound to ascertain the boundary of a national park, but the fox, which is the pest and attacks livestock. The fox is no respecter of boundaries either.

Mr. Hogg: That is quite right. The trouble is that it is not the fox which is prosecuted, but people like my hon. and learned Friend.

Sir Nicholas Lyell: My right hon. and learned Friend has dealt with matters of principle in relation to the new clauses and the other clauses that provide exemptions from the prohibition of hunting. Does not clause 2(b) already reflect the principle that he seeks? The Bill is not against the hunting of mammals, and it expressly permits the hunting of mammals provided that the mammal is a

[Sir Nicholas Lyell]

rabbit or one of the many types of rodent. It also provides for the concept of dogs or hounds running from land on which one is permitted to hunt to neighbouring land. Will he develop that point in support of his argument?

Mr. Hogg: My right hon. and learned Friend makes two important points. The first goes to the question of principle. What distinction of principle is there between rabbits and rodents on the one hand and foxes on the other? I see none. I suspect that, in the Labour party, there is a dislike of fox hunters, but that is not a distinction of principle—it is an unworthy prejudice.

Mr. John Hayes (South Holland and The Deepings): That point has been made by a broad coalition of people who oppose the Bill. People with a long history of concern for wildlife have picked up on that inconsistency. I am thinking of the hon. Member for Vauxhall (Kate Hoey) and my old friend James Barrington, who has written wisely on this matter. Those inconsistencies have brought together a wide range of people to oppose the Bill.

Mr. Hogg: My hon. Friend is entirely right. It is no accident that every Conservative Member of Parliament representing Lincolnshire takes the view articulated by my hon. Friend.

Mr. Hawkins: Does my right hon. and learned Friend agree that it is particularly peculiar that there should be a suggestion that rats and rabbits can be hunted but not foxes, when anyone who lives in the countryside and has seen sheep attacked by a fox knows that the fox is the most dangerous of the predators in the group?

Mr. Hogg: My hon. Friend is right. Two principles emerge from what he has said. First, there is no conceptual difference between foxes on the one hand and rodents and rabbits on the other hand. Secondly, one must infer from what my hon. Friend has said that there is a great deal of ignorance among Labour Members of the facts.

I shall refer briefly to new clause 6 and then move on to the grouping. Before doing so, I shall make a final observation on new clauses 1 and 7. If the House were foolish enough to pass an exemption that had an application only within national parks, what would be the position of farmers in the immediately adjoining areas? There would be a high degree of displacement, over a period, of foxes from within national parks to adjoining farms.

I move on to new clause 6—

Mr. Ian Bruce: Before my right hon. and learned Friend does so, I have a query for him. I am grappling with the Bill and I want to use his expertise. In new clause 7, my right hon. and learned Friend has the term that someone

"uses a dog for the control of foxes".

Is there an evidential link? If there are 100 people and 100 dogs in a field and a hound goes off and kills a fox, how is that hound being used by an individual? I can see no evidential link. If I were a magistrate or judge trying to work out how that person had used the dog when the dog was merely following its instinct, where would I find an evidential link?

Mr. Hogg: If one were sitting in a judicial capacity, one would ask what measure of control the individual being prosecuted retained over the hound or dog in question. If it could be said that there was real control over the dog or hound by the person being prosecuted, there would be "use" for the purpose of new clause 7 and, no doubt, that of the hon. Member for Workington.

New clause 6 relates to gun packs. I have no personal experience of gun packs, although I do know of them. I am framing my remarks in the context that I am against the Bill overall but, if we must have it, we need to retain gun packs. The hon. Member for Montgomeryshire (Mr. Öpik) has been good enough to acknowledge already that, if gun packs are to be retained, as has been emphasised already by my hon. Friends, including my hon. Friend the Member for Gainsborough (Mr. Leigh), those who shoot foxes with a shotgun must use a heavy load of shot.

I have shot a good deal in my life. I do not shoot as much now as I used to—mainly because I am going deaf and not for any reason of principle. I have seen foxes shot at and shot. It is a dismal performance. Frequently, foxes are wounded only to escape and die of gangrene. I hope that anyone who follows the arguments of the hon. Member for Montgomeryshire on gun packs will recognise the vital importance of using a heavy load of shot.

I say to the hon. Member for Montgomeryshire—not in a critical spirit—that I am cautious about the licensing concepts that he has embodied in his new clause. I am against excessive regulation and I do not know what particular authority the associations to which he has referred may possess.

All right, if we must have the Bill, we have gun packs. However, the principle that justifies gun packs also justifies fox hunting. I am much in favour of fox hunting in preference to other forms of control.

Mr. Öpik: The right hon. and learned Gentleman having raised the issue of licensing, let me say that I accept that there would be a great deal of work to do to make it workable, effective and, more than anything, fair. That would be the debate to which we should move once we had completed work on the Bill.

Mr. Hogg *rose—*

Mr. Gray *rose—*

Mr. Hogg: I give way to my hon. Friend.

Mr. Gray: I am grateful to my right hon. and learned Friend for giving way. I merely want—

Mr. Deputy Speaker: Order. There cannot be an intervention on an intervention.

Mr. Gray: My right hon. and learned Friend leapt up and then resumed his place. I was keen, Mr. Deputy Speaker, to keep myself in order.

My right hon. and learned Friend was talking about the use of shotguns for culling foxes after they had been flushed, using the Welsh gun packs. Does he agree that there is a significant and worrying trend, which is that people are talking about marksmen using high-powered rifles for the culling of foxes after they have been flushed out of deep cover by gun packs? That form of culling would be almost impossible to carry out, especially at night. There would be significant difficulties, at least in Wales, where the risk of ricochet could lead to inadvertent injury to bystanders. We should all be concerned about that.

Mr. Hogg: I do not pretend to have a knowledge of gun packs. Therefore, what I am about to say is not an informed view. However, I think that it is probably right. I should not think that rifles could be used safely in the context of a gun pack because of the long range of rifles. I possess a .22 and I am careful where I use it. I should think that, with gun packs, one could use only shotguns with a heavy load because of the limited range. Rifles are to be used in a wholly different context—for example, shooting foxes at night under licence. I should not recommend—I do not think that the hon. Member for Montgomeryshire does—using rifles with gun packs.

Mr. Ian Taylor (Esher and Walton): My right hon. and learned Friend is again touching on a point of principle about the role of the fox, and in my view the fox is vermin. In areas that are not as rural as many of the areas in his constituency, such as my constituency in Surrey, there is the problem of the urban fox. It would be helpful if he were to clarify the issue. There must be varied ways of controlling the fox population. Sometimes, those who oppose hunting foxes with hounds forget that the fox is vermin. They have no answer when questioned about how they would cull the fox. It needs to be made clear that the objective is to keep down the fox population. There is no reason in principle why hunting with hounds should not be one such method.

Mr. Hogg: My hon. Friend is entirely right. There must be a variety of ways in which we confront the problem of foxes where it occurs. I cannot say that I have addressed the subject of how we should deal with foxes in urban areas. Clearly, that would not involve the use of fox hounds, at least to any measurable extent. Nor, I suppose, could it involve the use of firearms of any sort. I suppose that we come down to trapping and poisoning, neither of which is an attractive option.

I move on to the grouping of the new clauses, Mr. Deputy Speaker, and make a respectful observation. Before I do so, however, I should say that the entirety of the clause that we are debating is different from the clause that was discussed on Second Reading. Clause 1 was rewritten in Committee. It follows from that that the House collectively has never debated the contents of clause 1 as it now stands.

Sir Nicholas Lyell: My right hon. and learned Friend is making an important point of principle, and I should be grateful for his help. It seems that clause 3(2) shows that the promoter and supporters of the Bill recognise that the use of dogs or hounds is necessary for controlling foxes, and that their complaint is the way in which they are used for controlling. Does my right hon. and learned Friend agree with that? Does he regard that as the only substitute for the original gun pack clause that was in the original Bill?

What would my right hon. and learned Friend say about the fact that, as would seem to be entirely sensible and proper—I support the hon. Member for Montgomeryshire (Mr. Öpik)—we need gun packs but that they will no doubt chop or kill a lot of foxes in cover, which raises once again the entire question of principle in relation to the Bill?

Mr. Hogg: My right hon. and learned Friend makes two important points. Anybody who studies the Bill seriously will see that, time and again, there is compromise on the principle. The Bill explicitly recognises the right of people, for a variety of reasons, to kill foxes and, indeed, other wild mammals. Nobody has been able to provide a reasonable explanation why a distinction should be made between fox hunting, shooting foxes or the destruction and killing of other wild mammals. There is no difference of principle.

I think that my right hon. and learned Friend is flattering the supporters of the Bill, because they would not admit any compromise. The Home Office has told the Bill's supporters, "The Bill you've drafted is absurd, and to make it marginally less so, you shall have to move new clauses." That process has exposed the intellectual incredibility of the Bill, to which my right hon. and learned Friend just drew attention.

My final observation is on voting. I made the point that clause 1 has been entirely redrawn and has never been debated by the House collectively. This group contains at least four separate subjects. New clause 1 and new clause 7—

12 noon

Mr. Bennett *rose in his place and claimed to move,* That the Question be now put, *but* MR. DEPUTY SPEAKER *withheld his assent, and declined then to put that Question.*

Mr. Bennett: On a point of order, Mr. Deputy Speaker. I should not want in any way to challenge your ruling, but I ask you to reconsider, before one of my colleagues moves the same Question. The minority has every right to filibuster, but the majority has the right to put the Question after the debate has continued for a reasonable time. I hope that you will agree that that point is rapidly approaching.

Mr. Deputy Speaker: I shall certainly bear in mind, as the debate proceeds, the points that the hon. Gentleman made.

Sir Patrick Cormack (South Staffordshire): On a point of order, Mr. Deputy Speaker. I am grateful for the way in which you reacted but, with great respect, point out that we have debated the Bill for only two and a half hours. The first portion of the debate was taken up—quite properly—by the hon. Member for Workington (Mr. Campbell-Savours) in moving his new clause. We are debating a wide group of new clauses, covering a number of specific and different issues, and would wish

[Sir Patrick Cormack]

to vote on a number of those, because of the different subjects that they cover. I urge you to allow us just a little longer to debate these matters.

Mr. Deputy Speaker: I understand the points that the hon. Gentleman has made. That is precisely why I have allowed time for further debate. I suggest that we now get on with the debate.

Sir Richard Body (Boston and Skegness): Further to that point of order, Mr. Deputy Speaker. We have not touched on new clause 3, which is of great importance to an important minority. The subject was touched on only briefly in Standing Committee and on Second Reading, and it is important.

Mr. Deputy Speaker: Perhaps the hon. Gentleman was not in the House; we have dealt thoroughly with new clause 3.

Mr. Hawkins: On a point of order, Mr. Deputy Speaker. I seek your clarification. Am I correct in my understanding that you have said that, because of the large number of different subjects in this group, there will be an opportunity for separate votes, because for those of us who—

Mr. Deputy Speaker: Order. That matter has already been dealt with.

Mr. Hogg: It might be helpful to draw attention to the different subjects covered by this group. New clause 1 was moved by the hon. Member for Workington. I tabled new clause 7. I would have no complaint about there not being a vote on new clause 7.

New clause 3, to which the hon. Member for Newcastle-under-Lyme (Mrs. Golding) spoke so ably, deals with mink. It is a free-standing subject.

New clause 6, which was tabled by the hon. Member for Montgomeryshire, deals with gun packs. Again, it is a free-standing subject. I support what he said about the desirability of a separate vote on that.

The hon. Member for Vauxhall (Kate Hoey) tabled new clause 25, which deals with the terrier pack issue. That is also a free-standing issue. I suggest—it is, of course, at the discretion of the Chair—that you, Mr. Deputy Speaker, allow four separate votes to cover the four distinct issues contained within this group.

Mr. Michael J. Foster: I wish to respond to the points that have been made this morning and, in so doing, shall be as brief as possible.

In response to my hon. Friend the Member for Workington (Mr. Campbell-Savours), the point about national parks was dealt with adequately in Committee, but I wish to re-emphasise the point about the stock losses that are alleged to be suffered in that area. The number of sheep lost is nothing compared with the number of foxes lost through malnutrition, starvation and hypothermia. That is where the priority should be—*[Interruption.]*

Several hon. Members *rose—*

Mr. Foster: I have only just started my speech. I intend to be brief and I shall therefore take no interventions.

My hon. Friend the Member for Workington argued that shooting in the national park areas when hunting with dogs—

Mr. Leigh: On a point of order, Mr. Deputy Speaker. More than a quarter of a million people are affected by the new clauses. During his main speech on Second Reading, the hon. Member for Worcester (Mr. Foster) took hardly any interventions, and now he will take none. That shows his arrogance and his unwillingness to listen to the debate.

Mr. Deputy Speaker: Order. It is for individual hon. Members to decide whether to take interventions. It is not a matter for the Chair.

Mr. Foster: Conservative Members pretend to represent the countryside, whereas we all know that they do not.

Mrs. Ann Winterton: On a point of order, Mr. Deputy Speaker. Is it not a discourtesy to the Chair for an hon. Member to turn his back on you, Mr. Deputy Speaker?

Mr. Deputy Speaker: The Chair will decide what constitutes a discourtesy.

Mr. Foster: In the summer months, when hunting on the fells does not take place with dogs, shooting is the only method available for fox control, and that is when the tourist season is at its height. I therefore dismiss the argument that dogs are necessary and that an unnecessary risk will be imposed on walkers in the national parks.

My hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) dealt with new clause 3 and made a point about mink. Rampaging through water courses and that type of environment will clearly do spectacular damage to wildlife. Interestingly, the new clause that my hon. Friend presented to the House is so carefully drafted that it acknowledges that point in subsection (4), which says that if damage is done to wildlife, the Environment Agency should look at other ways of dealing with mink. If there are other ways of dealing with mink, which save dogs going along, let us have them. People will then not need to hunt with dogs.

The hon. Member for Banbury (Mr. Baldry) made a prolonged speech. In yet another cameo appearance, he turned up briefly, made his speech and skittled off, as he did throughout the Committee stage. When I questioned him about that, he confessed that he was sitting on two Committees at the same time. That shows how much importance he placed on this Bill's Committee stage, and it is a disgrace that he is not in the Chamber now to hear my response.

The hon. Gentleman spoke nonsense about the Bill being entirely new. If one original clause is split into six new clauses, the number of clauses increases, but that hardly makes a new Bill; it simply plays with the format. He also said that we rushed through our business in Committee, yet when I tabled a new sittings motion at the 10th sitting to sit throughout the night and again the following night, Conservative Members skittled off within two hours. Indeed, the hon. and learned Member for Harborough (Mr. Garnier) intervened on the hon. Member for Montgomeryshire (Mr. Öpik) and paid tribute to the

Chair. He should have done that at the end of the Committee proceedings, but he was not there and left it to just one Conservative Member. That is not acceptable.

Several hon. Members *rose—*

Hon. Members: Give way.

Mr. Deputy Speaker: Order. The hon. Gentleman has made it quite clear that he does not intend to give way.

Mr. Gray: On a point of order, Mr. Deputy Speaker. Is it not the convention in the House that an hon. Member gives way when he mentions another hon. Member? The hon. Member for Worcester (Mr. Foster) mentioned my hon. and learned Friend the Member for Harborough (Mr. Garnier), so should he not give way?

Mr. Deputy Speaker: There are conventions in the House, but it is for the hon. Member who is speaking to decide whether to give way.

Mr. Foster: With regard to—

Mr. Garnier: Will the hon. Gentleman give way?

Mr. Foster: I have said that I will not give way.

Conservative Members complained that my right hon. Friend the Minister of Agriculture is not present. They might like to know that he is attending a conference in Paris, discussing global agriculture. I should have thought that the friends of the countryside on the Conservative Benches would applaud his attendance, but the fact that they denigrate it shows how much they care about the British countryside—their remarks are hollow and a sham.

The hon. Member for Montgomeryshire thanked me for giving him an exemption, or, as he put it, granting him a favour. After listening to his contribution, he can rest assured that I shall grant him no more favours.

Gun packs will be allowed to shoot foxes, but allowing their dogs to chase foxes to the point of exhaustion would constitute fox hunting under another guise, which is unacceptable, and such a provision would probably be abused.

My hon. Friend the Member for Vauxhall (Kate Hoey) discussed terrier work, which is one of the most objectionable aspects of hunting with dogs. Masters of fox hounds have told me that they do not like the fact that terriers are stuffed down holes to flush out a fox. If those who organise and take part in hunts and get pleasure from killing wild mammals find terrier work objectionable, so much for the middle ground. Dogs become involved in fights underground or suffocate, and it is unacceptable for any hon. Member to condone such a practice.

Mrs. Ann Winterton: Will the hon. Gentleman give way?

Mr. Foster: I have said that I will not give way.

I urge the House to vote against new clauses 1, 3, 6, 7, 19 and 25.

Mr. Kevin McNamara (Hull, North) *rose in his place and claimed to move,* That the Question be now put, *but* MR. DEPUTY SPEAKER *withheld his assent, and declined then to put that Question.*

Mr. John Greenway (Ryedale): I am grateful for the opportunity to contribute to the debate.

Mr. Clifton-Brown: On a point of order, Mr. Deputy Speaker. The hon. Member for Worcester (Mr. Foster) has not tabled any amendments. He refuses to accept any amendments, which suggests that he has not listened to the debate and is not prepared to admit that the Bill is defective in any way. Is that in order?

Mr. Deputy Speaker: That is not a matter for the Chair.

Mr. Greenway: As I was saying, I am grateful for the opportunity to contribute to the debate on behalf of the official Opposition. The Bill may fail to make further progress, but we must debate the amendments because, as my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) said, it may progress to the other place.

The issues raised in the new clauses demonstrate the impracticality of the Bill's central objective to ban all hunting with dogs. It is open to question whether the measures proposed in the new clauses would meet all the obvious and real concerns, but clearly the Bill would be better if at least some of them were accepted.

As was made clear on Second Reading, the Bill poses an unacceptable restraint on personal liberty and freedom. It is unwise to criminalise an activity and the tens of thousands of people involved in pursuing that activity. They are law-abiding and decent people who are merely pursuing an activity that has been traditional for generations and which, as the new clauses underline, has a clear purpose—the control of pests, such as the fox and mink, and the conservation of the countryside.

12.15 pm

New clauses 1 and 7 provide an exemption for the need to protect sheep farming or animal husbandry in national parks. A large part of the north Yorkshire moors is national park and lies in my Ryedale constituency. I concur entirely with the hon. Member for Workington (Mr. Campbell-Savours) that people in national parks hunt out of necessity. Fox control is crucial to sheep farming, which is an important part of agriculture within all our national parks, which are traditional areas for lambing.

Only this week, a constituent of mine—Lorne Wilkinson, a sheep farmer who has said that I can name him—wrote a moving letter to me about his experiences of using methods of control other than hunting with dogs. While I do not want to detain the House, it is reasonable to mention that on each of the occasions when shooting or snares were used, the result was greater suffering for the fox than would have been the case had dogs been used.

[Mr. Greenway]

My right hon. and learned Friend the Member for Sleaford and North Hykeham asked why new clause 1 includes only sheep. New clause 7 contains the wider definition of animal husbandry. Mr. Wilkinson's experience as a sheep farmer who also has a free-range flock of hens is that the hens, too, are susceptible to the fox and the vixen, sometimes with disastrous results.

The hon. Member for Vauxhall (Kate Hoey) asked why only the national parks are included. New clause 19 deals with similar concerns to those that arise in the national parks, but in the context of the open countryside in general. Although clause 3 effectively grants an exemption for stag hunting, that is of little value when hunting foxes. That matter arises as a direct consequence of the Bill and has been the central issue in the debate this morning.

The Bill recognises the need to use dogs to locate or flush out a fox. The hon. Member for Worcester (Mr. Foster) showed his ignorance of these matters. Locating a fox with a dog is not the controlled and tidy exercise that the Bill suggests. We cannot manage natural instincts quite as precisely as the hon. Gentleman and the sponsors of his Bill pretend. Anti-hunt literature shows that that point is only too well appreciated as it refers to instances of dogs chasing foxes into gardens, public parks, open spaces and, occasionally, on to railway lines. Such an incident occurred in my constituency on Boxing day, when the hounds of the Saltersgate hunt, which hunts on foot in the national park, chased a fox on to the north Yorkshire moors railway line, causing a Boxing day special train to be stopped. The fox was caught and killed instantly by the hounds. Not surprisingly, some of the passengers on the train found that distasteful.

New clause 19 seeks to overcome the Bill's central tenet, because in its present form the Bill outlaws such a practice and it would have been illegal for those dogs to kill the fox, which would have had to be shot instead. That raises the question of public safety, and it is perfectly reasonable to ask whether the train would have had to be evacuated. I doubt that those who found the incident distasteful would have been reassured by the fox being shot rather than being killed by the dogs.

Mr. Gray: My hon. Friend is addressing the Bill's central absurdity—the presumption that, somehow or other, shooting a fox is more humane than killing it with hounds. That is the Bill's absurdity, and it is why the measure must fail.

Mr. Greenway: My hon. Friend makes his own point. My point is that new clause 19 seeks to allow owners and occupiers of land to require the hunt to kill the fox rather than permitting it to be shot. That is the fundamental difference. There is great merit in the proposal by my hon. Friend the Member for Banbury (Mr. Baldry), because the owners and occupiers of land would be responsible for the death or injury of a member of the public or perhaps for a motor accident as a result of activity on land over which they had control. If a landowner is involved in the shooting of foxes, who is liable for death or injury?

Mr. Ian Bruce: My hon. Friend asks whether shooting is acceptable to the public. He may like to know that when a golf club in my constituency decided to shoot some foxes in an urban environment, there was a petition and great protest from my constituents. Therefore, shooting is no more acceptable than hunting to the people who complain about hunting.

Mr. Greenway: My hon. Friend's point is self-explanatory.

New clause 19 would improve the Bill and should be supported. I hope that the House will be given an opportunity to vote upon it at the appropriate time.

Mr. Tom King: My intervention relates to new clause 19. Earlier in the debate, it was said that clause 3 allows stag hunting but prohibits fox hunting. I do not think that the hon. Member for Worcester (Mr. Foster), who may have been engaged on another matter when that was said, registered any reaction to that. He did not allow any interventions in his speech, but if I had been allowed to intervene, I would have asked him whether he accepted that that interpretation was correct. Can my hon. Friend elicit a response from the Minister or from the Bill's promoter as to whether that is correct?

Mr. Greenway: My right hon. Friend makes a telling point. I have studied the matter, and I am simply giving my own interpretation. It seems to me that clause 3 would allow stag hunting to continue in that it is conventional that while the dogs—

The Parliamentary Under-Secretary of State for the Home Department (Mr. George Howarth): To assist the right hon. Member for Bridgwater (Mr. King), I should say that clause 3, as amended in Committee, states:

"A person does not commit an offence under section 1(1) if he uses a dog to stalk a wild mammal, or to flush it from cover, for the purpose . . .

(b) of controlling the number of a particular species in a particular area, in order to safeguard the welfare of that species in the area".

I think that that is the point that the hon. Member for Ryedale (Mr. Greenway) is trying to deal with. I should say also—although the Government are neutral on the Bill—that the situation described by the hon. Gentleman is covered in clause 6.

Mr. Greenway: We have now clearly heard the Government's view that clause 3 would allow the hunting of stags. The central point at issue is that stags are shot after having been located by dogs—I do not have stag hunting in my constituency—whereas in fox hunting, rather the fox being shot, it is normal for the hounds to kill the fox. The point that I am dealing with is the impracticality of someone with a pack of hounds or other type of dogs locating a fox and then expecting those dogs to back off while the fox is shot. That clearly will not happen.

Mr. Howarth: I should point out that clause 3(2) would require that the animal be shot rather than dealt with in some other way. Therefore, the position is not quite as described by the hon. Gentleman.

Mr. Greenway: That is precisely the point that I made—the stag will be shot after having been located by dogs. Presumably, the stag would be used as food, potentially for human consumption.

Mr. Garnier: My hon. Friend candidly admitted that there is no stag hunting in his constituency; neither is

there in mine. My right hon. Friend the Member for Bridgwater (Mr. King) asked about the continuance of stag hunting under the Bill. My hon. Friend might apply his mind not only to clause 3(1)(b), which the Minister quoted, but to paragraph (a). Red deer is delicious to eat. That paragraph would permit the stalking of a wild mammal or its flushing from cover for the purpose of

"obtaining food for human consumption",

although, as the Minister was perfectly correct in saying, only if the hunter takes reasonable steps to ensure that the wild mammal is shot. That is precisely what happens with stag hounds in the constituency of my right hon. Friend the Member for Bridgwater and in other parts of Devon. Therefore, the hon. Member for Worcester (Mr. Foster) has yet to get his head round—[HON. MEMBERS: "Speech."] Is it a speech? Those are words.

Mr. Deputy Speaker: Order.

Mr. Greenway: My hon. and learned Friend the Member for Harborough (Mr. Garnier) has made precisely the point that I was making: to differentiate between locating stags with dogs—

Mr. Nicholas Winterton: Hounds.

Mr. Greenway: Hounds—as my hon. Friend says—and shooting the stags; and the impracticality of using hounds to locate and flush out a fox, and then requiring that the fox be shot. Common sense tells us that hounds will dispatch the fox with all due speed long before people with guns have arrived.

Mr. Peter Atkinson: Like some of my hon. Friends, I am now totally confused about the meaning of clause 3. Like them, I thought that it would permit stag hunting. However, the hon. Member for Worcester (Mr. Foster) shook his head when that provision of the Bill was stated. Will my hon. Friend try to elicit an answer from the Minister or the hon. Member for Worcester on whether clause 3 would or would not allow stag hunting?

Mr. Greenway: The matter is clearly open to interpretation. I am sure that there will be further opportunities for my right hon. and hon. Friends to raise the issue and to seek even further clarification—although one realises the difficulty of doing so when the hon. Member for Worcester refuses to take any interventions.

Several hon. Members *rose—*

Mr. Greenway: I should like to make a little progress, and deal with the major benefit that would be provided by passing new clause 19.

Mr. Heseltine: I have never hunted in my life, but clause 3(2) states:

"Subsection (1) applies to a person only if he takes all reasonable steps to ensure that the wild mammal is shot as soon as possible after it is located or emerges from cover."

However, that could take a significant amount of time because the hounds will have to chase the stag and get it at bay—that is the whole point—where it can be safely shot. The courts will have huge difficulties in trying to interpret whether the shooting took place as quickly as possible. Either the clause is so loosely drafted as to be impossible, or it does not include the possibility of the stag being shot as quickly as possible. Are there to be marksmen trying to shoot the running stag? That is an indication of the nonsense of the clause.

Mr. Bennett *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House proceeded to a Division—

Sir Peter Emery *(seated and covered):* On a point of order, Mr. Deputy Speaker. May I ask you to cast your eye over Standing Order No. 36(1) which clearly states that if a closure is granted, it must not infringe the rights of the minority? Five new clauses are being debated, each with an entirely different subject. That means that each subject has been granted slightly under 35 minutes, which certainly does not seem to be fair or proper. The new clauses were taken together for the convenience of the House, but that should not mean that the rights of the minority are infringed. Might I suggest, therefore, Mr. Deputy Speaker, that we call off the Division and allow the minority a little more than 35 minutes' debate on each new clause?

Mr. Deputy Speaker: The Standing Order gives the Chair the discretion to decide on these matters, and I have decided that I will accept the closure motion.

Sir Peter Emery *(seated and covered):* Further to that point of order, Mr. Deputy Speaker. I see that you did not cast your eye over Standing Order No. 36(1), so may I have your assurance that before we move on to a further debate, you will do so, so that in future we are certain that the point has been taken on board by the Chair?

Mr. Deputy Speaker: I have noted the right hon. Gentleman's point.

Mr. Bennett *(seated and covered):* On a point of order, Mr. Deputy Speaker. Do you not find it remarkable that well over 100 hon. Members have been able to vote in the Aye Lobby, yet it appears that hon. Members are still delaying the vote in the No Lobby? Is not that another example of the filibustering that has been going on today, and will you take steps to ensure that they vote at a reasonable speed?

Mr. Deputy Speaker: It is always essential that Members vote at a reasonable speed.

Mr. Lindsay Hoyle (Chorley) *(seated and covered):* On a point of order, Mr. Deputy Speaker. How long will it take to clear the Lobbies? It seems to be taking much longer than usual.

Mr. Deputy Speaker: I have already dealt with that point of order. Perhaps the Serjeant at Arms will check whether there are any reasons for the delay.

The House having divided: Ayes 186, Noes 60.

Division No. 191] **[12.30 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Atkinson, David *(Bour'mth E)*
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Benn, Rt Hon Tony
Bennett, Andrew F
Betts, Clive
Blizzard, Bob
Borrow, David
Bottomley, Peter *(Worthing W)*
Bradley, Keith *(Withington)*
Brake, Tom
Brinton, Mrs Helen
Burden, Richard
Burgon, Colin
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Davey, Edward *(Kingston)*
Davis, Terry *(Bham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dowd, Jim
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ennis, Jeff
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Gale, Roger
Gapes, Mike
Gardiner, Barry
Gibson, Dr Ian
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grocott, Bruce
Hall, Mike *(Weaver Vale)*
Hancock, Mike
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Linton, Martin
Lock, David
Love, Andrew
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Michie, Bill *(Sheff'd Heeley)*
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morley, Elliot
Mudie, George
Mullin, Chris
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
Olner, Bill
Organ, Mrs Diana
Palmer, Dr Nick
Perham, Ms Linda
Pike, Peter L
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sawford, Phil
Shaw, Jonathan
Sheldon, Rt Hon Robert
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Timms, Stephen
Touhig, Don
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Ayes:
Mr. John Heppell and
Mr. Neil Gerrard.

NOES

Ancram, Rt Hon Michael
Beith, Rt Hon A J
Blunt, Crispin
Body, Sir Richard
Bottomley, Rt Hon Mrs Virginia
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Cash, William
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Emery, Rt Hon Sir Peter
Forth, Rt Hon Eric
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Goodlad, Rt Hon Sir Alastair
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hawkins, Nick
Heseltine, Rt Hon Michael
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Leigh, Edward
Livsey, Richard
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Maclean, Rt Hon David
Malins, Humfrey
Mawhinney, Rt Hon Sir Brian
Nicholls, Patrick
Norman, Archie
Öpik, Lembit
Paice, James
Paterson, Owen
Prior, David
Ruffley, David
St Aubyn, Nick
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Swayne, Desmond
Taylor, Ian *(Esher & Walton)*
Thompson, William
Trimble, Rt Hon David
Walter, Robert
Waterson, Nigel
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim

Tellers for the Noes:
Mr. Peter Atkinson and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Question put accordingly, That the clause be read a Second time:—

The House proceeded to a Division—

Mr. McNamara (*seated and covered*): On a point of order, Mr. Deputy Speaker. Following the precedent of your colleague—[HON. MEMBERS: "Oh!"] I withdraw.

Mr. Deputy Speaker (Sir Alan Haselhurst): That is one of the easier rulings I have had to make. The Division appears to have been accomplished in 14 minutes.

The House having divided: Ayes 64, Noes 187.

Division No. 192] **[12.47 pm**

AYES

Ancram, Rt Hon Michael
Baldry, Tony
Beith, Rt Hon A J
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Campbell–Savours, Dale
Cash, William
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Emery, Rt Hon Sir Peter
Forth, Rt Hon Eric
Garnier, Edward
Gill, Christopher
Gillan, Mrs Cheryl
Golding, Mrs Llin
Goodlad, Rt Hon Sir Alastair
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hawkins, Nick
Heseltine, Rt Hon Michael
Hoey, Kate
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Jones, Ieuan Wyn *(Ynys Môn)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Leigh, Edward
Livsey, Richard
Llwyd, Elfyn
Luff, Peter
Lyell, Rt Hon Sir Nicholas
Maclean, Rt Hon David
Malins, Humfrey
Mawhinney, Rt Hon Sir Brian
Nicholls, Patrick
Norman, Archie
Öpik, Lembit
Paice, James
Paterson, Owen
Prior, David
Ruffley, David
St Aubyn, Nick
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Swayne, Desmond
Taylor, Ian *(Esher & Walton)*
Thompson, William
Trimble, Rt Hon David
Walter, Robert
Waterson, Nigel
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim

Tellers for the Ayes:
Mr. Peter Atkinson and
Mr. Geoffrey Clifton-Brown.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Atkinson, David *(Bour'mth E)*
Austin, John
Ballard, Mrs Jackie
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Benn, Rt Hon Tony
Bennett, Andrew F
Betts, Clive
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Brake, Tom
Brinton, Mrs Helen
Burden, Richard
Burgon, Colin
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cooper, Yvette
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Davey, Edward *(Kingston)*
Davis, Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dowd, Jim
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Gale, Roger
Gapes, Mike
Gardiner, Barry
Gibson, Dr Ian
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Grocott, Bruce
Hall, Mike *(Weaver Vale)*
Hancock, Mike
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jones, Mrs Fiona *(Newark)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kennedy, Jane *(Wavertree)*
Kidney, David
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Linton, Martin
Lock, David
Love, Andrew
McCabe, Steve
McCafferty, Ms Chris
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morley, Elliot
Mudie, George
Mullin, Chris
Murphy, Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
Olner, Bill
Organ, Mrs Diana
Palmer, Dr Nick
Perham, Ms Linda
Pike, Peter L
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Russell, Bob *(Colchester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sawford, Phil
Shaw, Jonathan
Sheldon, Rt Hon Robert
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Timms, Stephen
Touhig, Don
Truswell, Paul
Turner, Dr George *(NW Norfolk)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wood, Mike
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Mr. John Heppell and
Mr. Neil Gerrard.

Question accordingly negatived.

Sir Patrick Cormack: On a point of order, Mr. Deputy Speaker. I fully understand that we are now to debate new clause 2, but I would be grateful for your guidance and clarification. The previous debate was cut short by the supporters of the Bill, one of whom moved the closure which your predecessor in the Chair, understandably, felt he had to accept. I must point out that that prevented my hon. Friend the Member for Ryedale (Mr. Greenway) from completing his speech dealing with important issues, such as firearms, from the Front Bench. It also prevented

[Sir Patrick Cormack]

the Minister from giving his advice on clause 3 and other matters to the House. That underlines the importance of having, at the proper time, individual votes on all the amendments grouped together with new clause 1. I would be grateful for your assurance that that will happen as and when we come to the new clauses.

Mr. McNamara: Further to that point of order, Mr. Deputy Speaker. I understand the point that the hon. Member for South Staffordshire (Sir P. Cormack) is making, but it is purely and simply at the discretion of the Chair whether the closure should be accepted or not. To make an implied criticism of the Deputy Speaker, as the hon. Gentleman has done—and to do so from the Opposition Front Bench—is disturbing.

Mr. Heseltine: Further to that point of order, Mr. Deputy Speaker. The hon. Gentleman makes an important point; it is a matter for the discretion of the Chair. However, in the distinguished exercise of your authority in the Chair, Mr. Deputy Speaker, the fact is that you will wish to take account of the interests of Back Benchers. If they have been denied the opportunity to express themselves fully on these matters, and if they have not had the benefit of the Minister's reply and advice, surely it must be legitimate for them to ask to express their views by a formal vote when the time comes.

Mr. Garnier: Further to that point of order, Mr. Deputy Speaker. At about 11.50 am, the hon. Member for Denton and Reddish (Mr. Bennett) moved that the Question be put. Fortunately, your predecessor in the Chair decided not to accept the motion at that time. In future, Mr. Deputy Speaker, would you bear it in mind that had that motion been accepted at that time, the hon. Member for Worcester (Mr. Foster) would not have been able to reply to many of the points made during the debate, let alone the Minister and one of my hon. Friends on the Opposition Front Bench?

Mr. Deputy Speaker: Order. This is turning into a debate. There is a simple point of order to be determined. It is in the Chair's discretion to decide at the appropriate time whether a separate Division is to be taken on a new clause or amendment that was part of a group. That will fall to be determined, in the case of new clause 3, after we have dealt with the next group of amendments.

New clause 2

POWER TO AMEND

'.—(1) The Secretary of State may by order made by statutory instrument amend any of the provisions of sections 1 and 8 to 13 so as to reduce the activities prohibited by section 1 or the powers and penalties in respect of any offence.

(2) An order under subsection (1) shall not be made unless a draft has been laid before, and approved by, each House of Parliament.'—*[Mr. Luff.]*

Brought up, and read the First time.

Mr. Luff: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: New clause 20—*Power to amend section 1*—

'(1) The Secretary of State may, by Order made by Statutory Instrument, amend any of the provisions of section 1 so as to change the activities prohibited by section 1.

(2) An Order made under subsection (1) shall not be made unless a draft has been laid before, and approved by, each House of Parliament.'.

Amendment No. 53, in clause 7, page 2, line 31, leave out 'remove,'.

Amendment No. 54, in page 2, line 31, leave out ', amend'.

Mr. Luff: I think that the House will agree that we had an exceptionally reasoned and well-informed debate on the previous group of new clauses, with the sole exception of the lamentable, ill-tempered and inadequate speech by the hon. Member for Worcester (Mr. Foster). The hon. Gentleman made one of the worst speeches that I have heard in the House—if not the worst. That is important in relation to the new clause, because as the hon. Gentleman worked himself up into an extraordinary lather of hatred against anyone who dared put a reasoned point to him, he revealed the passions that underlie this debate on hunting—at least on the Labour Benches, largely.

If the Bill proceeds—I hope sincerely that it does not in its current form, as I am sure the hon. Member for Worcester realises—there must be some mechanism within it to adjust its provisions in the light of the passions to which I have referred, in the light of the developing knowledge of hunting, in the light of the effect of a ban on the countryside and in the light of developments in our scientific understanding of what is involved.

Mr. Hawkins: My hon. Friend has mentioned the extraordinarily bad speech by the hon. Member for Worcester (Mr. Foster). Does he agree that it is extremely surprising that the hon. Gentleman, on Second Reading, allowed hardly any interventions? I sought to intervene twice, as *Hansard* records, but he would take no interventions from Conservative Members. Does that not show extraordinary intolerance, and an assumption that only he and his supporters can be right, and that 284,000 people last Sunday—

Mr. Deputy Speaker: Order. I am not sure whether the hon. Gentleman is helping the House. He has raised a matter that clearly goes outside the scope of the amendments.

Mr. Luff: I understand what you say, Mr. Deputy Speaker. I will not respond to the intervention by my hon. Friend the Member for Surrey Heath (Mr. Hawkins).

The inability of the hon. Member for Worcester to respond to the many important points made during the previous debate underlines the importance of new clause 2. Ultimately, we did not have a debate on the previous group of new clauses. Instead, we had a series of speeches in favour of them, with no reasoned argument against them. I believe that reasoned argument will emerge in favour of many of the points made by my right hon. and hon. Friends and by others outside the House. That is why the new clause is so important to the future progress of the Bill.

The Bill has aroused huge passions in my constituency—passions which, I regret to say, the hon. Member for Worcester has unleashed. One of my constituents was terrified at the weekend when a group of protesters hurled abuse at her at the kennels of the Worcestershire hunt. She said:

"Later about 20 demonstrators decided to come down here. They were shouting 'scum' and 'you should fall off your horse tomorrow and break your neck or die from cancer' at me. I was terrified."

That was because the organisers of the protest had chosen to go to the kennels when all the men would be away in London for the countryside march. Julian Barnfield, the Worcestershire huntsman, is quoted in yesterday's edition of *Worcester Evening News* as saying:

"My little girls are four and eight—we very nearly didn't take them with us on the march, but thank God we did . . . They would have been terrified."

That is the nature of the behaviour of many supporters of the Bill. These are passions that we must seek to control.

The hon. Member for Worcester never listens to this sort of argument, and that is why the new clause is so important. If he had listened to the arguments that those of us who have severe reservations about the Bill advanced, he might have been able to cope with many of the difficulties that could arise if the Bill were ever enacted. The trouble is that the hon. Gentleman does not even answer letters. I am one of his constituents, and I write to him regularly. Generally, I receive letters with rubber stamps rather than a signature at the bottom. I noticed that he sat giggling throughout most of the debate on the previous group of new clauses. He was not listening. He is smiling and smirking even now. These are serious issues with serious consequences for many of my constituents.

Mr. Eric Forth (Bromley and Chislehurst): Does my hon. Friend agree that it is extraordinarily difficult for us to fashion proper legislation, which is our prime responsibility, when the promoter of the Bill will not allow any interventions to permit dialogue, and will not allow sufficient time for the Minister to guide the House in its deliberations? Does my hon. Friend accept that it is frustrating for us as legislators, particularly when considering private Members' Bills, to be denied proper dialogue and the proper mechanisms by which to try to improve and fashion legislation?

Mr. Luff: I agree entirely. At the risk of repeating myself, that is why new clause 2 is so important. It is the failure of the hon. Member for Worcester to engage in proper and constructive dialogue that makes the new clause so important.

Mr. Tom King: My hon. Friend will have heard my interventions on stag hunting. An unfair question was asked: whether stag hunting would be permitted or excluded under the Bill. It does not matter what the hon. Member for Worcester thinks; he is the temporary trustee of the Bill. What matters is what ends up in legislation.

I do not want to embarrass the Minister, but I am not clear who is taking responsibility for the Bill. We have not had a speech from him to answer some of the legal queries. I do not blame the hon. Member for Worcester, as he is a new Member and it is a tough assignment to take up, but I do not know what back-up he has. Where is the legal advice to say whether the queries raised will be answered?

This is almost becoming a point of order. We must have proper legal guidance when considering a Bill. We know, as do you, Mr. Deputy Speaker, with your experience, that the House has an unfortunate reputation for passing rather bad legislation that has to be sorted out afterwards.

Mr. Deputy Speaker: The right hon. Gentleman, whose experience is also considerable, might know that he is encouraging his hon. Friend to go wide of this group of new clauses and amendments.

Mr. Luff: My right hon. Friend the Member for Bridgwater (Mr. King) made an exceptionally serious point. In no way do I wish to challenge the Chair, but it was regrettable that we did not hear at length from the Minister during the debate on the previous group of new clauses. The fact that we did not hear from him underlines the need for new clause 2. When the Minister reads the report of the earlier debate, he will see that my hon. Friends—and my honorary hon. Friends the Members for Montgomeryshire (Mr. Öpik) and for Vauxhall (Kate Hoey)—made important points that were not addressed. That may make the Bill unworkable, and certainly deeply regrettable.

The Home Secretary will not have the luxury that the hon. Member for Worcester enjoys. He will have to listen to the voice of reason or he will be in trouble politically—possibly even legally. I suspect that he would be grateful if he were given powers to deal with the Bill's inadequacies.

New clause 2 is a modest attempt to conciliate. Those of us who support the so-called middle way approach have made a rather more ambitious attempt to conciliate, which we hope will be discussed next week if we debate the Bill again next Friday. The new clause attempts to conciliate at the margins by smoothing some of the Bill's rough edges—or at least giving the Secretary of State the chance to do so.

We are not seeking to undermine the Bill in any way through the new clause, which genuinely builds on a provision already in the Bill to give the Secretary of State power to amend the Act in respect of exemptions. There is already a precedent in the Bill for the new clause.

I regret that many important issues in the previous group of new clauses were not addressed. I had hoped to speak about the use of terriers by gamekeepers. That is an important issue and relates to new clause 25, but there was no opportunity to debate it because the debate was truncated. Some issues could not be voiced because of the early closure.

We did not have an adequate response from the Minister, although he did make a helpful attempt, for which I am grateful, to deal with a point that had been raised. It was helpful, and I was glad to see him engage in debate. However, if he sits on the Front Bench and rises only when he finds it absolutely essential to do so, he will enhance the necessity for this new clause and greatly enhance the need to amend the legislation by statutory instrument.

1.15 pm

I am wearing a lifeboat badge, which I bought this morning—I believe that Lifeboat day is tomorrow. In a sense, I am offering the hon. Member for Worcester a

[Mr. Luff]

lifeboat. The new clauses tabled by the hon. Members for Montgomeryshire and for Vauxhall are effectively lifeboat clauses as they could enable him to get the Bill on to the statute book. If he does not accept them, he will probably fail to do so.

I must make it perfectly clear that I have never even been on a horse in my life—except for about 30 seconds on my sister-in-law's horse, which was not a comfortable experience—let alone on a hunt, but I know huntsmen much better than the hon. Gentleman does. Unless he removes his blinkered prejudice towards those who hunt and those who speak up for hunting, he will find that he needs that lifeboat desperately, and I urge him to clamber on board. More seaworthy lifeboats will come along later, but this one will at least give him a chance of survival.

The hon. Gentleman's choice is whether to go down in glory with a Bill that fails, and therefore betrays the animal welfare lobby on whose behalf he claims to speak, or perhaps to get something on to the statute book. The House and the other place would take a different view of the Bill if it contained a clause of this nature. As it stands, the Bill is excessive. It contradicts everything that the House stands for in respect of personal liberty and freedom.

Mr. Swayne: While I accept that the Bill is wholly repugnant, is it so repugnant that we should countenance the awful principle that secondary legislation can amend primary legislation, which is effectively what my hon. Friend seeks?

Mr. Luff: To be entirely honest, I find the procedure unsatisfactory, but I would not have tabled the new clause had I not felt it essential to deal with abuse of the Bill. I do not want the Bill as drafted to reach the statute book, but there is scope for compromise. The Bill could reach the statute book and help the cause of animal welfare without inhibiting personal freedom. Sadly, the hon. Member for Worcester shows no sign of listening to that argument. I hope that, over the next few days, he will reflect on what has been said today and come round to our way of thinking.

Jacqui Smith (Redditch): Stop patronising.

Mr. Luff: I have been patronised by those on the other side of this argument for years and I am fed up with it. This is a clear statement of objective fact. I quote in my aid the Home Secretary during the Firearms (Amendment) Bill on 18 June 1997. He began by quoting what he had said on Second Reading of the Bill. He said that the House had

> "'to be very careful before we use our power to prohibit actions that were previously lawful and involved no criminal intent. Simple disapproval can never be a ground alone for prohibition.' . . . I have repeated that statement because it is applicable to today's debate and will be applicable to future debates. It is a principle to which I and the Government of which I am a member seek to work whenever we address the difficult questions of balancing the personal liberty of law-abiding people against wider issues".—[*Official Report*, 18 June 1997; Vol. 296, c. 399.]

The Home Secretary was right. I do not deny for a minute that the House has a duty to protect animal welfare. I oppose the Bill because it will reduce animal welfare. However, we have a duty to stand up for civil liberties, and the Bill's draconian nature simply does not do that; it demands some new checks and balances.

I hear what my hon. Friend the Member for New Forest, West (Mr. Swayne) says and I share his constitutional reservations about the procedure proposed in the new clause, but it is the only procedure open to the House to deal with the problem. If the hon. Member for Worcester has the wisdom to accept the new clause, he may save his Bill by allowing some variants if, specifically and most importantly, it is shown that the Bill is in conflict with the European convention on human rights. I find it extraordinary that the House is currently considering two Bills—this and the Human Rights Bill—that could stand in sharp contradiction. There is increasingly well-informed speculation that the Government believe that the Bill will contravene the European convention on human rights which they are seeking to incorporate into British law. The Minister may give the hon. Member for Worcester a nod and a wink, and say, "Mike, take this on the chin, because that will give us the opportunity to avoid that potential conflict."

Mr. Gray: My hon. Friend will have seen today's reports in *The Times* and *The Daily Telegraph* that the Home Secretary has announced that this or any other Bill to ban fox hunting will not be given Government time, which all Conservative Members welcome. Has that announcement been made because of the conflict with the Human Rights Bill?

Mr. Luff: I welcome the newspaper reports, but would not want to ascribe motives to the Government. The hon. Member for Worcester should reflect seriously on the arguments for the new clause. The Home Secretary's remarks to *The Times* are on the record, so the hon. Gentleman must do some serious thinking or he will have wasted hours of his time that would have been better spent serving his constituents.

Mr. Garnier: I am grateful to my hon. Friend for mentioning the European convention on human rights and the Human Rights Bill, which is shortly to go to a Committee of the whole House. The hon. Member for Worcester (Mr. Foster) has yet to get his head round how the Bill might infringe article 1, which deals with protection of property, article 8, which deals with the right to respect for private life, and article 11, which deals with freedom of assembly and association. Can my hon. Friend assist him?

Mr. Deputy Speaker: Order. I hope that the hon. Member for Mid-Worcestershire (Mr. Luff) will not proceed in such a way. We are discussing the Wild Mammals (Hunting with Dogs) Bill.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. New clause 2 would enable the House to take account of the important matter of whether the Bill infringes the European convention on human rights. Is not it highly

desirable that you should not accept a closure motion until the Minister tells us whether the Bill defies the convention?

Mr. Deputy Speaker: I hear the right hon. and learned Gentleman, but the Chair will decide on the matter at the appropriate time.

Mr. Luff: I do not pretend to be a lawyer, like my distinguished hon. and learned Friend the Member for Harborough (Mr. Garnier), and I do not pretend to understand the complex implications of the convention.

Mr. Garnier: I do not pretend to be a lawyer; I am a lawyer.

Mr. Luff: I bow to my hon. and learned Friend's superior legal knowledge and deep understanding, and hope that he gets many clients for a long time to come. I shall conclude my remarks on any link between the convention and the Bill.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) is right.

Mr. George Howarth: Hon. Members have asked whether the hunting ban proposed in the Bill would breach the European convention on human rights. The hon. and learned Member for Harborough (Mr. Garnier) mentioned articles 1 and 8. I understand that no one would be deprived of his or her property if the Bill were enacted—therefore, the Bill does not contravene article 1—and that although article 8 is broad in scope, a ban on hunting with dogs would not contravene it. The concerns raised by the hon. and learned Gentleman do not apply. I should also say that the Government remain neutral on the issue.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. We are glad to have heard from the Minister, but he made an intervention which means that he cannot be asked questions. Will you give him the opportunity to make a speech, which would allow hon. Members to question him?

Mr. Deputy Speaker: That is not a matter for the Chair. Those hon. Members who want to participate will seek to catch my eye.

Mr. Luff: I have reluctantly decided to expand my remarks, because the matter is clearly important to hon. Members.

I am grateful to the Minister for his helpful remarks. He may be right to say that the articles would not be contravened, but I am advised that he may be wrong. Article 1, which deals with protection of property, and article 8, which deals with the right to private life, are relevant.

There is also an argument that article 11, on the freedom of association and assembly, might apply. I am told that those articles must be read with article 14, which prohibits discrimination on any grounds in respect of the substantive rights offered under the convention. The most important part of that article is the provision that prevents the selective invocation of public interest to justify legislation that prohibits the activities of one particular minority, but leaves alone other comparable activities. That is an important point in the consideration of the Bill.

Mr. Dominic Grieve (Beaconsfield): My hon. Friend touched on the precise point that goes to the heart of the human rights convention. Unless the bans proposed in the Bill can be justified on rational grounds, and not on illogical grounds that appear to discriminate, the Bill will fall foul of the convention.

Mr. Luff: That is an important and serious point.

Article 1 deals with the right to property. We must remember that hunting takes place predominantly on private land. The Bill would fundamentally interfere with the right of individuals to choose how to use their private property.

Sir Brian Mawhinney (North-West Cambridgeshire): I am trusting to my memory here; I do not claim that it is infallible, but I think that on this occasion, it is right. I think that there is a clause in the Human Rights Bill, which will come before a Committee of the whole House before long, that provides that if the Bill becomes law, it will be incumbent on the Government, before the introduction of any piece of legislation, to give the House authoritative legal advice on the standing of that legislation vis-a-vis the convention. My right hon. and learned Friends the Members for North-East Bedfordshire (Sir N. Lyell) and for Sleaford and North Hykeham (Mr. Hogg) are nodding to show that my memory of the Human Rights Bill is correct.

In the light of that, and given that the Government hope that the Bill will be law before too long, perhaps my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) should encourage the Minister—subject to the wishes of the Chair—to wait until next Friday to make his speech. He could then give us the authoritative legal advice on this issue, which in principle the Government are willing to do because it is part of the provisions in the Human Rights Bill. Should the Minister decide to make his speech today, or should the Chair decide to accept a closure motion before the end of the day, my hon. Friend should ask the Minister to rise on a point of order next Friday and satisfy us on this legal point.

Mr. Luff: That was more a point of order than an intervention, but I wish strongly to associate myself with my right hon. Friend's remarks. He made a powerful and convincing case. It is a shame that these issues were not explored in the Standing Committee—

Sir Nicholas Lyell: My hon. Friend is touching on an important aspect. He will be aware, as will the hon. Member for Worcester (Mr. Foster), that this is a criminal Bill. Clause 1(2) provides not only for the person who is hunting to be criminally liable, but for the owner of the land vicariously to be criminally liable. Clause 2(c) provides that something done

"at the request of the owner"

has an effect on criminality. The whole question of ownership of property ties in with the human rights aspects in an important way. We need to hear from the Minister on that at some point.

Mr. Luff: My right hon. and learned Friend makes a valuable contribution to the debate on an important point.

[Mr. Luff]

I want to highlight the Bill's potential impact on farmers, who will be denied the right to choose how to control pests on their land. That may be a breach of the first protocol of article 1 of the convention, but also of article 8 on respect for private life. I understand that the convention draws that aspect very widely, and it has been said that that should reflect many facets of moral and social issues in our pluralistic society. Hunting plays a crucial part in social recreation, as well as in the economic and farming life of rural Britain. For those reasons, I think that article 8 will probably also apply.

The Bill could be challenged because of the lack of a sufficiently clearly defined public interest ground. There is no public interest ground for the Bill—it flies in the face of true public interest. There is also the absence of a specific ground for intervention, which applies under article 8. There is no necessity for the Bill; in fact, there is a necessity not to have the Bill as it will reduce animal welfare. There is a lack of proportionality, which is important, and there is discrimination under article 14 of the convention.

I understand that because it is not a Government Bill, the legislation would have a lower status in Strasbourg, and would be lower in the pecking order and more liable to challenge. I did not intend to make those points, but the Minister prompted me to make them, and it is important to place them on the record. The Minister must address them in the House before we vote on the new clause.

1.30 pm

Sir Nicholas Lyell: I ask my hon. Friend to reinforce that point. We have been told several times that the Home Office has redrafted some of the clauses. I do not know whether that is correct, but if it is, it means that the Government are taking an unusual degree of responsibility for the Bill, and it is important to know the amount of responsibility that they are taking. No doubt the Minister will tell us about that.

Mr. Luff: My right hon. and learned Friend's intervention, with which I agree, speaks for itself.

New clause 2 could save the House and the Government a great deal of difficulty. There were great hopes that the Prime Minister might reconsider his position on a royal commission or some other sort of independent inquiry on the future of hunting. I do not think that the right hon. Gentleman completely ruled that out at Prime Minister's Question Time a few weeks ago. I sincerely hope that he did not.

I think that it was my hon. Friend for the purpose of this debate, the Member for Vauxhall, who said that it was remarkable to be considering such draconian legislation without the results of a serious inquiry by the Government or any other body. Such an inquiry could produce new evidence or might authenticate the evidence that we claim exists in opposition to the Bill. That could require the Secretary of State to make changes so that he can sleep comfortably if he believes what he said about civil liberties during the passage of the Bill that led to the Firearms (Amendment) Act 1997.

The Bill criminalises an act that is proper and acceptable in certain circumstances that are not materially different from circumstances that it condemns. That poses huge problems of interpretation for the courts. I am sure that the Home Secretary will want a power to amend some parts of the Bill. It contradicts the principles of natural justice, proposes disproportionate penalties and has no provision for compensation for those whom it will affect. Because it is a private Member's Bill, the measure cannot deal with money issues. To put before the House a Bill that does not allow for compensation is fundamentally wrong. A major part of our deliberations on the firearms legislation was on that topic.

Mr. Hogg: My hon. Friend is speaking about compensation. Is he aware that the European convention on human rights has established that those who are dispossessed of property are entitled to compensation? That may be yet another way in which the Bill would transgress that convention. If fox hunting were ever abolished, it would probably have to be done by Government legislation because of that requirement for compensation.

Mr. Luff: My right hon. and learned Friend makes an important point of which I was not aware. It leads me to wonder whether the Bill is acceptable under the private Member's Bill procedure when, technically, such a measure should have a compensation provision, which would, of course, make it ineligible for that procedure. I hope that the Minister will reflect on that before next week.

The Bill's definitions of offences are inadequate. Who are the criminals? It may not be a serious point, but there is no distinction between dogs and bitches. The Secretary of State may want power to amend those definitions.

Mr. Paterson *rose—*

Mr. Deputy Speaker: Order. It would assist everyone if the hon. Member for Mid-Worcestershire (Mr. Luff) would show that he is giving way.

Mr. Luff: I indicated with my hand, but not with my voice. I apologise, Mr. Deputy Speaker.

Mr. Paterson: It might help my hon. Friend to know that in Committee, we continually pressed the Bill's supporters to understand that on a wet, windy afternoon in Market Drayton a magistrate will have to interpret the legislation and someone may go to gaol. In the Bill's first and second incarnations, the words "hunt" and "hunts" appear in the first line, and at no stage could the hon. Member for Worcester (Mr. Foster) give a definition of that fundamental word. It was left to the "common sense" of magistrates.

Mr. Luff: My hon. Friend shows why it is so important for the Secretary of State to have power to vary the Bill's effect and impact if it were to become law.

In the past, the debate in the country about the purpose of hunting has been sterile. It is about pest control and dispersal, but as a country sport, it brings pleasure to people. There is no contradiction there. It also brings important benefits to the environment and supports employment in remote rural areas. In addition, it has social benefits. At some stage, the Home Secretary may well want to reflect on those benefits and on powers to reduce the impact of this legislation.

I am convinced that, if we deal with the concerns of most people in this country, we can isolate the extremists, and develop legislation that will give hunting an acceptability that I accept it probably currently lacks in some people's mind. That would be a huge step forward, and the House would be able to debate issues more important than fox hunting. New clause 2 would give the Secretary of State powers to amend legislation in the light of knowledge and developing concern, and I commend it to the House.

Mr. Heseltine: The essence of our debate is the differences between clause 7 and new clauses 2 and 20—all three of which are effectively Henry VIII clauses. My hon. Friend the Member for Mid-Worcestershire (Mr. Luff) has already made the important point that, if we take the Bill at face value, we will be passing primary legislation and giving to this Parliament, or to a subsequent one, the ability by order to change the Bill's entire purpose. Everyone will admit that clause 1(1) states the Bill's essence—to ban hunting. Therefore, in a future deliberation, Parliament could by order alter the Bill's fundamental purpose.

Allowing a new Act to be designed by secondary legislation is an undesirable technique. If we replace section 1(1), we shall change the Bill's entire substance without any of the deliberative processes of a Committee stage and Report stage, which allow the House to scrutinise legislation. Change would be made by a simple resolution of the House after minimal debate. The House has been reluctant to use Henry VIII clauses and the other place has been almost insistent that they should not be used.

Clause 7(1) admits the possibility that it may be necessary not to amend the details—as that is precluded by clause 7(1)—but to destroy the Bill or to amend it substantially. Is it just possible that the more relevant powers that the House should consider are new clauses 2 and 20, which deal with the House's ability to deal with the Bill's detail?

I was not a member the Standing Committee that considered the Bill. After listening with some care to most of what has been said in this debate, that does not cause me great concern, except in one material sense: one does not get the impression that the Committee's conduct was of the highest standards of constitutional practice.

Mr. Ian Cawsey (Brigg and Goole): It was on our side.

Mr. Heseltine: I understand the point that the hon. Gentleman makes: on his side, the conduct was of the highest standards of constitutional practice. How does he square that with precluding debate on virtually anything other than the Bill's first provisions, tearing up the part of the Bill that had been thoroughly debated, and then relying on the Government to replace the substance of the original Bill with a totally new set of provisions? Has he the effrontery to suggest that that is best constitutional practice? He has not been an hon. Member for long but, if that is the basis on which his constitutional judgment rests, he has not fully understood the great traditions that make this the mother of Parliaments. However, he may come round to it. If he would listen to the arguments that my hon. Friend the Member for Mid-Worcestershire has so eloquently made, and to which I hope to add, he will understand the substance of what we are saying.

Basically, we do not like Henry VIII powers. The Bill's supporters understand that, on the Bill's substantive issue, it is necessary to have the ability totally to destroy it. That shows me that there is some unease in the minds of the Bill's supporters. It has apparently occurred to them that they might have got it wrong. Indeed, it has been proved beyond peradventure that they did get it monumentally wrong, which is why the Home Office had to get involved to get it right.

The problem with that, to which my Front-Bench colleagues have drawn attention, is that the Home Office is silent. It has done the work, the thinking and the planning and it has written the notes on clauses, but the only people who cannot share in all that are Members of Parliament. We cannot hear what the Minister has to say. He gives no sign and makes no intervention. Were I a Minister in this Government—heaven forfend—I would want to be eloquent on behalf of the officials who have contributed so much to the Bill.

Mr. Grieve: Is not that silence all the more remarkable given that, on Second Reading, the Minister told the House, first, that the Government were neutral and, secondly, that neither they nor he could see any reason why, with a bit of co-operation, a proper Bill could not be put on the statute book?

Mr. Heseltine: New Labour, new legislation. The fact is that Home Office officials have been deeply involved in the Bill.

Mr. Garnier: My right hon. Friend should not be surprised by the internal contradiction in clause 7. There is another contradiction in the fact that the hon. Member for Worcester (Mr. Foster) says that he is in favour of animal welfare, yet the Bill permits exemptions which would promote the sorts of activities of which he so heartily disapproves.

Mr. Heseltine: My hon. and learned Friend is better versed in the detail of the Bill and I shall listen with great interest when he expands his arguments later.

I find it very difficult to understand how there is to be a Henry VIII clause that allows the Bill to be substantially wrecked but which does not allow the House to deal with subsections (2) to (5) of clause 1. We can do what we like with clause 1(1), but we can do nothing about subsection (2), which refers to an owner or occupier of land committing an offence

"if he permits another person to enter or use that land to hunt in contravention of subsection (1)."

I do not know how such matters are defined. If someone happens to cross the threshold of a farmer's land and the farmer does not actually tell him not to, perhaps because his permission was not sought, is he committing an offence? If the farmer has not put up fences, is he deemed to have permitted the person to use his land? Who is to determine such things? The House cannot other than by new substantive legislation.

Clause 1(3) refers to the owner or keeper of a dog. Apparently, someone who has a dog commits an offence if he permits another person to use that dog. I do not know what kind of dogs other hon. Members have, but mine are

[Mr. Heseltine]

not under such control. If someone whistled at my dog and encouraged it to do something, I could not guarantee that I could force it to resist.

Mr. Hogg: My right hon. Friend was talking about clause 7, wholly correctly, but does he agree that the real vice of that clause is that it enables the Secretary of State by order to remove the exemptions to clause 1? In other words, by order, the Secretary of State can extend the range of criminal offences and the number and class of people to whom those offences will apply.

Mr. Heseltine: I understand what my right hon. and learned Friend says. That shows the complexities of the matter before us. The second—*[Interruption.]*

Mr. Deputy Speaker: Order. The right hon. or hon. Gentleman who has brought a phone into the Chamber should take it out immediately. *[Interruption.]* I suspect that the right hon. Member for Henley (Mr. Heseltine) must be grateful for my intervention; otherwise, we might never have known.

Mr. Heseltine: I have no doubt that I am grateful, but the person making the call probably is not.

Clause 7(1) is extremely restrictive. If there are to be Henry VIII powers, I see no reason why they should not cover other parts of the Bill that deal with penalties, confiscation and so on.

I should like to make a further point that is borne out by my own experience of dealing with such issues. In 1981, my right hon. Friend the Member for Bridgwater (Mr. King)—who is not here—and I were responsible for steering the Wildlife and Countryside Bill through the House. As the House knows, I have never hunted in my life and it is extremely unlikely that I shall do so now.

My particular interest in the Wildlife and Countryside Bill was the conservation of bird life, as I am interested in bird watching. I contacted the Royal Society for the Protection of Birds, explained that we were introducing a comprehensive Wildlife and Countryside Bill to protect bird life and asked for advice on what needed to be done. By and large, we reached agreement with the RSPB on what was necessary for the conservation of birds.

1.45 pm

The Act is now almost 20 years old; at the time, it was considered a pace-setting measure for conservation. However, nobody had foreseen the plagues of Canada geese and magpies or the inland penetration of cormorants. Those developments have transformed the conservation issue. I have no factual evidence. I have seen surveys, but I do not call them in aid. Nobody will ever persuade me that the plague of magpies that now affects virtually every part of the country is not an incomparably more damaging threat to the migrants whose eggs we were trying to protect in 1981 than anything little boys pinching eggs could do.

I live in the heart of England, where there are now cormorants. As everyone knows, they attack fish indiscriminately, but at the time of the Wildlife and Countryside Bill, they were never seen in that part of England. Black-headed gulls are everywhere. That was not the case 20 years ago. The issue that the hon. Member for Worcester, with his contemptuous dismissal of any argument that he does not like, has to face is that it is very difficult to deal with the balance of nature. In the end, only one force—the human one—can preserve that balance for some of the animals that we are considering today. The more one denies that, the more forces will be allowed to threaten other parts of the natural chain. I advocate the ability to make legislative changes to reflect that because I went through the same process 20 years ago for similar reasons to those that I suspect motivate the hon. Member for Worcester. I am very aware that, having produced that legislation, we now hardly have the capacity to control the increasing plagues of predators that have developed as a consequence.

I was interested in what the hon. Member for Montgomeryshire (Mr. Öpik) said. Although I knew nothing about pack hunting when I came to the House today, it struck me as a classic example of the changes that the House could want to make.

All the advocates of the Bill must know that the wildlife listed in the Bill will be culled. That is not in serious dispute. The issue is how it is done. Some of the means are illegal and I suspect that there will be an increase in illegal culling because people's livelihoods will be at risk. They may be fined or imprisoned, but they will do it because their livelihoods will be at risk.

Let us assume that people will resort to the legal method—shooting. That means either that there will be exactly the same amount of shooting as there is now, in which case there will be less culling, or there will be more shooting. Let us assume that there will be more shooting. Will it have anything to do with what might be called risk? If there are more guns and more people shooting, will there not be a greater danger that somebody will get hurt or killed? The Bill gives us no powers to deal with that, because we may deal with section 1(1) only. One could easily conceive of a situation in which a Government would say, "We know that culling is necessary and we acknowledge that the only real alternative is shooting, so we want a regulatory system to contain shooting." However, I do not think that one could introduce a regulatory provision under this provision; doing so would be an abuse of the legislation as currently drafted.

My hon. Friends have made an extremely reasonable proposal, and I was among those who tabled new clause 20. We are trying to give a subsequent Parliament—or the present Parliament in later years—the ability to put right what is generally agreed to have gone wrong.

We do not want to wreck the Bill; no one will be obliged to use those purely voluntary powers. The proponents of the Bill need not worry as long as they have a majority in the House, because they will not allow the amending legislation to pass; they have agreed that there should be amending legislation, but only to a narrow part of the Bill.

I believe that my hon. Friend the Member for Mid-Worcestershire was right to say that, if the proponents of the Bill want to make progress, they should accept new clause 2. What is the fuss? No one can use the powers against their will. They must admit that such powers could be necessary in certain circumstances,

because they have incorporated them in the Bill. We simply say to them, "Why not give yourselves more flexibility?"

Mr. Hogg: I shall speak to amendments Nos. 53 and 54, which stand in my name. Mr. Deputy Speaker, I repeat what I said to you on 1 May—that I oppose the Bill root and branch because it infringes civil liberties. I have tabled these amendments only because if there must be a Bill—I hope that there will not—it had better be a better Bill than that which stands before the House.

Clause 7, to which my two amendments apply, gives the power to amend the exceptions under clause 1(1). It gives the Secretary of State the power by order

"to remove, amend or add exceptions to section 1(1)."

I outlined to my right hon. Friend the Member for Henley (Mr. Heseltine) the consequences of that power. It would be possible for the Secretary of State to use the power under clause 7 to remove, or to transform fundamentally, all the exceptions that the Bill provides. Moreover, that process would be done by statutory instrument.

Sir Nicholas Lyell: My right hon. and learned Friend is focusing on a very important legislative principle. Does his argument lead him to point out that that would enable the Secretary of State to create new criminal offences by secondary legislation?

Mr. Hogg: My right hon. and learned Friend is wholly right; that is the point that I am trying to make. I want to be fair to the Minister, who may have been responsible for the clause, and at least welcome the fact that the amending power is by way of affirmative resolution procedure—that is to say, there must be a debate in the House and the order must be approved by both Houses. That is welcome as far as it goes, but the Minister will forgive me if I say to him that that procedure allows only 90 minutes of debate in the House and that the terms of the order are not amendable.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), the former Attorney-General, is wholly right when he says that the clause enables new offences to be created by secondary legislation. I fundamentally oppose that, on principle. I know that, on occasion, the Government of which I was a member created new offences by secondary legislation. We have all done it far too often. As a general principle, we should not create offences or obligations by secondary legislation unless it is absolutely necessary, because the debate is limited and there is no ability to amend.

The narrow purpose of amendments Nos. 53 and 54 is to remove some of the evil that I believe lies in clause 7. If the amendments are agreed to, the Secretary of State could only add to the exceptions, not remove them. That is an unsatisfactory process, but I would rather that he used the powers in the clause to increase the exceptions than for any other purpose. That was the spirit in which I tabled the two amendments.

Mr. Michael J. Foster: I shall first respond to the comments of Opposition Members. The hon. Member for Mid-Worcestershire (Mr. Luff) is indeed one of my constituents. Perhaps I should remind the House why: last year, he valiantly joined the chicken run. That may be why he is so keen to persecute foxes—he fears that he is under threat—but I assure him that the best way to deal with a fox that is chasing him is a quick shot; he may have had his day by the time the timetabled hunt arrives.

Mr. Luff: Will the hon. Gentleman give way?

Mr. Foster: I shall certainly give way to my constituent.

Mr. Luff: May I encourage the hon. Gentleman to raise the tone of his comments and address the serious issues.

Mr. Foster: In the few remarks that I have made so far, I have raised the tone of the debate higher than the level to which the hon. Gentleman brought it.

Mr. Crispin Blunt (Reigate): Will the hon. Gentleman give way?

Mr. Foster: No. I want to make some progress.

Hon. Members say that we failed to engage in proper dialogue. That is a bit rich, given that we are also accused of taking too long in Committee, when we rightly had proper dialogue. I cannot get a grip of Conservative Members' contradictory arguments.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Foster: I want to make some progress first, if possible.

The hon. Member for Mid-Worcestershire said that the new clause represents an offer of a lifeboat, but the Titanic would be a more appropriate offer of help. Clause 7 already provides the Secretary of State with powers to change by statutory instrument—however unsatisfactory that may be—the exemptions from the express offence of hunting.

The new clause would allow the penalties, the level of forfeiture and interpretation of the Bill to be changed by statutory instrument. That is not acceptable, although I accept that a future Secretary of State could change the level of forfeiture and what is meant by the offence if we allow him such flexibility.

Mr. Hogg: The hon. Gentleman is relying on clause 7, but if he examined the new clause more closely he would see that the amending power relates exclusively to exceptions, not to the generality of the issue, about which my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) and my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) have spoken.

Mr. Foster: The clause was written in that way deliberately—I do not think that there is anything wrong with that.

Sir Nicholas Lyell: Will the hon. Gentleman give way?

Mr. Foster: May I first make a little progress?

The hon. Member for Mid-Worcestershire mentioned dispossession of property, but the Bill would not dispossess owners of their dogs—it would not prevent kennels from having dogs. It would, however, stop people

[Mr. Foster]

using those dogs to chase wild mammals. People could still use dogs to follow an artificial scent; they could still take pleasure in the chase and enjoy the social scene and the liberties that that involves. All that we want is to stop the cruel and barbaric act of hunting wild mammals with dogs—that is what the Bill is all about.

The right hon. Member for Henley (Mr. Heseltine)—he is no longer in the Chamber; his was another cameo appearance—spoke about the balance of nature. I can think of nothing more likely to interfere with the balance of nature than humans taking pleasure from torturing wild mammals.

Mr. Paterson: The hon. Gentleman asked for an example of hounds helping conservation. Does he realise that the Banwy valley fox hounds and the Berwyn fox hounds are called out at the direct invitation of the Royal Society for the Protection of Birds around Lake Vyrnwy and on the moors to protect rare species?

Mr. Foster: That may well be the case but it does not necessarily mean that it is the most humane and effective way. That is what the Bill is about. No one denies that fox numbers may have to be controlled. That is why there is an exemption for flushing, which was so welcomed by the hon. Member for Montgomeryshire (Mr. Öpik). It is all about the manner in which the interference is conducted. Humane shooting is the most effective way of dealing with a pest. It is selective, safe, humane and efficient. All those things are important.

On the contribution of the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), if we are to make provision for statutory instruments in a Bill such as this, it is important that the Secretary of State is given the utmost flexibility. His amendments deny flexibility to the Secretary of State and that is why I oppose them, as well as new clause 2.

2 pm

Mr. Beith: When I saw new clause 2, notwithstanding its respectable parentage, I was worried. However, I welcome the amendment that the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) expounded a moment ago. My concern was underlined when the hon. Member for Worcester (Mr. Foster) said that we must allow the Secretary of State maximum flexibility. I do not believe in giving Ministers flexibility to decide what the law is or is not, or should or should not be. That should be done by primary legislation.

I well understand the motives that led to the tabling of new clause 2; it was well intentioned. I shall say why shortly. If we are not careful, we shall degrade the law-making process by turning to secondary legislation—statutory instruments—to deal with primary matters of law and allow brief House procedures to determine what is a criminal offence or what will condemn our constituents to possible prison sentences. We frequently arrive at that situation, as we did two nights ago, when, in a debate on clause 99 of the Scotland Bill, the Government suggested a procedure, as a result of my request, to ensure that fisheries legislation affecting England could not be determined solely by the Scottish Parliament, and would have to be determined by the Westminster Parliament as well. No one objected to the use of that procedure. I raised my anxieties about it, but had to concede that it was better than our having no powers at all.

We are usually attracted to using such forms of words when we feel that some greater good must be served. We should never do it without pausing to reflect and, wherever possible, we should restrict the capacity to do it. The right hon. and learned Member for Sleaford and North Hykeham proposed a restriction that goes to the heart of the matter. New clause 2, and clause 7 if his amendment were accepted, would allow the Secretary of State only to reduce the risk of penalty of imprisonment for our constituents. It is worse if a Minister can decide, and implement by a brief procedure, that something should become a criminal offence; it is perhaps less worrying if a Minister pulls back the boundaries of the law as it affects the public.

Mr. Nick St. Aubyn (Guildford): Does the right hon. Gentleman agree that clause 7 would allow the sport of shooting to be abolished by statutory instrument with only 90 minutes of debate in the House?

Mr. Beith: I am very worried both that that becomes technically possible and that there is a logic in the case for the Bill that could readily be extended to other sports, such as shooting and fishing. We must be careful about such provisions and recognise that some people—I am not one—desire that various such sports should be banned. I do not, as it happens, take part in any of them myself, but I am pretty cautious about what I am prepared to send my fellow citizens to prison for. Whatever our individual views, likes and dislikes may be, and however strong they are, we must think carefully before we turn activities into criminal offences.

Mr. Hawkins *rose—*

Mr. Luff *rose—*

Mr. Beith: I should like to make progress, because I want to develop my argument.

That aspect is significant partly because the procedures by which statutory instruments are dealt with in Parliament are very different from those for primary legislation. A statutory instrument, even one subject to affirmative resolution, is normally debated for only an hour and a half—almost invariably by a Committee rather than by the whole House.

In Committee, it is not possible to amend the statutory instrument in any way. Even if it is thought to go too far, to be too wide or to be inaccurate, it cannot be subject to any of the amendment processes to which we are subjecting the Bill, and implications cannot be drawn out so readily. Often, all that happens is a vote late at night in the House, and hon. Members come in and ask, "What is this all about? What happened in Committee?" There is no process of amendment. The House has sought to recognise on many occasions—certainly if this House does not, the other place, in its revising role, does—that that is not an adequate process by which to create new criminal offences.

Mr. Hawkins: The right hon. Gentleman is drawing attention to the concern that many of us share about the

fact that, in promoting the Bill, the hon. Member for Worcester (Mr. Foster), who has said that one of his favourite sports is angling, runs the risk that one day someone whose hatred of anything to do with the countryside is even more virulent than his—perhaps someone in his own party—will use his legislation to ban the sport on which he says he is so keen.

Mr. Beith: The potential widening of the Bill to cover other sports is another reason why some of the Members who have supported it so enthusiastically should stop in their tracks and ask themselves, "Just a minute; what monster are we creating here?" Many of them have sought to distinguish between country sports on the ground that some are acceptable and some are not. I do not understand the logic of some of the distinctions that they draw.

Mr. Luff: Will the right hon. Gentleman give way?

Mr. Beith: I do not want to give way again for the moment, because I want to make a little progress.

Would it be reasonable to accept the use of that procedure to allow the Secretary of State not to add to but to reduce the number of offences in the Bill? I could reluctantly be dragged to that point, because the general effect of the Bill is to take away the civil liberties of hundreds of my constituents—people who engage in hunting or follow hunting on foot, or work in pursuits that depend on hunting, as farriers, as grooms or in carrying out other activities related to the care and upkeep of horses. The civil liberties and livelihoods of very large numbers of people would be affected in all sorts of ways.

Amendments have been tabled to later parts of the Bill in the hope of drawing the attention of the House to the economic consequences, which have not been properly assessed.

Mr. Hancock: I am sure that my right hon. Friend is not seriously suggesting that, once the Bill is carried, as I hope that it will be, all the people actively involved in looking after horses in one way or another will be put out of work and deprived of their livelihood because people would get rid of their horses. If that is his serious contention, what evidence is there to support it?

Secondly, will my right hon. Friend explain to the House that the overwhelming majority of Liberal Democrat Members of Parliament support the Bill—

Dr. Brian Iddon (Bolton, South-East): Where are they?

Mr. Hancock: The overwhelming majority of members of our party in the country are also actively campaigning to ensure that the Bill is passed.

Mr. Beith: I must point out that, in the Chamber, there are two Liberal Democrat Members who oppose the Bill and only one who is in favour of it. It is a free-vote issue, and members of all parties take different views on the matter.

Sir Brian Mawhinney: Will the right hon. Gentleman give way?

Mr. Beith: Not now. I shall answer my hon. Friend, but I shall give way to the right hon. Gentleman in a moment.

My answer is yes, I do believe that the livelihood of people who look after horses and provide services related to them will be affected by the Bill. People in constituencies such as mine—obviously this is not so in Portsmouth, but it is in Northumberland—keep horses to hunt. They may hunt two or three days a week, and they will not incur that expense if they cannot hunt. In particular, they will not keep hunters for that purpose. When we think about the economic consequences, the impact of that on point-to-point racing and even national hunt racing will have to be considered. There is no doubt that, whereas some of those people will want to continue their love of horse riding, the economics will not stack up if they are no longer able to hunt and horses will not be kept in the same numbers.

Sir Brian Mawhinney: I pay tribute to the right hon. Gentleman. Those of us who have known him for a long time would expect him to address the issue of the civil rights of his constituents. He has just said something as profound as anything I have heard in the Chamber in 19 years—that he is cautious, as all of us should be, about deciding what it is we send our constituents to prison over. In a sense, we are the guardians of the freedom of our constituents. He was right to emphasise that people will go to gaol as a consequence of the Bill. Does he think that there is anything about the Bill that is of sufficient seriousness to warrant sending our constituents to gaol—and, if so, what?

Mr. Beith: I touched on that point on Second Reading, and it is relevant to the new clause. If we do not amend clause 7, a Minister could—by a stroke of the pen and a relatively short procedure in this House—add to the range of offences, and thereby lead to the sending of someone to gaol for something which was not originally included in the Bill. We must stop and think carefully about that, just as we must stop and think carefully about the principle of the legislation.

In order to be convinced that that was a reasonable course of action, we should have to accept that what was being prohibited was manifestly, clearly and unmistakably a much more cruel way of controlling the fox population—or whatever other animal or fish might be included—than other means of doing so, or that it was totally unnecessary to control the population. No one in the House thinks that it is unnecessary to control the fox population, and it has not been demonstrated that hunting with hounds is significantly, manifestly or demonstrably more cruel than shooting or snaring.

When I press my hon. Friends who feel strongly on this—I respect their strong feelings—I find that, in the end, they resort to the argument that people should not take pleasure in that activity. I find that to be a totally inadequate basis for legislating to send people to prison. We can send someone to prison for carrying out acts of wanton and unnecessary cruelty. We cannot send people to prison because we do not approve of a method of controlling animals that is no less cruel or causes no less pain than others, or because we think that people should not enjoy doing it. Someone might well enjoy engaging in snaring animals, but that is a far more cruel way of controlling the fox population.

I refer now to the amendments tabled by the right hon. and learned Member for Sleaford and North Hykeham. With great reluctance, I accept that it might be reasonable

[Mr. Beith]

if we are to have the Bill—frankly, I think that that is extremely unlikely—that there should be some capacity to reduce the extent to which it takes away people's civil liberties in the future, especially if it were clearly demonstrated that other methods were being tried but were not working.

Mr. Luff: The right hon. Gentleman is talking about the amendment tabled by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). Does he agree that new clause 2 also meets his test—it not only reduces the power of the Secretary of State, but is slightly more comprehensive in its scope?

Mr. Beith: I linked the two together, because they both involve reducing only the extent to which the Bill can create offences and send people to prison. The power can be used only to take away offences, rather than add to them. That seems to me to be the partial defence of using a procedure that, otherwise, I do not like. To have such a measure in the Bill would ensure that, in future, a Secretary of State presented with incontrovertible evidence that more cruel methods were being used than fox hunting could take fox hunting out of the Bill. That is the purpose of the amendment, and there may be scope for argument as to whether that is sufficient.

The supporters of the new clauses—I note the names of the three hon. Members concerned—are associated with attempts to find some kind of middle way to meet some of the concerns of those who believe, as I do not, that fox hunting is inherently more cruel, while not removing either civil liberties or the practical usefulness of fox hunting.

I commend the efforts that those hon. Members have made and the efforts of those, some of them formerly associated with the League Against Cruel Sports, who have examined the issue closely and realised that we should try to find some middle way. If there are elements of unnecessary cruelty that can be removed from country sports, let us consider what they are and whether they can be removed. The process outlined in the new clauses would at least allow that consideration to continue. If evidence were subsequently produced that, for example, fox hunting with a particular control added to it would be improved, that might be something that the Secretary of State could consider.

2.15 pm

I think that my hon. Friend the Member for Montgomeryshire (Mr. Öpik) was right when he said earlier that probably we would need some form of licensing or regulating authority to operate effectively a process of examination. Like others, I do not like too much licensing and regulating. However, we must ensure that we protect animals from unnecessary cruelty. I can justify having a licensing mechanism if it can help to achieve that object. I cannot defend, unamended, a Bill that will not lead to a reduction in cruelty to animals. Instead, the Bill will invite the use of other methods to control foxes that are not demonstrably less painful or cruel than the methods of traditional fox hunting. I am bound to be concerned about and oppose—

Mr. Clifton-Brown: Will the right hon. Gentleman give way?

Mr. Beith: I am coming to the close of my remarks.

I am bound to oppose legislation that, without adequate justification, would take away the civil liberties of many people. It does not matter whether I agree or disagree with those people. The essence of my position as a Liberal is that sometimes I have to tolerate things that I do not like or with which I do not agree.

Mr. Gerry Steinberg (City of Durham): Will the right hon. Gentleman give way?

Mr. Beith: I did say, in effect, that I would not give way. However, the hon. Gentleman makes the only attempted intervention from the Labour Benches, so I shall give way.

Mr. Steinberg: The right hon. Gentleman has made great play of civil liberties. How did he vote on the banning of handguns?

Mr. Beith: As the hon. Gentleman knows, I was against the banning of handguns. It was a free-vote issue. I believe that the Cullen report set out, at the Government's request, a better method of controlling handguns, and that banning would not have prevented the ghastly incident which generated pressure for legislation. As I have said, it was a free-vote issue. My response underlines the fact that I examine legislation rather carefully from the point of view of civil liberties.

The Bill, if enacted, would make huge inroads into the civil liberties of hundreds of law-abiding people in my constituency, and thousands throughout the country. It threatens to send to prison many people who are engaged in activities that are currently legal. I do not believe that the case has been made out. Therefore, I am prepared, reluctantly, to support a new clause, and pleased to support an amendment to the Bill, which would give the Secretary of State the opportunity in future to reduce the likelihood of the Bill sending people to prison.

Kate Hoey: First, I make an unreserved apology to my hon. Friend the Member for Bolsover (Mr. Skinner). You will not be aware, Mr. Deputy Speaker, that earlier today I said that my hon. Friend had told me that on one occasion he had filibustered because he had spoken for three hours. I have since had a long chat with my hon. Friend, and I made it clear that I would tell the House that he did not filibuster for three hours. Indeed, the Deputy Speaker in the Chair at that time made it clear to him that he had not breached any legal aspect of the proceedings of the House. My hon. Friend made an extremely good speech for three hours, which was clearly within the rules of the House. I want to make that plain because my hon. Friend knows the procedures of this place better than anyone.

I say in the most friendly spirit to my hon. Friend the Member for Worcester (Mr. Foster) that perhaps it would have been sensible if he had spent a little time, before he

introduced the Bill, talking to my hon. Friend the Member for Bolsover about private Members' Bills and the difficulty of getting such a Bill through the House when it raises a controversial issue, when there is to be a free vote and when hon. Members on both sides of the House have strong feelings.

I shall be brief because I know that a number of my colleagues are trying to speak before 2.30 pm. I know that Opposition Members want to do so. I just—*[Interruption.]* Perhaps some of my hon. Friends would like to speak before 2.30 pm as well. I very much agree with the right hon. Member for Berwick-upon-Tweed (Mr. Beith), who said that the new clause degrades, as he put it, the law-making process. We are all aware of that. This is not the way to handle legislation.

We came up with the new clause precisely because, if the Bill is passed as it stands, it would be a serious breach of civil liberties. I do not want to repeat—were I to do so, I might be ruled out of order—the reasons why I did not support the Bill on Second Reading. I have spoken about animal welfare. When people look at the Bill carefully, they will see that the Bill would not do anything for animal welfare.

I am concerned, as I mentioned on Second Reading, about the attitude on civil liberties. I am pleased that the Minister mentioned the European Court and the European convention on human rights.

Mr. Clifton-Brown: Will the hon. Lady give way on a point about civil liberties?

Kate Hoey: This is the only intervention that I shall take, because other hon. Members want to speak.

Mr. Clifton-Brown: Is the hon. Lady aware of James Barrington, who works with Wildlife Network, an organisation with which she has been working to find a middle way? He is a former member of the League Against Cruel Sports. Writing in the magazine *Smallholder* in February, he said:

"As hard as it is to accept, especially for people who have spent many years campaigning against fox hunting, the simple answer is that the fox is likely to be worse off"

as a result of the Bill.

Kate Hoey: That is the conclusion that any hon. Member who really looked at the issues would reach. That is why it is important that, when faced with a Bill such as this—many of us may well have been in favour of bans in the past as we had never seriously looked at this—we understand what we are doing, and understand the point made by the right hon. Member for Berwick–upon–Tweed about what our constituents could face if the Bill is passed without amendment.

I hope that the Minister will come back with a little more detail about the European convention on human rights. It is clear that, if the Bill is passed, there will be many grounds on which it could be challenged. We do not want to sign up to the Human Rights Bill, bring it in and then find that many people from various interests will try to challenge it. I mention the grounds on which this Bill may be challenged so that my hon. Friend the Member for Worcester has them in mind when he looks at them over the next week. The first important one will be a lack of a clearly identified public interest. That must be looked at with article 1.

To be lawful, the Bill will have to pass the test of proportionality and fair balance. That concept will be a big legal consideration. Part of that would require the legislator to identify both the general interest that is being served by the interference and the motive for the legislation. There will be a number of legal difficulties with the Bill if it is passed without amendment.

Although it is not perfect, our new clause is a measure of the great confidence in the Home Secretary felt by all parties, in the sense that it has been tabled by an hon. Member from each party, because we feel that he will look at this fairly. If the Bill is passed, we know that it will affect the balance of nature and wildlife management. However, as a result of our new clause, the Home Secretary will have the power to step in and change the Bill, for example, by not prohibiting hunting by dogs if it is considered that some of the other methods that are being used are more cruel than that. I am pleased that we have had this opportunity. As other hon. Members want to speak, I shall simply say that I hope that the House will support the new clause when it comes to voting next week.

Mr. Garnier: I am grateful for the opportunity to discuss new clause 20, which is co-sponsored by my right hon. Friends the Members for South Norfolk (Mr. MacGregor), for Henley (Mr. Heseltine), who has already spoken briefly, for Epsom and Ewell (Sir A. Hamilton), for Bridgwater (Mr. King), who hopes to catch your eye, Mr. Deputy Speaker, in due course, and for Bromley and Chislehurst (Mr. Forth).

This has been the most interesting part of today's proceedings, because we have been dealing not only with whether fox hunting, deer hunting or hare coursing are good or bad, but with the bigger constitutional question of Henry VIII clauses, which were first drawn to the attention of the House this morning by my hon. Friend the Member for Beaconsfield (Mr. Grieve) in an intervention and were touched on by my hon. Friend the Member for Mid–Worcestershire (Mr. Luff) in his extremely cogent speech.

I am grateful to my hon. Friend the Member for Mid-Worcestershire for the efforts that he has made, with the hon. Members for Montgomeryshire (Mr. Öpik) and for Vauxhall (Kate Hoey), who is my London Member of Parliament—I am grateful that she is—[HON. MEMBERS: "Oh!"] I hope that I do not ruin her career by admitting to that.

Kate Hoey: In case people think that there is any kind of bias in that, I should explain that I probably have more Members of Parliament as my constituents than any other hon. Member.

Mr. Garnier: May I speak on behalf of them all, by drawing to the attention of the wider listening public the signal contribution that the hon. Lady has made to the issue of civil liberties, in terms not just of hunting but of how a Member of Parliament can speak up and address the House on issues that may be deeply unpopular with his or her party colleagues but that the House has a right to hear. I am particularly proud to be a Member of a House that allows the hon. Lady and the hon. Member for Newcastle-under-Lyme (Mrs. Golding) to express ideas that are unpopular, particularly among Labour Members, and present their case fearlessly.

[Mr. Garnier]

I am grateful to my hon. Friend the Member for Mid-Worcestershire, the hon. Lady and the hon. Member for Montgomeryshire for their attempt, in founding the Middle Way Group, along with Mr. Barrington and Mr. Davies, to find a solution. The hon. Member for Montgomeryshire used a telling phrase the other day when he was introducing the group. He said that he intended to find a solution, not to claim victory. I hope that I paraphrase him correctly. It was an intelligent remark, and I hope that he will take my praise in the spirit in which it is intended. I do not wish to belittle the group's efforts. Although I am not sure whether I agree with everything that those three hon. Members seek to do, I applaud their effort to build bridges between the two polarised and extreme positions.

One of the problems from which the debate suffers was exemplified by some of the remarks made by the hon. Member for Worcester (Mr. Foster). On television later that afternoon, he refused to see any merit in the position adopted by the three hon. Members who have formed the Middle Way Group.

Mr. Öpik: May .I confirm the hon. and learned Gentleman's understanding of our intent? It is to find a way forward rather than to claim victory for one side or the other.

Mr. Garnier: I am grateful to the hon. Gentleman for—

Mr. Bennett *rose in his place and claimed to move,* That the Question be now put, *but* MR. DEPUTY SPEAKER *withheld his assent, and declined then to put that Question.*

Mr. Garnier: Such a motion comes ill from the hon. Member for Denton and Reddish (Mr. Bennett), who was called the "amender-general" in Committee. He tabled more than 200 amendments designed to wreck, inhibit and obscure debate. He sought to ensure, through a parliamentary device that he attempted to construct, that hon. Members could not debate matters of considerable public interest on the Floor of the House on Report. Happily, that device failed, and my hon. Friends and I are grateful to you, Mr. Deputy Speaker, for deciding not to accept a closure motion at this stage. A number of other hon. Members want to speak on what my right hon. Friend the Member for Henley described as one of the biggest issues with which we have to come to terms.

My new clause, which is supported by my right hon. Friend the Member for Bridgwater, who is sitting beside me, would allow the Secretary of State, by order

"to change the activities prohibited by section 1."

It contrasts with new clause 2, which has been tabled by the Middle Way Group of MPs and permits the Secretary of State to amend by order

"any of the provisions of sections 1 and 8 to 13".

Having considered new clause 2—

It being half-past Two o'clock, the debate stood adjourned.

Debate to be resumed on Friday 13 March.

Remaining Private Members' Bills

WELFARE OF PIGS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 July.

HOME ZONES BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker (Sir Alan Haselhurst): Second Reading what day? No date given.

HARE COURSING BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 July.

POLICE BILL

Order read for resuming adjourned debate on Question [13 February], That the Bill be now read a Second time.

Hon. Members: Object.

Debate to be resumed on Friday 8 May.

COMPANIES (MILLENNIUM COMPUTER COMPLIANCE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 March.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 March.

Mrs. Helen Brinton (Peterborough): On a point of order, Mr. Deputy Speaker. The Home Zones Bill was supposed to be third on the list.

Mr. Deputy Speaker: The name of the Bill was read out, but nobody moved the motion.

Mrs. Brinton: When was the title of the Bill read out?

Mr. Deputy Speaker: The title of the Bill was read out in order, as it appears on the Order Paper. No voice was heard to move Second Reading. Therefore, I recorded the Bill as not moved.

Mr. Chris Mullin (Sunderland, South): On a point of order, Mr. Deputy Speaker. Is it possible to learn which Conservative representative of vested interests objected to my Bill?

Mr. Deputy Speaker: The hon. Gentleman knows the form extremely well. He must be observant.

REFORM OF QUARANTINE REGULATIONS BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 13 March.

PROHIBITION OF BULL BARS BILL

Mr. Deputy Speaker: Not moved.

WATER INDUSTRY (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 24 April.

Mount Vernon Hospital, Northwood

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.32 pm

Mr. John Wilkinson (Ruislip-Northwood): I am privileged to have secured this Adjournment debate on the future of Mount Vernon hospital, Northwood, which worries my constituents more than any other local issue. The hospital's future has been an underlying concern since I was first elected to the House as the local MP in 1979, but the Minister of State, Department of Health, knows that this background anxiety has become a grave preoccupation in recent months. He received most courteously a constituency deputation which included the pressure group Community Voice, representatives of the Northwood and Ruislip residents associations and the community health council.

The hospital is part of the Mount Vernon and Watford Hospitals NHS trust, and the only hospital in my constituency that offers general medical as well as surgical and, most importantly, specialist cancer and related services. It has built up a formidable reputation as a regional cancer centre. It is the largest on a single site in England, supporting burns and plastics, oral and maxilla facial and other surgical services.

So good has the reputation of the hospital become over the years that a number of world-quality research and complementary facilities have been drawn to the site. Among those are the Gray laboratory for cancer research, the Reconstruction of Appearance and Function Trust—RAFT, the Marie Curie research wing, the Michael Sobel House hospice, the Paul Strickland scanner centre and the Bishopswood private hospital. They are mutually supportive because of the physical investment and, above all, the high intellectual calibre of the world-class personnel who have been drawn to Mount Vernon to do research and clinical work at the frontiers of medicine.

Like so many great British institutions, Mount Vernon hospital is not the product of some grand strategic design. Since its inception in Edwardian times, it has grown in a somewhat higgledy-piggledy fashion to meet local and national demand, so that today, it is a remarkable blend of listed architecture, single-storey hut-style constructions, and ultra-modern ward blocks and facilities. What makes it all work so effectively is the spirit and dedication of the staff and their common sense of purpose.

The hospital's geographic location at the extremity of so many health authorities, boroughs and county boundaries is symbolised by the hospital's non-appearance in the Government's document, "Health services in London: a strategic review", which was published last month.

The Mount Vernon business plan for this financial year was summarised by the outgoing chief executive Stephen Ramsden, to whom, along with the outgoing chairman David Swarbrick, I pay warm tribute. The summary states:

"Our strategic objectives are to provide:

the best local specialist health services,

the leading plastic surgery and burns services in the country,

a world class cancer service.

The Trust's plans for change have already taken shape with the establishment of a single Accident and Emergency Centre at Watford General Hospital with Mount Vernon concentrating on specialist services and services for referred patients.

The Trust faces a difficult financial agenda with expenditure continuing to increase at a higher rate than income. In addition the Trust faces an unprecedented reduction in Health Authority income linked to a forecast reduction in emergency admissions, which has not materialised. Regrettably, it is inevitable that services will be reduced in the short term to meet these pressures and we will strive to protect services for emergency and clinically urgent patients, and secure a long term solution.

During 1997/98 the Trust will continue to influence the planning of the reconfiguration of services throughout West Hertfordshire. Active collaboration with the St. Albans and Hemel Hempstead NHS Trust and the West Herts Community Services NHS Trust will be a key feature of this."

The Gray laboratory, which is a leading centre for radiation research applied to cancer treatment, has sent me a document, which I will submit to the Minister, to complement the paper which the local Mount Vernon support group, Community Voice, handed to him when I took them to see him, as part of our delegation, a few weeks ago. It is entitled, "The threat to research at Mount Vernon". The main points in the document summarise the essence of local constituency concerns, as well as the professional anxieties of all who work at Mount Vernon.

Financial solvency has proved to be an increasing problem in recent years, and losses have been sustained largely by general surgery. The special centres for cancer and plastic surgery treatments have been financially stable and, to a large extent, they have subsidised the general services on site. Because of the crisis that is due to the overspend, the West Hertfordshire and Hillingdon health authorities have engaged in reviews, concentrating on an assessment of the requirements for acute services in the district general hospitals. The West Hertfordshire review is considering the rationalisation of services at Mount Vernon and Watford, Hemel Hempstead and St. Albans, favouring concentration on only one site.

The proposed changes may lead to general medicine and surgery leaving the Mount Vernon site. The future of plastic surgery there has been the subject of reviews, and at least six options are being considered. Changes that are occurring at the Chelsea and Westminster hospital, where plastic surgery services have been developed in response to the closure of Queen Mary's hospital at Roehampton, complicate the picture.

The movement of other services from the Mount Vernon site threatens to destabilise services for cancer patients and for those who require plastic surgery. The close integration of other specialties in medicine is essential to both those specialties for the achievement of a high standard of care. The reviews have focused on the requirements of surrounding areas for district general hospital services, and the destabilising effect on the major centres for cancer treatment and plastic surgery and burns and the enormous commitment to research have been given a low priority.

The South Thames review on plastic surgery has taken no account of the impact of the proposed change on the Mount Vernon centre. The insecurity that surrounds the special centres at Mount Vernon has enormous consequences for work on patient care and research. The combination of a large clinical case load and important research that is of international interest has proved most attractive in the recruitment of high-standard staff in all disciplines and at all levels. The honours that have been achieved by staff and the demands that are made upon them to lecture nationally and internationally speak for themselves.

The continuing insecurity means that valuable members of staff may migrate elsewhere, and it may prove difficult to recruit able young people. It is already proving difficult to recruit support staff, such as secretaries, who are critical to the service. There is a vast investment of capital in research buildings and equipment. It totals more than £20 million and £5 million is currently committed to building and equipping new and continuing projects. Annual research expenditure totals £8.2 million.

In view of the uncertainty over the future of the hospital, £200,000 that was promised has been lost, but much more is at risk. Early clarification about the position of the major centres and their associated research is essential. Without such clarification, the collaborative research and clinical teams that have been developed over the past 40 to 60 years are in peril of disintegrating, and continued fund raising is certain to prove more difficult.

I have to mention RAFT, whose chairman is Sir Robin Chichester-Clark, the former Member of Parliament for Londonderry City and County. We should all recognise its remarkable work. It was established to help in research and education in the context of the thousands of patients who every year suffer horrendous burns, injuries or accidents, those who undergo surgery to remove cancers or those who have birth defects. RAFT can meet those needs only with the support of donors and friends. The research has already resulted in improved patient care for an enormous number of people, but it can continue only if the money can be found to pay the salaries and the laboratory costs of the team of 22 researchers. The cell and molecular biology groups, for example, jointly require £250,000 annually. RAFT relies entirely on charitable donations. Thanks to loyal supporters, last year was a successful one, and more than £1 million was donated.

RAFT—which is celebrating its 10th anniversary this year—has written to me that it has achieved remarkable

"scientific recognition, prizes and professorships."

The letter goes on to say:

"The location on site at Mount Vernon of the following probably provides UNIQUE facilities for innovative, pioneering research and encourages close collaboration between surgeons at the patient's bedside".

Such facilities are crucial to RAFT's future.

RAFT is a purpose-built centre at Mount Vernon and employs 23 surgeons and scientists. RAFT's letter goes on to state that it

"has received donations amounting to £600,000 from its generous supporters to expand its laboratory facilities, but until the results of the various reviews etc are known, the Trustees do not feel able to proceed"

with the planned extension of the facilities.

I can only reiterate the final paragraphs of Community Voice's submission to the Minister, which are endorsed not only by myself, but by the Hillingdon community health council and by the board of Mount Vernon hospital. The chairman of Community Voice, Mike Turner—to whom I pay tribute—wrote:

"To dismantle or separate any one aspect of the work"—

at Mount Vernon—

"would have a very adverse effect on the present efficient arrangements.

However Hillingdon Health Authority is considering an option to remove the Plastic and Burns Unit from this site.

The Mount Vernon and Watford NHS trust, which manages the Cancer and Plastic Surgery Departments, has issued an official statement, 'If Plastic Surgery is closed at Mount Vernon, then the purchasers and Regional Office'"—

of the NHS—

"'need to be prepared to close the whole hospital as other surgical services are reliant on shared services with Plastic Surgery. Cancer is reliant on surgery.'

Our consultation with both cancer consultants and plastic surgeon consultants confirms that they all feel that the present successful collaborative arrangement must remain."

It should go without saying that the collaborative arrangement between RAFT, the Paul Strickland scanner centre, the Gray laboratory and the fourth facility—the regional cancer centre, which is the jewel in the crown, and the heart of the hospital—should remain.

The letter continues:

"In these circumstances the four groups indicated at the opening of this report request the Minister to veto any proposal to remove Plastic Surgery from the Mount Vernon Hospital site",

which is what I ask the Minister to do.

I add my voice to those urging the Minister to end forthwith any uncertainty over the future of Mount Vernon hospital at its current site, to confirm the admirable role that it plays not only in the local community but nationally, and to give it a really good—an optimistic—chance to expand further.

2.48 pm

The Parliamentary Under-Secretary of State for Health (Mr. Paul Boateng): I am delighted to have the opportunity to respond to this debate initiated by the hon. Member for Ruislip-Northwood (Mr. Wilkinson), whom I congratulate on securing time for a debate on a subject of such importance to him and his constituents. I know that he has devoted much time to it.

We are indeed fortunate to have heard the hon. Gentleman's tribute to the staff of Mount Vernon hospital. I am sure that he speaks for all his constituents who are aware of the very real contribution that NHS staff make to the success of hospitals such as Mount Vernon, often working in difficult and challenging circumstances, not least the circumstances arising from the financial problems experienced in and around Mount Vernon.

I assure the hon. Gentleman that the Government are absolutely determined to secure for the nation and for his constituents a national health service of which the country has good cause to be proud by virtue of the quality and expertise that it contains and by virtue also of the rediscovery under this Government of the founding principles on which the NHS was established, principles which were, sadly, eroded by the previous Administration. The principles of fairness, accessibility and quality, which were all variable under the previous Administration, have once again become central to the delivery of health care in this country.

We are also absolutely determined to bear down on the burdensome costs of administration that were the product of the internal market created by the previous Government. This Government put the emphasis on patients and patient care and on ensuring that we use resources cost-effectively so that every penny of additional spending is well spent.

We have seen this winter an example of how the additional £1.2 billion that we made available for the NHS across the country has been used to ensure that health and social services, working together, have helped not only to meet the inevitable demands of winter but to begin to redress the underfunding that characterised the previous Administration. The hon. Gentleman outlined the impact of that underfunding on Mount Vernon.

The recent publication of our Green Paper "Our Healthier Nation" and the White Paper "The new NHS" show the Government's commitment to building a healthier nation and a modern, dependable NHS. The abolition of the internal market and its replacement by a system of integrated care based on partnership between NHS bodies and other local agencies is designed to deliver a better service to patients through improved quality and efficiency, offering prompt high-quality treatment and care built around the needs of individuals. "The new NHS" forms the basis for a 10-year programme. We will renew the NHS over that period as a genuinely national service and improve it through evolutionary change rather than organisational upheaval.

There is a very real question in the hon. Gentleman's mind, and in the minds of his constituents, as to the future of Mount Vernon.

Mr. Gareth R. Thomas (Harrow, West): Is my hon. Friend aware that many of my constituents, especially those in Pinner and Hatch End, also use and benefit enormously from the services currently provided at Mount Vernon? Will he assure my constituents that in any public consultation on future patterns of service delivery they will have the same right and opportunity to be consulted as the constituents of the hon. Member for Ruislip-Northwood (Mr. Wilkinson)?

Mr. Boateng: It is important that the consultation process embraces all those interested parties. We need to ensure that it is shaped and informed by those interests and is not in any way hurried or precipitate, because we need to get it right. We are seeking to take into account the broad range of views about the future. The review that has been under way since last August is being conducted by Hillingdon health authority in conjunction with a number of interested parties: Mount Vernon and Watford general hospitals, Hillingdon hospital, Harrow and Hillingdon Healthcare NHS trust, local GPs, the London borough of Hillingdon and community groups including the local community health council. We want all groups and agencies that have an interest to be given an opportunity to participate. The neighbouring health authority of West Hertfordshire has also been carrying out a local review of health services over the past 10 months. That, too, inevitably impacts on Mount Vernon hospital.

There is a problem about the underlying deficit. The trust's main purchasers are now seeking to withdraw funding in line with their own investment strategy, which was originally developed to manage the transition following the closure of the accident and emergency department in March 1996. The trust's cost base has not reduced in line with the proposed loss of income, which

[Mr. Boateng]

has adversely affected the trust's financial deficit. Had no remedial action been taken, the trust would have had a deficit of some £7.3 million in 1997–98. It was therefore important to agree a cost-saving programme that aims to reduce the deficit to a more manageable £4.8 million in 1997–98. It ipcludes, as it was bound to, reprofiling of staff, budget controls and a temporary reduction in elective work.

The hon. Member for Ruislip-Northwood came to see Ministers about his concerns, as did my hon. Friend the Member for Watford (Ms Ward). We pay tribute to the work of the cancer centre at the hospital; it is obviously world class and world renowned, but it must be stressed that local services are also important.

The final configuration must be both clinically coherent and financially viable. It will be decided after the most careful consideration, which will take into account also the review of the plastics and burns service and the relationship between that service and the cancer service. Any proposals for significant service changes will need to ensure that financial balance and sustainable services throughout the health care economy in Hillingdon and West Hertfordshire are achieved. I can assure all hon. Members that all such proposals will be subject to full public consultation and involvement in the decision-making process.

I should like to say a word about waiting times, which I know are of concern to all hon. Members with an interest in Mount Vernon. We are absolutely determined to get to grips with the legacy that we inherited from the previous Government and to deliver on our pledges. The most recent figures, released on 19 February, reflect that legacy, as well as the inevitable consequences of the winter. They are not good, and we are determined to address the situation.

Mount Vernon and Watford Hospitals NHS trust was the second worst performer in the North Thames region, with 126 over-18-month waiters on 31 December 1997. That is unacceptable. I am glad that we now learn that the trust will have got rid of those 18-month waiters by the end of March. We shall expect that improvement in the delivery of the service to continue, because the previous failures have been unacceptable.

We shall go forward together in the new national health service. The expressions of anxiety voiced by the hon. Member for Ruislip-Northwood and by my hon. Friends have been heard, as have those of the dedicated staff in Mount Vernon and throughout the NHS. I am sure that, ultimately, we shall achieve a reconfiguration that meets all the needs that hon. Members have outlined. That is the way forward—a final configuration that is both clinically coherent and financially viable.

Question put and agreed to.

Adjourned accordingly at Three o'clock.

Written Answers to Questions

Monday 23 February 1998

CHURCH COMMISSIONERS

Surplus Property and Land

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will list the properties and land owned by the Commissioners which they have identified as surplus to requirements, giving in each case their estimated value. [30328]

Mr. Stuart Bell: None. The Commissioners' property and land are investments held to support the ministry of the Church of England. They are kept under regular review and from time to time disposed of and acquired in the light of investment and other financial considerations. Details of such properties are commercially sensitive. The Commissioners are also the vendors of redundant Churches and a small number of these are vested in us at any one time for sale.

ATTORNEY-GENERAL

Crown Prosecution Service

Mr. Kidney: To ask the Attorney-General what changes he proposes for the Crown Prosecution Service's cash and running costs limits for 1997–98. [30436]

The Attorney-General: Subject to Parliamentary approval of the necessary supplementary estimate, the cash limit for Class VIII, Vote 4 will be increased by £4,500,000 from £220,083,000 to £224,583,000. Funding of the increase will be by a transfer of funds from the Home Office (Class VIII, Vote 1) and will not therefore add to the planned total of public expenditure.

The running costs limit of Class VIII, Vote 4 will be increased by £4,500,000 from £216,605,000 to £221,105,000. This will fund several Home Office legislative initiatives.

PRESIDENT OF THE COUNCIL

Cash Limits

Mr. Leslie: To ask the President of the Council if she intends to make any changes to the 1997–98 cash and running costs limit for the Privy Council Office. [30270]

Mrs. Ann Taylor: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class XVIII, Vote 3 will be increased by £147,000 from £2,636,000 to £2,783,000 and the running cost limit is increased by £147,000 from £2,662,000 to £2,809,000. The increase will be offset by reductions in:

The Home Office: £44,000—Class VII, Vote 1
Department of Health: £44,000—Class XI, Vote 2
Customs and Excise: £15,000—Class XVI, Vote 3
DfEE: £15,000—Class IX, Vote 1
Scottish Office: £12,000—Class XIII, Vote 4
Welsh Office: £7,000—Class XIV, Vote 3
Northern Ireland Department: £6,000
Foreign & Commonwealth Office: £4,000—Class II, Vote 1

and will not therefore add to the planned total of public expenditure.

PRIME MINISTER

Cabinet Posts

Mr. Baker: To ask the Prime Minister what factors led him to decide that *(a)* the Minister of Transport should have a Cabinet post and *(b)* the Minister for the Environment should not have a Cabinet post. [28926]

The Prime Minister *[holding answer 10 February 1998]:* We decided to merge the old Departments of the Environment and Transport after the election so we could ensure the proper integration of planning, housing and transport, and enable environmental issues to be taken fully into account in all of them. Transport was represented in the Cabinet in the last government, and is likewise represented in this government.

Overseas Visits

Mr. Redwood: To ask the Prime Minister, pursuant to his answer of 6 February 1998, *Official Report*, column *806*, if he will publish the cost to public funds of his trip to Japan when it is available. [29527]

The Prime Minister *[holding answer 13 February 1998]:* Yes. I will write to the right hon. Member in due course.

Single Currency

Mr. David Atkinson: To ask the Prime Minister if he discussed the Capers Jones report to President Clinton urging postponement of the single currency during his recent visit to the USA; and if he will make a statement. [29856]

The Prime Minister: I did not discuss the Capers Jones report during my recent visit to Washington.

Cash Limits

Mr. Stuart Bell: To ask the Prime Minister what proposals he has to change the Cabinet Office: Security and Intelligence Services cash limits for 1997–98. [30273]

The Prime Minister: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class XVIII, Vote 2 will be increased by £1,863,000 from £718,913,000 to £720,776,000. The running costs cash limit will be increased by £1,967,000 from £367,688,000 to £369,655,000. The increase in running costs will be offset by the reallocation of expenditure within the Vote and take on board transfers

from the Cabinet Office, Class XVIII, Vote 1 and the FCO, Class II, Vote 2. Capital end year flexibility of £1,349,000 has been taken up. There will be an increase in Appropriation in Aid of £2,987,000 and a net increase in Superannuation payments of £500,000.

The increase will be offset by transfers and charged to the Reserve and will not therefore add to the planned total of public expenditure.

Mr. Stuart Bell: To ask the Prime Minister what proposals he has to change the 1997–98 *(a)* cash limit and *(b)* running costs limit for the Cabinet Office: other services Vote. [30272]

The Prime Minister: The cash limit for Cabinet Office: other services (class XVIII, Vote 1) will be increased by £2,922,000 from £37,444,000 to £40,366,000 and the running costs limit will be increased by £1,824,000 from £44,094,000 to £45,918,000.

This is to reflect a transfer of £1,604,000 from the Office of Public Service (Class XVIII, Vote 1) for security functions and jointly administered common services; a transfer of £4,000 to Security and Intelligence Services (Class XVIII, Vote 2) for services provided.

In line with previous practice, it has been decided that the Cabinet Office will bear the cost of the 1998 Economic Summit, requiring an increase in the department's 1997–98 provision of £1,322,000.

The increase will be offset by transfers and a charge on the Reserve and will not therefore add to the planned total of public expenditure.

Departmental Child Care

Mr. Barnes: To ask the Prime Minister what provision his Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if he will list the organisations used by his Department for child care; and if child care vouchers are made available to staff. [30008]

The Prime Minister *[holding answer 19 February 1998]:* For this purpose, my office is part of the Cabinet Office. I refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Secretary, Office of Public Service on 19 February 1998, *Official Report*, column 792.

Official Residence

Mr. Forth: To ask the Prime Minister, pursuant to his answer of 16 February 1998, *Official Report*, columns 471–72, if he will list the costs of the repairs and refurbishments at No. 11 Downing Street by subhead in each year since 1993–94. [30560]

The Prime Minister: I have nothing further to add to my previous answer which accounted fully for the costs.

INTERNATIONAL DEVELOPMENT

India

Mr. Vaz: To ask the Secretary of State for International Development if she will make a statement on the level of British aid to India. [30478]

Clare Short: India is the largest recipient of British bilateral aid; we expect to spend around £90 million this year, all on grant terms. Substantial additional funds are channelled through the European Union, multilateral agencies and non-governmental organisations.

We are currently reviewing our development strategy for India in the light of the White Paper on International Development. Future levels of British development assistance to India will depend on the outcome of the review.

Mr. Vaz: To ask the Secretary of State for International Development when she next plans to visit India. [30477]

Clare Short: I intend to visit India in September or October this year.

Multilateral Agreement on Investment

Mr. Dafis: To ask the Secretary of State for International Development how she proposes to inform the public about the impact of the Multilateral Agreement on Investment on developing countries. [30589]

Clare Short: I have made my views on the MAI public in response to Parliamentary Questions and in response to letters from Members of Parliament, enclosing inquiries for members of the public. Officials from my Department are also answering a large number of public inquiries about the Multilateral Agreement on Investment (MAI). My officials have agreed to speak about the MAI at a number of conferences and seminars organised by academic institutions and NGOs.

Ms Drown: To ask the Secretary of State for International Development what assessment she has made of the capacity of the Governments of developing countries to control the potentially adverse impacts of foreign investment under the Multilateral Agreement on Investment. [30583]

Clare Short: Foreign investment has an important role to play in economic development which is essential to meeting the international poverty eradication targets. The problem for many developing countries, particularly the poorest, is marginalisation from these global capital flows. The Government therefore support the establishment of a better international framework for investment through instruments such as the Multilateral Agreement on Investment (MAI). In our study of the development implications of the MAI, my Department is exploring how the needs of developing countries can best be taken into account.

Enterprise Development

Sir Alastair Goodlad: To ask the Secretary of State for International Development if she will list those countries in which her Department is currently providing support for enterprise development. [30201]

Clare Short: The countries in which Department for International Development is currently providing support for enterprise development, through the Bilateral Country Programmes, the Joint Funding Scheme or the Enterprise Development Fund, include:

Kenya
Swaziland and Lesotho
Tanzania

Eritrea
Uganda
Namibia
Ghana
Sierra Leone
Zimbabwe
Sudan
Zambia
India
Malawi
Bangladesh
South Africa
Pakistan
Vietnam, Cambodia and Laos
Sri Lanka
Philippines
West Bank and Gaza
Russia
Ukraine and Belarus
Bulgaria
Czech Republic
Former Yugoslavia Republics
Hungary
Poland
Romania
Slovakia.

Advertising Contracts

Mr. Burns: To ask the Secretary of State for International Development if she will list the advertising contracts her Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30720]

Clare Short: No advertising contracts have been awarded by my Department since 1 May.

Sierra Leone

Mr. Corbyn: To ask the Secretary of State for International Development what action she has taken to assist refugees fleeing from conflict in Sierra Leone; and if she will make a statement. [30763]

Clare Short: We have provided £217,000 through Concern Universal to refugees in Guinea and £35,000 through CARE International for refugees in the Gambia.

We are also contributing to assistance to refugees being provided by the European Community Humanitarian Office (ECHO).

Along with other agencies, we are assessing if further assistance to refugees is required following the recent military action taken by ECOMOG in Sierra Leone.

Sir Alastair Goodlad: To ask the Secretary of State for International Development what representations on human rights she has made to the Government of Sierra Leone. [30198]

Mr. Tony Lloyd: I have been asked to reply.

The democratically elected authorities of Sierra Leone are only now beginning to return to Freetown. Our High Commissioner to Freetown, temporarily based in Conakry with President Kabbah, regularly discusses with him the need for his government to be inclusive and broadly based and the need to respect human rights.

The essential requirement at this stage is the restoration of law and order and the immediate input of humanitarian relief.

Surplus Property and Land

Mr. Baker: To ask the Secretary of State for International Development if he will list the properties and land owned by her Department which she has identified as surplus to requirements, giving in each case their estimated value. [30327]

Clare Short: The Department for International Development owns no properties or land which are surplus to requirements.

Cash Limits

Mr. Ronnie Campbell: To ask the Secretary of State for International Development what changes have been made to the 1997–98 cash and running costs limits for expenditure by her Department. [30969]

Clare Short: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class II, Vote 5 will be increased by £30,934,000 from £1,564,280,000 to £1,595,214,000 and the DFID running cost limit by £1,137,000 from £56,379,000 to £57,516,000.

Rollover of underspend of 1995 EC attributed aid provision	13,955,000
Rollover of underspend of 1996–97 voted provision on Class II, Vote 5	16,742,000
Inward PES transfer from the Department of the Environment, Transport and the Regions (Class VI, Vote 1) in respect of transfer of responsibility to DFID for the United Nations Commission for Human Settlements	100,000
Inward PES transfer from FCO (Class II, Vote 1) following transfer of full responsibility to DFID for administering the Know How Fund	137,000
Increase in Vote cash limit	30,934,000

The increase on the running cost limit is in respect of the inward PES transfer of £137,000 as mentioned above and transfer of resources of £1,000,000 from programme costs.The increases will be offset by transfers and a claim on the Reserve and therefore will not add to the planned total of public expenditure.

Commonwealth Development Corporation

Mr. Olner: To ask the Secretary of State for International Development what proposals she has to change the 1997–98 External Finance Limit for the Commonwealth Development Corporation. [30679]

Clare Short: The External Finance Limit for CDC for 1997–98 will be increased by £20,000,000 from minus £37,700,000. The change is in order to allow CDC to manage a temporary liquidity constraint. This year, CDC

have been very successful in developing a new pipeline of projects to meet their growth targets but have had a bunching of investments in the first quarter 1998 which has led to a liquidity constraint at the end of the financial year. Over the course of calendar year 1998, they will have evened out the flows. The increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Council House Rents

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the 30 English local authorities with the *(a)* worst and *(b)* best council house rent collection rates, (i) as a percentage of rent due net of benefit, (ii) as a percentage of gross rent due and (iii) as cash due, for the latest available year. [28254]

Mr. Raynsford *[holding answer 6 February 1998]:* Information on rent arrears and rent collection is collected from local authorities in England on Housing Subsidy Forms. This information includes data on rent due (full rent available on all dwellings less rent reductions/refunds and rent lost on vacant dwellings) and the part of this rent that is outstanding at the end of the year. Not all authorities are able to provide the latter items, which requires dissaggregation of rent arrears for the current year from those for previous years. This means that collection rates for 1996–97 are not available for around 50 authorities.

The details requested for collection rates for gross rent are set out in percentage and cash terms. These data are as issued by News Release on 9 February 1998 and, as the footnote indicates, Islington has subsequently submitted revised figures.

No data are collected centrally on arrears of rent net of benefit.

1996–97 rent collection rates for local authorities in England

	Rent due for 1996–97 £	*Arrears arising in 1996–97* £	*Rent collection rate* %
Lowest rent collection rates			
Islington	101,486,995	6,878,598	93.22
Coventry	37,623,693	1,765,695	95.31
Kingston upon Hull	58,727,166	2,500,000	95.74
Aylesbury Vale	20,673,109	865,999	95.81
Northampton	31,457,398	1,234,105	96.08
Bradford	50,872,913	1,958,968	96.15
Carlisle	15,705,543	600,000	96.18
St. Edmundsbury	14,567,569	552,000	96.21
Milton Keynes	30,370,999	1,059,557	96.51
Uttlesford	7,979,226	277,664	96.52
Lewisham	81,744,800	2,795,132	96.58
Waverley	14,493,314	471,388	96.75
Vale Royal	14,626,988	468,777	96.80
Castle Point	5,015,028	156,935	96.87
Haringey	59,665,747	1,853,000	96.89
Preston	18,392,419	551,772	97.00
Gateshead	48,016,148	1,400,000	97.08
Barrow-in-Furness	7,833,052	227,797	97.09
Leicester	55,487,295	1,600,000	97.12
Peterborough	25,839,995	733,205	97.16
Tewkesbury	6,182,531	175,000	97.17
Ealing	51,343,485	1,423,000	97.23
Bury	18,559,986	505,400	97.28
Corby	12,525,770	338,947	97.29
Tendring	7,959,327	214,617	97.30
Chelmsford	17,510,580	453,109	97.41
Hyndburn	7,901,178	200,000	97.47
Ipswich	19,287,391	486,171	97.48
Woking	11,902,738	300,000	97.48
Richmondshire	4,019,128	100,000	97.51

Note:

Since the data on rent collection were released in News Release on 9 February 1998, Islington Borough Council has provided a revised figure (£1,100,000) for arrears arising in 1996–97. This equates to a rent collection rate of 98.92 per cent.

1996–97 rent collection rates for local authorities in England

	Rent due for 1996–97 £	*Arrears arising in 1996–97* £	*Rent collection rate* %
Highest rent collection rates			
City of London	6,529,859	2,000	99.97
Rushcliffe	7,361,621	2,500	99.97
Wakefield	61,306,532	45,737	99.93
Forest Heath	6,355,352	5,000	99.92
Hereford	8,229,266	6,500	99.92
South Bedfordshire	14.736,303	12,000	99.92
Swindon	23,343,455	23,712	99.90
Derwentside	19,297,438	23,210	99.88
Restormel	7,853,143	9,500	99.88
Sandwell	87,206,925	106,892	99.88
Tamworth	12,607,711	19,470	99.85
Havering	30,223,911	47,000	99.84
Rotherham	40,178,224	63,900	99.84
Mole Valley	9,292,319	14,800	99.84
Brentwood	7,401,000	12,253	99.83
Welwyn Hatfield	23,534,433	39,522	99.83
Bexley	23,389,000	40,000	99.83
Newham	57,881,336	101,677	99.82
Oxford	20,688,184	43,879	99.79
Trafford	21,579,135	46,000	99.78
Maidstone	18,530,773	40,000	99.78
Burnley	10,537,231	22,910	99.78
Gosport	11,177,620	25,000	99.78
Walsall	48,909,336	118,575	99.76
Test Valley	14,238,453	35,000	99.75
Eden	3,887,941	10,000	99.74
East Lindsey	9,607,794	25,000	99.74
Barnet	36,839,694	100,000	99.73
Stockton-on-Tees	26,724,002	81,540	99.69
East Devon	9,306,021	28,644	99.69

1996–97 rent collection rates for local authorities in England

	Rent due for 1996–97 £	*Arrears arising in 1996–97* £	*Rent collection rate* %
Highest amounts of arrears arising in 1996–97			
Islington	101,486,995	6,878,598	92.22
Southwark	136,302,745	2,984,067	97.81
Lewisham	81,744,800	2,795,132	96.58
Kingston upon Hull	58,727,166	2,500,000	95.74
Leeds	117,625,435	2,114,575	98.20
Bradford	50,872,913	1,958,638	96.15

1996–97 rent collection rates for local authorities in England

	Rent due for 1996–97 £	*Arrears arising in 1996–97* £	*Rent collection rate* %
Haringey	59,665,747	1,853,000	96.89
Sheffield	109,196,580	1,811,213	98.34
Coventry	37,623,693	1,765,695	95.31
Leicester	55,487,295	1,600,000	97.12
Wandsworth	65,506,876	1,584,898	97.58
Hackney	104,757,168	1,508,259	98.56
Ealing	51,343,485	1,423,000	97.23
Gateshead	48,016,147	1,400,000	97.08
Wolverhampton	57,218,053	1,400,000	97.55
Northampton	31,457,398	1,234,105	96.08
Greenwich	81,567,234	1,095,468	98.66
Milton Keynes	30,370,999	1,059,557	96.51
Manchester	175,393,000	1,058,164	99.40
Westminster	51,326,855	1,035,000	97.98
Camden	87,438,951	1,000,653	98.86
Barking and Dagenham	53,440,884	977,515	98.17
Newcastle upon Tyne	66,835,694	959,407	98.56
Croydon	52,919,631	930,000	98.24
Aylesbury Vale	20,673,109	865,999	95.81
Norwich	36,588,797	801,288	97.81
Peterborough	25,839,995	733,205	97.16
Oldham	34,280,000	733,000	97.86
Southampton	39,903,200	722,447	98.19
Middlesbrough	31,459,496	711,050	97.74

Note:

Since the data on rent collection were released in News Release on 9 February 1998, Islington BC has provided a revised figure (£1,100,000) for arrears arising in 1996–97. This equates to a rent collection rate of 98.92 per cent.

1996–97 rent collection rates for local authorities in England

	Rent due for 1996–97 £	*Arrears arising in 1996–97* £	*Rent collection rate* %
Lowest amounts of arrears arising in 1996–97			
City of London	6,529,859	2,000	99.97
Isles of Scilly	260,247	2,500	99.04
Rushcliffe	7,361,621	2,500	99.97
Forest Heath	6,355,352	5,000	99.92
Hereford	8,229,266	6,500	99.92
Teesdale	1,895,350	9,000	99.53
Restormel	7,853,143	9,500	99.88
Eden	3,887,941	10,000	99.74
South Bedfordshire	14,736,303	12,000	99.92
Brentwood	7,401,000	12,253	99.83
Mole Valley	9,292,319	14,800	99.84
Rochford	4,653,362	14,947	99.68
Oswestry	4,178,900	15,000	99.64
Castle Morpeth	5,345,354	18,266	99.66
Tamworth	12,607,711	19,470	99.85
Craven	3,611,287	21,000	99.42
Staffordshire Moorlands	6,060,664	22,600	99.63
Burnley	10,537,231	22,910	99.78
Derwentside	19,297,438	23,210	99.88
Swindon	23,343,455	23,712	99.90
Fylde	3,263,490	24,228	99.26
East Lindsey	9,607,794	25,000	99.74
Gosport	11,177,620	25,000	99.78
Alnwick	3,974,629	26,594	99.33
Tynedale	7,261,504	27,156	99.63
South Hams	8,253,119	27,619	99.67
East Devon	9,306,021	28,644	99.69
North Kesteven	7,767,886	30,749	99.60
Caradon	8,397,297	34,894	99.58
Oadby and Wigston	2,514,513	35,000	98.61

Millennium Dome

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ensure that the stretch of the Thames Path between Greenwich and the site of the Millennium Dome is tidied up and lit more effectively. [28485]

Mr. Caborn: The London Borough of Greenwich, in co-operation with other partners, are progressing plans to complete and upgrade the Thames Path to enable cyclist and pedestrian access to the Millennium Experience. They are considering the results of a feasibility study and will be negotiating with owners and developers as necessary to pursue the project.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer of 22 January 1998, *Official Report*, column *617*, how much contaminated material has been buried beneath the Millennium Experience site; on which parts of the site this material has been buried; if contaminated material has been buried beneath the Millennium Dome; and what the contaminated material is composed of. [30388]

Angela Eagle: The remediation of contaminated soils on the Greenwich Peninsula, in accordance with current legislation and government policy, includes both the treatment and reuse of soils on-site and removal of wastes off-site. Contaminated soils have also been left in situ where they do not pose a risk to groundwater, and are capped using multi-layered engineered clean soils. This contaminated material is likely to exist over much of the peninsula including the area leased by the New Millennium Experience Company. However, site users are effectively isolated from it by the capping layers.

The contamination within these soils which have been left in situ and capped includes wastes from the production of gas and its by-products as well as carboniferous materials.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 22 January 1998, *Official Report*, column *617*, concerning re-use of material on the Millennium Experience site, what material has been re-used and in what way. [30389]

Angela Eagle: The materials which have been treated and re-used on the Greenwich Peninsula site, including the site to be used for the Millennium Experience, are principally the excavated soils.

Following wet and dry sieving to remove the more highly contaminated fine material, the coarser fraction is replaced and compacted for use as general fill. This reduces the need to import material from off-site, thus reducing cost and minimising environmental impact. In addition, trials are being undertaken to use the moderately contaminated materials for road construction by adding cement and lime.

Oil Spills

Mr. Wigley: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the dangers of oil spills, during the summer months, on the coastline of Pembrokeshire. [29684]

Ms Glenda Jackson: The Emergency Towing Study by Captain C.P.R. Belton published in 1995 included a year-round environmental and risk analysis of oil spills at sea. For the analysis, the UK coastline was divided into sixteen regions and ranked according to various environmental and risk factors. The Pembrokeshire coastline was contained within the region of West and North Wales which was ranked sixth overall and therefore was not designated a Primary or Secondary danger area. The West Country, where an Emergency Towing Vessel is stationed for the winter months and ranked third overall in the Study, was designated a Primary danger area. As a result of tug trials carried out during the winter months, I announced on 10 February 1998, *Official Report*, columns *131–32*, that three tugs would continue to be sited in the Dover Strait, the Minches and the Western Approaches between October and March.

Motorways

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions how many miles of motorway there are per 1,000 square kilometres *(a)* in the United Kingdom and *(b)* in other EU countries. [29809]

Ms Glenda Jackson: These figures are shown in the table.

	Miles of motorway per 1,000 sq kms
Great Britain	8.6
Northern Ireland	5.2
United Kingdom	8.4
Belgium	34.1
Denmark[1]	11.4
France	9.1
Germany	19.5
Greece	[2]0.9
Irish Republic	0.6
Italy	13.3
Luxembourg[1]	29.3
Netherlands	33.2
Portugal	4.0
Spain[1]	9.3
European Union	11.1

[1] Excludes urban roads

[2] 1993 data

Source: Transport Statistics report "Road Traffic Statistics Great Britain 1997 Edition" (Table 13.1)

Driving Licences

Mr. Blizzard: To ask the Secretary of State for the Environment, Transport and the Regions how many people currently hold driving licences in the United Kingdom; and what estimate he has made of the number of people eligible to hold a driving licence. [29810]

Ms Glenda Jackson: The number of car licence holders in Great Britain is currently estimated to be 33.1 million, including 3 million with provisional licences. In addition, 0.2 million people are estimated to hold a full licence to drive a motorcycle or moped. Data are not available for Northern Ireland.

The number of people aged 17 plus resident in Great Britain is estimated to be 44.7 million. Some of these will not be eligible to drive on medical grounds. There are no records of those who have passed their driving test, but do not currently hold a licence.

Waste Recovery

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the volume and value of *(a)* plastic, *(b)* paper, *(c)* glass and *(d)* other materials transported from waste recovery plants to the end user by (i) rail, (ii) road and (iii) sea in the last available year. [29862]

Angela Eagle: No such estimates have been made. However, as part of the review of the national waste strategy announced last month, we will want to consider how waste can be managed to encourage integrated and sustainable transport use. The Government are keen to improve the environmental sustainability of waste management, in particular through higher levels of recycling.

Air Traffic Control

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure safety standards are maintained in the light of delays with the new Air Traffic Control Centre at Swanwick. [29960]

Ms Glenda Jackson: The management of National Air Traffic Services Ltd. has assured me that safety in the air will not be compromised by the delay in the opening of the new en-route air traffic control centre at Swanwick. They have ensured that the existing centre at West Drayton will be able to cope with the volume of air traffic until the new centre opens.

Aircraft Fuel

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions what progress is being made on introducing an international tax on aircraft fuel. [29987]

Ms Glenda Jackson: The Government support, in principle, the introduction of a tax on aviation fuel at an international level. My Department is participating in a study by the International Civil Aviation Organisation on the effects of a range of environmental levies including aviation fuel tax. This report is expected to be presented to the ICAO Assembly in September. In addition, the European Commission is supporting a study of the environmental and competitive effects on the EU of an aviation fuel tax. This is due to be completed in August. We will consider how to take forward policy after we know the results of these studies.

Toxic Chemicals

Mr. Llwyd: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* road and *(b)* rail accidents have been reported during the past five years in which toxic chemicals have been part of the cargo; and what assessment he has made of the environmental effects of these accidents. [29820]

Angela Eagle: Statistics relating to road accidents involving dangerous substances are held by the Health and Safety Executive (HSE). From these statistics, it is not possible to disaggregate those involving chemicals which are environmentally toxic.

Two types of dangerous occurrences involving the carriage of dangerous substances by road are required to be reported to HSE under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR). They are specified in sections 16 and 17 of Schedule 2 of RIDDOR 95. These relate to incidents where road tankers or tank containers overturn or are seriously damaged, where there is an uncontrolled release or escape of the dangerous substance, or where there is a fire involving the dangerous substance.

Accidents involving road vehicles other than road tankers or tank containers are also required to be reported if they result in an uncontrolled release or escape of the dangerous substance in such a quantity as to have the potential to cause the death of, or major injury to, any person. Accidents involving these vehicles are also reportable where they lead to a fire involving the dangerous substance.

Table 1 indicates the figures for these dangerous occurrences reported to HSE since 1991–92.

Table 1

	Overturning/ serious damage etc. to road tankers/tank containers etc. (Section 16 of Schedule 2 of RIDDOR 95)	*Uncontrolled release/fire involving carriage of dangerous substances (Section 17 of Schedule 2 of RIDDOR 95)*
1991–92	89	42
1992–93	65	40
1993–94	33	55
1994–95	36	42
1995–96	40	41
1996–97[1]	[1]34	[1]99

[1] Provisional

Similarly, figures for rail accidents are not available in the form requested. Figures for railway accidents reported to the HSE involving trains carrying dangerous goods whether there was any release or not for the last five years in Great Britain are shown in Table 2.

Table 2

Year	*Number*
1992–93	15
1993–94	9
1994–95	14
1995–96	11
1996–97	5

HSE's Railway Inspectorate does not record information relating to the type of freight conveyed. Therefore the figures represent all railway accidents involving trains carrying dangerous goods for the past five years, some of which many not have involved toxic chemicals as part of the cargo.

The potential for harm from accidents involving transport of dangerous goods was fully examined by the Health and Safety Commission's Advisory Committee on Dangerous Substances in 1991 ('Major Hazard Aspects of the Transport of Dangerous Substances' (ISBN 0 11 885699 5)).

Cash Limits

Mr. Etherington: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to change his Department's cash limits and running cost limits for 1997–98. [30281]

Mr. Prescott: Subject to Parliamentary approval of the necessary Supplementary Estimates, my Department's cash limits will change as follows:

(i) the cash limit for class V, vote 1—Highways Agency—will be reduced by £5,645,000 from £1,572,558,000 to £1,566,913,000. This reflects a transfer to the DOT/LACAP (Local Authority Capital) non-voted cash limit to provide assistance to the South Yorkshire Passenger Transport Authority in respect of certain liabilities associated with the South Yorkshire Supertram.

(ii) the cash limit for class V, vote 2—Department of Transport: administration and transport services—will be increased by £1,000 from £161,700,000 to £161,701,000. The increase reflects an inter-vote transfer from class V, vote 4 of £336,000 running cost and £154,000 programme provision for Central Transport Group and Government Office administration expenditure and an inter-vote transfer from this vote to class II, vote 2 of £51,000 in respect of costs associated with the United Nations Convention on the law of the sea. In addition provision has been made for a receipt of £650,000 from the European Community in respect of the cost of the return visit to the wreck of the tanker Derbyshire and associated payments of £651,000. Provision of £1,000 has also been made for Government Office administration receipts and there is a net increase in other voted receipts of £438,000, reflecting expected outturn. Running cost provision for this vote will be increased by £336,000 from £86,521,000 to £86,857,000.

(iii) the cash limit on class V, vote 4—Driver and Vehicle Licensing Agency—will be increased by £416,000 from £154,825,000. The increase involves a £2,900,000 claim on the Reserve for higher business volumes under the terms of DVLA's demand financing regime. The cash limit is also increased by £16,000 as a result of transfers of £8,000 from the Scottish Office (class XIII, Vote 5) and £8,000 from the Home Office (class VII, vote 1). These increases are offset by transfers of: £490,000 to class V, vote 2 (£336,000 of which is running costs); £504,000 to class V, vote 6; £160,000 to class VI, vote 5; and £1,346,000 to the DOT/LACAP (Local Authority Capital) non-voted cash limit to provide assistance to the South Yorkshire Passenger Transport Authority. Running cost provision for this vote will be increased by £2,766,000 from £178,546,000 to £181,312,000.

(iv) the cash limit for class V, vote 5—Roads and Local Transport—will be increased by £850,000 from £315,538,000 to £316,388,000. The increase reflects the take-up of £650,000 capital end year flexibility as announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*, and an inter-vote transfer from class VI, vote 2 of £200,000 for the Rural Transport Development Fund.

(v) the DOT/LACAP (Local Authority Capital) non-voted cash limit will be increased by £22,603,000 from £356,343,000 to £378,946,000. The increase reflects transfers of £5,646,000 from the class V, vote 1 cash limit; £1,346,000 from the class V, vote 4 cash limit; £8,008,000 from the class VI, vote 1 cash limit; £5,000,000 from the DETR/NT non-voted cash limit; and £2,603,000 from the DETR/ERDF non-voted cash limit. £20,000,000 will be used to provide assistance to the South Yorkshire Passenger Transport Authority in respect of certain liabilities associated with South Yorkshire Supertram, and £2,603,000 for the development of Conway Park railway station.

(vi) the cash limit for class V, vote 6—other transport agencies—will be increased by £505,000 from £97,408,000 to £97,913,000. The increase reflects the inter-vote transfer from: class V, vote 4 of £504,000 towards the costs of voluntary early retirement; and class IV, vote 1 of £125,000 of running cost provision for the Marine Safety Agency to undertake work on ship radio matters. The increase in running cost provision will be offset by appropriations in aid of £124,000. The running cost provision for this vote will be increased by £629,000 from £38,800,000 to £39,429,000.

(vii) the cash limit for class V, vote 7—Passenger rail services—will be reduced by £21,092,000 from £1,465,385,000 to £1,444,293,000. The reduction reflects a £16,000,000 inter-vote transfer from this vote to class V, vote 3, section J for Metropolitan Railway Passenger Services Grant, a £4,652,000 reduction in respect of reduced expenditure on consultants, and a reduction in running costs of £440,000 which has been transferred to class VI, vote 5. The OPRAF gross running cost limit will accordingly be reduced by £440,000 from £7,367,000 to £6,927,000.

As a result of the changes in class V, votes 2, 4 and 6 the former Department of Transport's gross running cost limit will be increased by £3,731,000 from £373,359,000 to £377,090,000.

(viii) the cash limit for class VI, vote 1—Housing and construction, England—covering Sections A, D to G, I, J and L of that vote, will be reduced by £54,197,000 from £596,383,000 to £542,186,000. The principal change is a transfer of £42,153,000 to the DETR/HC (Housing Corporation) non-voted cash limit so that some Estates Renewal Challenge Fund grants can be paid by the Housing Corporation. In addition £8,008,000 will be transferred from various social housing programmes to the DOT/LACAP (Local Authority Capital) non-voted cash limit in respect of South Yorkshire Supertram costs; £1,686,000 to the DETR/LGR (Local Government Reorganisation) non-voted cash limit; and £2,350,000 of Rent Assessment Panel running cost provision to the cash limit for class VI, vote 5—Department of the Environment: administration.

(ix) the DETR/HC (Housing Corporation) non-voted cash limit will be increased by £43,422,000 from £676,485,000 to £719,907,000, reflecting the transfer of £42,153,000 from the class VI, vote 1 cash limit described above and £1,269,000 take-up of end-year flexibility as announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*.

(x) The cash limit for class VI, vote 2—Regeneration and countryside and wildlife, England—will be reduced by £211,000 from £1,516,284,000 to £1,516,073,000 to reflect a transfer of £200,000 to the Rural Development Commission's spending on local transport (class V, vote 5) and a transfer of £11,000 to Environmental Research (class VI, vote 3).

(xi) The DOE/ERDF (European Regional Development Fund) non-voted cash limit will be reduced by £2,603,000 from £138,322,000 to £135,719,000. This reflects a transfer to the DOT/LACAP (Local Authority Capital) non-voted cash limit.

(xii) the cash limit for class VI, vote 3—Environmental protection and water—will be increased by £397,000 from £341,630,000 to £342,027,000. This increase reflects a transfer of £477,000 from the DETR/OES cash limit for remedial work on contaminated land and £60,000 from class III, vote 2 for preparatory costs associated with the EU nitrates directive, both to be carried out by the Environment Agency; an increase of £11,000 in provision for environmental protection research and monitoring, offset by a corresponding reduction in the cash limit for class VI, vote 2; a transfer of £100,000 to class II, vote 5 for the UK's annual contribution to the UN Habitat Fund; and a transfer of £51,000 to class II, vote 2 towards the UK's contribution to the UN Convention on the Law of the Sea.

(xiii) the DETR/OES (Other Environmental Services) non-voted cash limit will be reduced by £250,000 from £21,042,000 to £20,792,000. The decrease reflects the transfer of £477,000 to the cash limit for class VI, vote 3 and the take up of £227,000 of capital end year flexibility as announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns, *245–50*.

(xiv) the cash limit for class VI, vote 4—Local government and planning, England—will be reduced by £2,000 from £30,987,636,000 to £30,987,634,000. This reduction reflects savings on planning and minerals research in Section D (Planning and minerals research) which will be used within vote 4, to cover an ex gratia payment from Section I (Other grants and payments) in connection with a decision to commute certain grant payments in 1984. Section I is outside the cash limit on the vote.

(xv) the DETR/LGR (Local government reorganisation) non-voted cash limit will be increased by £1,686,000 from £155,314,000 to £157,000,000 due to greater than forecast demand for Commutation Supplementary Credit Approvals (SCAs). This increase will be offset by a reduction of the same amount in the cash limit for class VI, vote 1.

(xvi) the cash limit for class VI, vote 5—Department of the Environment: administration—will be increased by £22,856,000 from £394,601,000 to £417,457,000. The increase reflects the take up £5,200,000 by the Health and Safety Executive and £12,050,000 by the Department of the Environment, Transport and the Regions of running cost end year flexibility and £2,656,000 of capital end year flexibility, as announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*. In addition, inter-vote running cost transfers from class V, vote 7 of £440,000 and class VI, vote 1 of £2,350,000 have been made to central administration running costs, together with a transfer to the Health and Safety Executive from class V, vote 4 of £160,000 in respect of the Channel Tunnel Safety Unit.

(xvii) the cash limit for class VI, vote 7—Office of Water Services—will be increased by £500,000, from £10,300,000 to £10,800,000. An increase of £400,000 is required for work relating to the preparation for the Periodic Review in 1999 and £100,000 is required to upgrade computers to be year 2000 compliant. The increase will be met by a call on the reserve of £500,000.

(xviii) the DETR/NT (New Towns) non-voted cash limit will be reduced by £5,000,000 from -£105,000,000 to -£110,000,000 to reflect a transfer to the DOT/LACAP (Local Authority Capital) non-voted cash limit.

As a result of the changes shown on class VI, vote 5 the gross running cost limit for the Health and Safety Executive will be increased by £5,360,000 from £154,572,000 to £159,932,000 and the gross running cost limit for the former Department of the Environment will be increased by £12,490,000 from £210,396,000 to £222,886,000. As a result of changes shown on class VI, vote 7 the gross running cost limit for the Office of Water Services will be increased by £400,000 from £10,000,000 to £10,400,000.

The overall increases will be offset by transfers or charged to the reserve and will not therefore add to the planned total of public expenditure.

Roundabouts

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to issue guidance to local authorities concerning the use of advertising signs to acknowledge sponsorship of the maintenance of roundabouts. [30291]

Ms Glenda Jackson: We are considering whether there is a need for such guidance, and if so, what form it should take.

Housing

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the number of empty housing units in the districts of *(a)* York and *(b)* Selby, in (i) 1995, (ii) 1996 and (iii) 1997, (1) in total and (2) by sector. [30292]

Mr. Raynsford: The numbers of vacant local authority and housing associations dwellings in York and Selby on 1 April are as set out alongside the local authority's

estimates of private and other public sector vacant dwellings. The figures for all three years are based on the current boundaries for the authorities (ie as amended from 1 April 1996).

	1995	1996	1997
York			
Local authority (1)	31	40	42
Housing association (2)	'22	'24	32
Other public sector (1)	96	94	74
Private sector (1)	1,696	2337	2,076
Total	1,845	2,495	2,224
Selby			
Local authority (1)	32	32	36
Housing association (2)	10	9	22
Other public sector (1)	0	114	114
Private sector (1)	752	288	134
Total	794	443	306

' Estimate.

Source:

(1) Annual Housing Investment Programme (HIP1) returns.

(2) Annual HAR10/1 returns; the figures for 1995 and 1996 are estimates based on the reported data on pre-1 April 1996 boundaries, and figures on housing association vacants from the HIP1.

Deaf Travellers

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions if the proposed Public Service Vehicle Accessibility Regulations will include provisions relating to visual information inside and outside buses and coaches to ensure that deaf and hard of hearing people can travel in safety and without unreasonable difficulty. [30285]

Ms Glenda Jackson: On 19 December 1997 we published our consultation on proposals for buses and coaches under the Disability Discrimination Act (DDA) 1995. Copies of that document have been placed in the House Library.

The consultation document recognises the importance of visual information and proposes that in the main the subject will be covered through the guidance based on established good practice. We will look again at this and the wide range of other issues covered in the consultation document in the light of comments received both from the industry and from disabled people, particularly on whether there are demonstrable issues of safety.

Genetically Modified Organisms

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each approval under the Genetically Modified Organisms (Deliberate Release) Regulations 1995 for releases relating to trials for national seed listing or common seed listing, giving the names of the companies applying, the crop plant and variety names and reference numbers, the genetically modified traits of the varieties, the location of trial sites and the date when the approvals were granted. [30393]

Angela Eagle: The following applications have been granted consent under the Genetically Modified Organisms (Deliberate Release) Regulations 1992 and 1995 to release genetically modified crops for the purposes of National List Trials:

97/R13/6—Maize with herbicide tolerance

97/R13/7—Oilseed rape with herbicide tolerance

97/R15/19—Oilseed rape hybrid system with herbicide tolerance

97/R15/20—Oilseed rape hybrid system with herbicide tolerance

97/R19/13—Sugar beet with herbicide tolerance

96/R21/4—Sugar beet with herbicide tolerance

96/R22/6—Oilseed rape with herbicide tolerance

96/R22/8—Fodder beet with herbicide tolerance

96/R27/1—Oilseed rape with herbicide tolerance

Full details of the companies, crop plants, varieties, the genetically modified traits, the location of the trial sites and the date consents were granted are available on the Department's Public Register and at the regional offices of the Environment Agency. The Public Register also includes a copy of the risk assessment and the Advisory Committee on Releases to the Environment's advice for each application.

Water Conservation

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions (1) what measures he is taking to ensure that new homes make full use of water-efficient devices; [30599]

(2) what measures the Government are taking to encourage water conservation in single-occupied homes; [30592]

(3) what measures he is taking to give occupiers of new homes adequate incentives to ensure the efficient use of water. [30600]

Angela Eagle: It is the duty of the water companies to promote the efficient use of water by all their customers, including those in single-occupied homes. The companies have published water efficiency plans and offer such services as free water audits and cistern displacement devices to reduce inefficient water use.

The Government are currently considering the content of the new Water Regulations, which will replace the Water Byelaws. Our intention is that these will include requirements for the installation of water efficient sanitary and other appliances. These provisions will apply to any new or refurbished property and to replacement appliances installed after the Regulations come into force.

Regulatory requirement and other measures to promote the efficient and sustainable use of water are directed at all water users.

Water Resources

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what guidelines the Government issues concerning the use of water-saving devices in delivering timed and measured supplies of water to gardens. [30593]

Angela Eagle: The Government have not produced such guidelines. However, water companies are under a duty to promote the efficient use of water by their customers, and this includes the external use of water. Most companies have produced information for their customers about the efficient use of water in gardens.

Many companies require customers who use garden watering devices delivering a high volume of water to be metered.

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions (1) what discussions he has had with water companies and their representatives concerning the availability of water resources in determining future housing need; [30594]

(2) what discussions have taken place between his Department and local authority planning officers concerning the consideration of water resources in local planning issues; [30595]

(3) how his Department differentiates between areas within the United Kingdom which have adequate water resources and those areas with least water resources in determining housing need. [30596]

Angela Eagle: I discussed the water resource position with the Water Services Association in December. The water companies have the duty to maintain and develop water supplies to meet the needs of their areas. In accordance with guidelines issued last August by the Environment Agency, all water companies are currently preparing water resource plans to maintain a balance between demand and supply over the next 25 years. These plans will have to address projected demands such as housing need and will need to be agreed with the Environment Agency, which has the duty to secure the proper use of water resources in England and Wales.

Local Authorities consult with infrastructure providers, such as water supply companies, when planning new developments and preparing their development plans. Planning Policy Guidance Note 12 (PPG12) draws attention to the need for this consultation to take place. This issue will be considered further in the proposals for revision to PPG12 currently being prepared.

Sustainable Development

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to implement the recommendations of the Fourth Annual Report of the Government Panel on Sustainable Development. [30602]

Angela Eagle: The Government welcome the Fourth Annual Report of the Government Panel on Sustainable Development. The Panel's recommendations are currently being considered and the Government aim to publish their response in about three months.

Mr. Eric Clarke: To ask the Secretary of State for the Environment, Transport and the Regions when the Government's response to the United Kingdom Round Table on Sustainable Development's Second Annual Report will be published. [31036]

Mr. Prescott: The Government's response to the UK Round Table on Sustainable Development's Second Annual Report has been published today. I am pleased to say that the Government have been able to respond positively to many of the Round Table's recommendations and that action has already been taken in a number of areas, for example:

the Government have announced a 10-point plan to help secure reliable, efficient and environmentally sustainable water supplies;

draft guidelines have been issued to local authorities on meeting their obligations under the Road Traffic Reduction Act 1997;

the Government have consulted widely on proposals to develop an integrated transport policy and will issue a White Paper in the Spring;

the Government have published a statement on their strategy for modernising the planning system, and a consultation paper on reform of regional planning guidance;

legislation has been proposed to establish Regional Development Agencies;

the Government have established a review of renewable energy policy.

The Government value the Round Table's important contribution to the achievement of sustainable development. I am placing copies of the response in the Library.

Heavy Goods Vehicles

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many heavy goods vehicle drivers were stopped for a vehicle inspection during 1997. [30698]

Ms Glenda Jackson: I have asked the Chief Executive of the Vehicle Inspectorate Agency, Mr. Ron Oliver, to write to my hon. Friend.

Letter from Ron Oliver to Mr. Tom Cox, dated 23 February 1998:

The Secretary of State has asked me to reply to your question on how many heavy goods vehicle drivers were stopped for a vehicle inspection during 1997.

The Vehicle Inspectorate (VI) does not gather any figures on the actual number of drivers it stops for inspection, only the number of vehicles, some of which have more than one driver.

VI maintains its records by financial year. During the period April to September 1997, the Inspectorate conducted 98,025 inspections of heavy goods vehicles (HGVs) for traffic enforcement (which includes, among other items, a specific check upon the driver for licensing and tachograph rules compliance). Roadworthiness enforcement checks (looking at the mechanical state of the vehicle) were carried out on 54,714 HGVs but there will be overlap in that some vehicles would have been subjected to both traffic and roadworthiness inspections.

For the financial year April 1996 to March 1997, traffic enforcement checks were carried out on 214,924 heavy goods vehicles and roadworthiness inspections were carried out on 107,601 HGVs; it is not possible to disaggregate the figures for the 3 months January to March 1997.

Cannabis

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 17 February 1998, *Official Report*, columns *604–05*, what account he took of the studies quoted on *(a)* the influence of cannabis on car handling judgment and *(b)* instances where cannabis consumption made drivers more alert and cautious. [30796]

Ms Glenda Jackson: My Department is aware of the studies to which my hon. Friend refers, as well as a number of other studies of the influence of cannabis on driving ability which reached different conclusions.

Pavement Cleaning

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions if he will issue targets to local authorities on the cleaning of pavements. [30776]

Angela Eagle: We have no plans to set targets for cleaning of pavements. However, local authorities are under a duty to keep specified public land, including pavements, clear of litter and refuse as far as is practicable. My Department issued a Code of Practice in 1991 to provide practical guidance on the discharge of this duty. In addition, the Audit Commission requires local authorities to publish performance indicators in relation to their street cleaning duty.

Clean Vehicle Technology

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the role of alternative fuels in promoting clean vehicle technology. [30579]

Dr. Strang: Conventional petrol and diesel vehicles are becoming increasingly cleaner as a result of a progressive tightening of emissions standards and are expected to provide the primary motive sources for the foreseeable future. Nevertheless, in well-engineered applications, alternative fuelled vehicles do have a role to play, especially in urban areas. In these circumstances the current limitations on their range and refuelling might not be too disadvantageous and they can bring worthwhile reductions in emissions, especially of particulates and NOx.

Road Fatalities and Injuries

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the *(a)* fatalities and *(b)* injuries on the roads in England and Wales broken down by (i) motorways, (ii) dual carriageways, (iii) town and city centres, (iv) other rural areas and (v) other residential areas in the last year for which figures are available. [30409]

Ms Glenda Jackson *[holding answer 19 February 1998]:* Data are not held in the exact form requested. The available information is shown in the table.

Number of fatalities and injuries on motorways, dual carriageways and on rural/residential roads in England and Wales: 1996

Road type	*Fatal*	*Casualties injured*
Motorways	162	11,995
Dual carriageways	472	33,038
Rural	1,667	78,205
Suburban/residential	1,059	158,033

Road Accidents (Children)

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions how many (i) fatalities and (ii) injuries of school children walking to and from school in Essex occurred in *(a)* residential areas and *(b)* rural areas, in the last year for which figures are available. [30311]

Ms Glenda Jackson *[holding answer 19 February 1998]:* The information requested is shown in the table.

Number of school children killed or injured walking to and from school in rural and residential areas: Essex 1996

Road type	*Fatal*	*Casualties injured*
Rural	1	5
Residential	1	102

Sulphur Dioxide Emissions

Mr. Bill O'Brien: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the impact on employment levels in *(a)* housing and *(b)* power generation, if the sulphur dioxide emissions target of 1.2 per cent. is to be met. [30495]

Angela Eagle: The Environmental Agency is currently consulting on proposals for reducing polluting emissions from existing coal- and oil-fired power stations. The Agency's consultation paper contains a proposal to require that all coal-fired power stations which operate without flue gas desulphurisation equipment (FGD) should be required to use coal with a sulphur content of less than 1.2 per cent. from 1999. The closing date for responses is 10 March and I am sure that the Agency will reflect very carefully on the representations which it receives.

It would not be right for me to comment on the Agency's proposals, since the generators would have a right of appeal to the Secretary of State against any decision to vary their authorisations in line with the consultation paper. Nevertheless, I can say that the Secretary of State has not estimated the impact of the 1.2 per cent. limit on employment levels either in power generation or housing. It seems particularly unlikely that there could be much of a direct effect on the housing market.

Gilberts Animal By-Products

Charlotte Atkins: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 12 December 1997, *Official Report*, column *728*, on Gilberts Animal By-Products, if the Environment Agency has completed its investigations into waste disposal activities by the company. [29587]

Angela Eagle: I understand that the Environment Agency is awaiting an opinion from Counsel before taking a decision on whether to initiate a prosecution in relation to the spreading of condensate from the rendering plant operated by John Pointon and Sons, formerly Gilberts Animal By-products Ltd.

Surplus Property and Land

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the properties and land owned by his Department which he has identified as surplus to requirements, giving in each case their estimated value. [30323]

Angela Eagle: The following land and properties are surplus and in the process of being sold or marketed:

208 Grove Rd, Hounslow.
Site at Cardington, Bedfordshire.
Driving Test Centres at:
- Wealdstone.
- Redhill.
- Gillingham.
- Bilston.
- Bishops Stortford.
- Upton (part only).

Coastguard property at:
- 1 Gordon Rd, Lowerstoft.

Vehicle Inspectorate property at:
- Middleton Rd, Heywood, Lancashire.
- Redhouse Rd, Croydon, Surrey.

The estimated value of an individual property for sale is not disclosed since it may affect the sale price. Overall, the properties have an estimated value of £2.6 million.

Departmental Pay

Mr. Duncan: To ask the Secretary of State for the Environment, Transport and the Regions how many people employed by *(a)* his Department and *(b)* the agencies for which his Department is responsible earn (i) less than £3.20 per hour, (ii) between £3.20 and £3.60 per hour, (iii) between £3.60 and £4.00 per hour and (iv) between £4.00 and £4.62 per hour. [30750]

Angela Eagle: The number of staff earning hourly rates is as follows:

	(i) less than £3.20	*(ii) £3.20 to £3.60*	*(iii) £3.60 to £4.00*	*(iv) £4.00 to £4.62*
DETR (Central)	Nil	Nil	Nil	53
DETR staff in Government Offices	Nil	Nil	62	6
Driver and Vehicle Licensing Agency	Nil	Nil	393	173
Driving Standards Agency	Nil	Nil	80	339
Vehicle Inspectorate Executive Agency	Nil	Nil	Nil	Nil
Vehicle Certification Agency	Nil	Nil	3	1
Highways Agency	Nil	Nil	13	19
The Coastguard Agency	Nil	Nil	106	80
Marine Safety Agency	Nil	Nil	13	5
Queen Elizabeth II Conference Centre	Nil	Nil	Nil	Nil
Planning Inspectorate	Nil	Nil	31	12
Total	Nil	Nil	701	688

The figures include both permanent and casual employees. Hourly rates were calculated from net hours worked (ie. excluding lunch breaks).

Canals

Mr. Garnier: To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's policy on the use of canals and navigable rivers for the carrying of freight traffic; and if he will make a statement. [30686]

Angela Eagle: The Government are committed to encouraging the use of water for carrying freight as an alternative to road transport where this is a practical and economic option. Freight Facilities Grants are also available to support the transfer of freight from roads to inland waterways or rail. The Department is considering the scope for encouraging greater use of inland waterways and estuarial rivers as part of the development of an integrated transport strategy. The White Paper on the strategy, setting out a strategic framework for sustainable transport policy, will be published in the Spring.

Mr. Garnier: To ask the Secretary of State for the Environment, Transport and the Regions what are the average *(a)* construction and *(b)* maintenance costs for a mile of (i) canal, (ii) road and (iii) railway. [30691]

Ms Glenda Jackson: The following tables show the costs for construction and maintenance of canals and roads. The corresponding figures for railways are not available.

Canals

£ cost per mile

	Construction	*Maintenance*
Commercial Waterways	10 million	56,000
Cruising Waterways	5 million	32,000

Source:
British Waterways

Costs for construction and maintenance of trunk roads vary widely, depending on the location and details of individual schemes. Figures for recent years are as follows:

New construction

Cost £ million per lane mile

	1996–97	*1995–96*	*1994–95*
Motorways	n/a	[1]1.9	5.5
Motorways Widening	n/a	n/a	7.2
All Purpose Dual Carriageway Trunk Roads	7.14	n/a	3.28
All Purpose Single Carriageway Trunk Roads	n/a	n/a	1.06

[1] Only one scheme used to derive cost

Maintenance

Cost £/m²

	1996–97	*1995–96*	*1994–95*
Reconstruction: Motorways	71	143	152
Reconstruction: Trunk Roads	85	96	81
Overlay: Motorways	25	44	59
Overlay: Trunk Roads	47	45	42

Source:
Highways Agency's Annual Report 1996–97.

Japanese Cars

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions if the checks proposed under the new single vehicle approval system will ensure that all cars manufactured and used in Japan and subsequently imported into the United Kingdom as second-hand cars will meet EU type approved regulations; and if such cars comply with United Kingdom safety standards. [30722]

Ms Glenda Jackson: The proposed Single Vehicle Approval (SVA) standards are broadly based on EU type approval requirements. The standards cannot be as stringent in every respect because of practical considerations; for example, SVA cannot apply the same standards for crashworthiness. The SVA scheme is under review, but the intention is that the majority of non-type approved cars entering Britain will be inspected before they can be licensed and registered here. The proposed exceptions are: any vehicle over 10 years old; and those vehicles over 3 years old being imported by individuals who have lived abroad for at least 12 months and used the vehicle abroad for at least 6 months. Cars manufactured to Japanese standards would normally require at least the following modifications to pass the proposed SVA inspection: the inclusion of an mph display on the speedometer; the addition of a rear fog light; and alteration of the fuel filler nozzle.

Ecolabelling

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions how many responses he has received on the review of the United Kingdom Ecolabelling Board; and how many were in favour and how many against a United Kingdom scheme. [30978]

Angela Eagle: My Department has invited views from over a hundred organisations and individuals as part of the review of the United Kingdom Ecolabelling Board, which is still in progress. As well as a written consultation exercise, the review includes detailed interviews with over 30 interested organisations and individuals. The review addresses a number of important issues connected with ecolabelling—including the question of whether the United Kingdom should have its own award scheme, which is attracting interest from those responding to consultation. The Government should be in a position to announce the outcome of the review in April. A copy of the report, and of the written responses to the consultation exercise, will be placed in the Library of the House.

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement regarding the latest European Commission proposals to revise ecolabelling regulations. [30787]

Angela Eagle: The European Commission's Proposals for revising the Regulation on the EU ecolabelling award scheme has been discussed over the last year in meetings of competent bodies and national experts from the member states. It is currently being considered by the Committee of the European Parliament. Last week the Proposal was tabled by the UK Presidency for consideration by the Environment Working Group. These processes have revealed several aspects of the Proposal which would need substantial review before agreement on a new Regulation could be reached.

Regional Development Agencies

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will appoint representatives of the Environment Agency to serve on regional development agencies; and if he will make a statement. [30266]

Mr. Caborn: Members of Regional Development Agencies will not be appointed as representatives of particular groups or bodies. We will be looking for candidates that can bring a range of experience to the board, particularly those that combine experience across a number of sectoral interests.

We expect the board to include members who have experience relevant to the achievement of sustainable development and will be consulting the Environment Agency, among others, about suitable candidates for board membership.

DUCHY OF LANCASTER

Cash Limits

Mr. Pickthall: To ask the Chancellor of the Duchy of Lancaster what proposals and underlying reasons there are to change the 1997–98 cash limit for the Office of the Parliamentary Commissioner and Health Service Commissioner. [30434]

Dr. David Clark: The cash limit for Class XVIII, Vote 4 will be reduced by £356,000 from £15,000,000 to £14,644,000.

Consultants engaged by the Department of Health originally estimated that the Health Service Commissioners (Amendment) Act 1996 would lead to a 150% increase in the caseload of the Health Service Commissioner. This estimate was used as the basis for a transfer between Health Departments and the Health Service Commissioner of £6,444,000. Only £3,000,000 of this amount was taken by the Office of the Parliamentary Commissioner and Health Service Commissioners as part of the total supply for 1997–98 Class XVIII Vote 4 with the balance of £3,444,000 treated as retained PES.

As the Health Service Commissioners (Amendment) Act 1996 has so far generated less casework than expected, £3,800,000 will be transferred back to the Health Departments, subject to Parliamentary approval of the necessary supplementary estimates: £3,257,000 to Department of Health (England) Class XIII Vote 4; £347,000 to Department of Health (Scotland) Class XI Vote 1; and £196,000 to Department of Health (Wales) Class XIV Vote 4. Of the total transfer, £3,444,000 is

funded from retained PES. The balance of the transfer is effected by reducing the existing cash limit of £15,000,000 by £356,000 to £14,644,000.

Mr. Pickthall: To ask the Chancellor of the Duchy of Lancaster what proposals there are to change the 1997–98 cash limit or running costs for the Office of Public Service. [30435]

Dr. David Clark: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for the Office of Public Service (Class XVII, Vote 1) will be reduced by £2,030,000 from £158,821,000 to £156,791,000 and the gross running cost limit will be decreased by £606,000 from £80,423,000 to £79,817,000.

The changes reflect the transfer of £100,000 to HM Treasury (Class XVI, Vote 1) reflecting the transfer of responsibility for PFI IT advice; and transfers from PACE of £292,000 to DOE (Class VI, Vote 1), and £34,000 to LCD (Class VIII, Vote 1), for the transfers of ownership of Windsor House, and Sovereign House respectively. Additionally, the running cost limit will be reduced by £506,000, and the cash limit by £1,604,000, reflecting the offset of increased expenditure on Cabinet Office (Class XVIII, Vote 1).

Freedom of Information

Mr. Ruffley: To ask the Chancellor of the Duchy of Lancaster (1) if his Department has concluded the inquiry into the premature leaking of the contents of the White Paper on freedom of information; [30789]

(2) if his Department has identified the source of the premature leak of the contents of the White Paper on freedom of information. [30788]

Dr. David Clark: I told the House on 9 December 1997, *Official Report*, column 811, that there appeared to have been a premature disclosure of some features of the Freedom of Information White Paper, and that I had set in train the task of looking further into the circumstances. The established procedures were followed and have been concluded, but yielded no evidence to identify the source of the apparent disclosure.

Ministerial Visits

Mr. Wilshire: To ask the Chancellor of the Duchy of Lancaster if he will list those visits made within the United Kingdom since 1 May on which he has been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23750]

Dr. David Clark *[holding answer 19 January 1998]:* On the occasion of the Royal Garden Party on 24 July 1997, I was accompanied by my wife and daughter, at no additional expense to public funds.

MINISTER WITHOUT PORTFOLIO

Millennium Dome (Contents)

Yvette Cooper: To ask the Minister without Portfolio when he will announce further details of the contents of the Millennium Dome. [31203]

Mr. Mandelson: The Prime Minister will address sponsors and other interested parties on 24 February at an event at which models of a number of the zones of the Millennium Experience will be on display. Copies of the Prime Minister's speech, and of associated material on the Millennium Dome and its contents, will be placed in the Libraries of the House when it opens on 24 February.

Millennium Dome (Faith Communities)

Ms McCafferty: To ask the Minister without Portfolio (1) what steps he will take to encourage the commissioning of original works of art, for the Millennium Dome, by faith communities; [29696]

(2) what plans he has to assist faith communities in financing their contributions to the Millennium Dome interior, with particular reference to those which will not use National Lottery funding. [29695]

Mr. Mandelson *[holding answer 18 February 1998]:* The New Millennium Experience company (NMEC) is working closely with faith communities through the Lambeth Group—which brings together representatives of the faith communities to contribute to planning of the Millennium—to ensure that the Dome includes exhibits which reflect the contribution of, and are relevant to, faith communities. A member of the Group is being financed by the Department for Culture, Media and Sport to advise the NMEC on handling faith issues within the Dome. The Lambeth Group has also discussed finance issues. I am attending the meeting of the Group on 23 February and will be interested to hear from the faith communities how these discussions might develop further.

CULTURE, MEDIA AND SPORT

New Opportunities Fund

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport on what statutory basis he has set aside the proportion of money payable to good causes from the National Lottery since 14 October 1997 for the New Opportunities Fund. [31207]

Mr. Tyrie: To ask the Secretary of State for Culture, Media and Sport, pursuant to his oral answer of 16 February 1998, *Official Report*, column 750, if he will make a statement on the means by which the National Lottery Bill [*Lords*] represents a statutory authority for the shadow accounts for the new opportunities fund. [30856]

Mr. Chris Smith: Neither the distributing bodies nor my department need any specific statutory authority to maintain shadow accounts. They are for indicative planning purposes reflecting the basis of the Government's policy as announced, and will enable the smooth and straightforward implementation of the Bill if it becomes law. No actual funds will pass from existing distributors to the New Opportunities Fund, unless and until the Lottery Bill receives Royal Assent. Meanwhile, the proceeds for good causes continue to be allocated between existing distributors' accounts in the National Lottery Distribution Fund exactly in line with the National Lottery etc. Act 1993 and Orders made under it.

Television Licences

Mr. Chaytor: To ask the Secretary of State for Culture, Media and Sport if he will review the current system for the provision of subsidy for television licences for pensioners. [30580]

Mr. Fisher: The Government's Agreement with the BBC provides for a review of future funding arrangements prior to March 2002. We shall conduct that review in good time to allow decisions to be taken before then. It will include a detailed consideration of licence fee concessions.

East Midlands Arts

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what plans he has to meet the Chair and Chief Executive of East Midlands Arts. [30927]

Mr. Fisher: I met the Chairman and Chief Executive of the East Midlands Arts Board during my visit to the East Midlands in early January, when I was pleased to learn of the vibrant artistic activity in the area.

National Lottery

Mr. Berry: To ask the Secretary of State for Culture, Media and Sport which conditions of Camelot's licence govern the frequency of the National Lottery draws. [29833]

Mr. Chris Smith *[holding answer 17 February 1998]:* Under section 11 of the National Lottery etc. Act 1993, the Secretary of State has directed the Director-General not to license games that encourage excessive participation. I have asked the Acting Director-General to write to my hon. Friend about any particular conditions in the licence dealing with frequency of draws and copies of his response will be placed in the Libraries of the House.

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport if he will publish details of the *(a)* consultations and *(b)* meetings which led to the awarding of the licence to run the National Lottery to Camelot. [28599]

Mr. Chris Smith: The award of the licence to Camelot to operate the National Lottery is a matter for the Director-General of the Office of the National Lottery. The Acting Director-General will write to my hon. Friend and copies of his response will be placed in the Libraries of the House.

Dr. Tony Wright: To ask the Secretary of State for Culture, Media and Sport if he will arrange for information to be published on the number of lottery tickets purchased each year in each constituency and district council area. [29680]

Mr. Tom Clarke: Figures on ticket sales are not held by the Department and are an operational matter for Camelot Group plc. I have therefore asked the Acting Director-General of the National Lottery, who is responsible for regulating the operation of the Lottery, to write to my hon. Friend and copies of his response will be placed in the Libraries of the House.

Millennium Tower (Portsmouth Harbour)

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport if he will make the viability study for the Millennium Tower in Portsmouth Harbour available to local hon. Members; and if he will make a statement. [30245]

Mr. Chris Smith *[holding answer 19 February 1998]:* This is a matter for the Millennium Commission. I shall write to the hon. Member in my capacity as Chairman of the Commission, and place copies of my reply in the Libraries of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

European Union

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* applications have been put forward for and *(b)* discussions held concerning receiving European Union moneys for informing United Kingdom nationals about the European Union since 1 May 1997. [27418]

Mr. Doug Henderson *[holding answer 4 February 1998]:* The Treasury last year applied to the Commission for financial assistance towards the cost of producing and distributing their booklet "EMU: Practical Information for Business". Discussions with the Commission about further funding for practical information material on EMU are ongoing. No other Department has applied for EU money to support information activities.

Cash Limits

Judy Mallaber: To ask the Secretary of State for Foreign and Commonwealth Affairs what changes he proposes to make in his Department's cash limits and running cost limits for 1997–98. [30280]

Mr. Fatchett: Subject to Parliamentary approval of the necessary Supplementary Estimate the cash limit for Class II, Vote 2 (Other External Relations) will be increased by £17,945,000 from £229,815,000 to £247,760,000. The increase is required to cover UK contributions to certain OSCE, United Nations and WEU Missions of £26,429,000. This will be partly offset by recoveries of £5,000,000 from the United Nations. There is a reduction of £3,788,000 because of a negative Overseas Price Movement. This will be partly offset by transfers in of £304,000. A total of £204,000 from the Department of the Environment, Transport and the Regions (Class V, Vote 2 and Class VI, Vote 3), Department of Trade and Industry (Class IV, Vote 1) and the Ministry of Defence (Class I, Vote 1) in respect of their contributions to the United Nations Convention on the Law of the Sea following UK accession and a further £100,000 from the Ministry of Defence (Class I, Vote 1) in respect of their contribution to the grant-in-aid to the Atlantic Council of the UK.

The cash limit for Class II, Vote 1 (Overseas Representation) will be reduced by £16,850,000 from £628,876,000 to £612,026,000. This reduction takes account of negative Overseas Price Movements of £20,742,000 (£10,095,000 running costs, £10,417,000 other current and £230,000 capital) which has offset a

£4,000,000 running cost claim to cover major international conferences. There have also been three transfers to other Government Departments: £10,000 to the Cabinet Office (Class XVIII, Vote 2) for information work; £137,000 to the Department for International Development (Class II, Vote 5) for Know How Fund staff and £4,000 to the Privy Council Office (Class XVIII, Vote 3) to help fund the new UK Anti Drugs Co-ordinator and his Deputy. These have been partially offset by two transfers in: £25,000 from the Ministry of Defence (Class I, Vote 1) and £18,000 from the Northern Ireland Office (Class XV, Vote 1) for the Whitehall District Heating System.

The gross running costs limit on Class II, Vote 1 will be reduced by £6,701,000 from £534,813,000 to £528,112,000. The Wilton Park section of the Vote has been increased by £498,000 gross running costs, £29,000 other current, £65,000 capital and £351,000 appropriations in aid. These increases have been fully offset by reductions in the Overseas Representation section of the Vote.

The net running cost limit for Wilton Park has been increased by £149,000 from £638,000 to £787,000.

The cash limit for Class II, Vote 4 (The British Council) will be reduced by £1,637,000 from £97,884,000 to £96,247,000 because of negative Overseas Price Movements of £1,637,000.

The net decrease to the Vote will not add to the planned total of public expenditure.

Embassies (Furniture)

Mrs. Virginia Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs what guidelines exist for the purchase of furniture in embassies and high commissions overseas; whether they include price ranges; and whether there is specific guidance on the purchase of beds. [30233]

Mr. Fatchett: Posts overseas are provided with written guidance on purchasing procedures, based on best practice, as well as illustrated catalogues which cover ranges of suitable furniture and other products meeting British Standards. The catalogues are accompanied by a price list, which is based on contracts let competitively and negotiated centrally by the Department. Beds are included in the catalogues. The only specific guidance on purchasing of beds relates to safety standards for bunk beds and children's cots. Posts can opt to purchase through the Departmental Procurement Unit, or locally, using the price list as a benchmark for local products.

China

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will raise human rights issues in his discussions with the Chinese authorities on 20 February. [30262]

Mr. Fatchett: The current situation in the Gulf has led me to postpone my forthcoming visit to China. However, we will continue to express our concerns about human rights to the Chinese authorities at every suitable opportunity. My right hon. Friend the Foreign Secretary did this most recently when he met Chinese leaders in Peking in January 1998.

Russia

Mr. Touhig: To ask the Secretary of State for Foreign and Commonwealth Affairs what further representation he intends to make to the Russian government about the number of cases pending under the legislation on religious freedom and the severity of the draft regulations. [30288]

Mr. Doug Henderson: We are not aware of any cases pending under the law on freedom of conscience and religious association, and understand that formal regulations designed to assist provincial officials to implement the complex law are still under discussion in Moscow. In the meantime, the Russian Ministry of Justice has issued informal guidelines which seem to be generally less restrictive.

The Russian authorities assure us that implementation of the law on freedom of conscience and religious association will not contravene Russia's international human rights obligations. Flexible application will be the key. If we receive evidence that the law is restricting religious freedom then I will consider raising the matter under the broad umbrella of human rights issues.

Ministerial Visits

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to visit Africa. [30226]

Mr. Tony Lloyd: My right hon. Friend the Foreign Secretary plans to visit sub-Saharan Africa but no firm dates have yet been fixed.

Iraq

Dr. Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list each currently relevant United Nations resolution concerning Iraq and indicate the present state of compliance of the Iraqi Government with each of them. [29796]

Mr. Fatchett: In the aftermath of the Iraqi invasion of Kuwait in 1990, 39 resolutions have been adopted. The cost of determining and setting out the exact state of Iraqi compliance with each one of these would be disproportionately high.

In relation to the present crisis over the work of UNSCOM, Iraq has failed to comply with UNSCRs 687, 707, 715, 1060, 1115, 1134 and 1137, and with demands from the Security Council in numerous Presidential statements.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the current condition of Kurdish people in northern Iraq. [30228]

Mr. Fatchett: A Foreign Office official visited northern Iraq in January. He reported some improvements in the implementation of the "oil for food" scheme. There had been almost full food baskets since August 1997 and medicines had been distributed in larger quantities since November 1997. A major resettlement programme was underway, with some roads and schools completed and work on one village completed.

Several UK NGOs are working in northern Iraq. Most are funded by the Government.

We continue our efforts to encourage the KDP and the PUK to resolve their differences through dialogue and reconciliation. Members of the senior leadership of both parties met in Shaqlawah on 12 February to discuss inter-party co-operation on humanitarian issues and other confidence building measures.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Iraqi claims to possess biologically armed intermediate range missiles. [30248]

Mr. Tony Lloyd: Iraq denies that it retains any biological weapons or missiles with a range over 150 kilometres, both of which are prohibited under UN Security Council Resolution 687. But the UN Special Commission (UNSCOM) has reported that serious gaps still remain in Iraq's declarations relating to all of its proscribed activities. Without full, unhindered access to all sites of Mass Destruction programmes, UNSCOM cannot be sure that Iraq does not retain operational SCUD-type missiles, or chemical or biological warheads for these.

Mr. Azil Nadir

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had, and with whom, on the case of Mr. Azil Nadir; and if he will make a statement. [30601]

Mr. Doug Henderson: When Mr. Nadir was in Turkey, we made repeated representations to the Turkish authorities through our Embassy in Ankara to seek his arrest pending extradition proceedings, and to remind the Turkish authorities that an Interpol "Red Notice" in respect of Mr. Nadir had been issued. We would do so again if Mr. Nadir returned to Turkey from northern Cyprus.

Correspondence

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the languages into which the Baroness Symons' letter to hon. Members of 14 January was translated and the cost of the translations. [30681]

Mr. Fatchett: The languages were: Hindi, Punjabi, Tamil, Gujarati, Urdu, Bengali and Sinhalese. The cost of the translations was £349.09. This amount did not include the staff costs involved in processing and dispatching the translation to all Members.

Entry Clearance

Mr. Malins: To ask the Secretary of State for Foreign and Commonwealth Affairs how many explanatory statements following refusal of applications by entry clearance offices in British Missions overseas have been *(a)* received and *(b)* dispatched to the Independent Appellate Authority for listing of appeals; and if he will make a statement. [30741]

Mr. Fatchett: In 1996, following refusal by entry clearance officers in British Posts overseas, 8,829 settlement and 1,369 non-settlement appeals were received. 8,317 settlement and 878 non-settlement appeal explanatory statements were dispatched by 31 December 1996 to the appellate authorities.

Figures for 1997 will be available by the end of April.

Surplus Property and Land

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the properties and land owned by his Department which he has identified as surplus to requirements, giving in each case their estimated value. [30319]

Mr. Fatchett: This Department is reviewing the use of all its assets, including identifying assets which are surplus to requirements, as part of the Comprehensive Spending Review which will be completed this summer. Two former wireless stations in Buckinghamshire and a number of overseas properties have already been identified as surplus to requirements and put on the market. It is not possible to give an estimate of the value of these assets, as this will depend on the circumstances of their disposal. For accounting purposes, surplus assets will be valued in accordance with the relevant provisions of the Resource Accounting Manual.

Advertising Contracts

Mr. Burns: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30716]

Mr. Fatchett: Three contracts have been awarded. All were to advertise Consular services and were subject to single tender in line with the circumstances outlined in the written answer of 27 March 1996, *Official Report*, column *627*, given by the then Minister of State for Foreign and Commonwealth Affairs, Mr. Jeremy Hanley.

Advertisement in RADAR (A guide for disabled people): £1,800

TV fillers shown by Wrenvision at the Passport Office for queueing applicants (3 year contract): £48,000

Advertisement in the Destinations '98 travel fair showguide: £4,200

This Department also advertises indirectly recruitment opportunities through call-off contracts with recruitment specialists. The information sought is not readily available with regard to these contracts and could be made available only at disproportionate cost.

Sierra Leone

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what diplomatic effort his Department has undertaken to bring a halt to armed conflict in Sierra Leone; and if he will make a statement. [30761]

Mr. Tony Lloyd: We have consistently worked for a peaceful settlement of the crisis in Sierra Leone. We are now consulting member states of the Economic Community of West African States (ECOWAS) on the situation. I discussed it with President Kabbah of Sierra Leone on 20 February. We are considering urgently the need for rapid UN engagement, which we are discussing with the UN Secretariat and with Security Council members. The need now is for the restoration of the

legitimate President and the establishment of a broadly-based Government and for all parties to move to a process of disarmament and demobilisation.

The most immediate requirement is for a humanitarian relief effort, to which we are ready to make a major contribution. The Department for International Development (DFID) has sent an expert to the region to liaise with the UN and NGOs over the quickest and most effective way to achieve this.

Ethical Foreign Policy

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason he did not discuss the ethical foreign policy objective of Her Majesty's Government with the President of the European Commission on the occasion of the latter's recent visit. [30502]

Mr. Doug Henderson: President Santer is fully aware of our Presidency priorities, including on human rights. My right hon. Friend the Foreign Secretary's recent brief discussions with President Santer focused on other issues.

DEFENCE

Iraq

Mr. Baker: To ask the Secretary of State for Defence what assessment he has made of the potential environmental consequences of an air strike on stockpiles held in Iraq of chemical and biological materials; and if he will make a statement. [30607]

Mr. George Robertson: I am not prepared to discuss hypothetical target options. Firstly, of course, I sincerely hope that there will be no need to take any military action; we wait to see the terms of the agreement that the UN Secretary-General has brought back from Baghdad. We hope this will indeed prove acceptable. Secondly, even if we yet find ourselves having to resort to military force, we would obviously not wish to give potential early warning to Saddam of possible targets. If force had to be used, we would look very carefully at all relevant options and take into account potential hazards, before deciding whether to target a particular location.

Dr. Lynne Jones: To ask the Secretary of State for Defence what is his estimate of the cost per day of United Kingdom forces presently deployed in the Gulf. [30569]

Mr. George Robertson: The extra costs incurred from the beginning of the operation in the Gulf up to 2 February 1998 amounted to £2.5m. Costs relate mainly to the transportation of forces to the area, and consequently are not a consistent daily amount.

Mr. Baker: To ask the Secretary of State for Defence what has been the total extra cost to public funds since 1 October 1997 of the preparations made to deal with the situation in Iraq. [30606]

Mr. George Robertson: The total extra cost to the MOD of the United Kingdom forces currently deployed in the Gulf amounted to £2.5m up to 2 February 1998. Costs incurred since then are not yet available.

Advertising Contracts

Mr. Burns: To ask the Secretary of State for Defence if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30713]

Mr. Spellar: The MOD's main advertising needs arise in connection with Services recruiting campaigns, and are arranged through agreements with the Central Office of Information. No new contracts have been awarded on our behalf since 1 May 1997. Some other Services' recruitment advertising is arranged locally, on a Single Service basis, but the information is not held centrally, and could be provided only with disproportionate cost.

Cash Limits

Mr. Hutton: To ask the Secretary of State for Defence if he will make a statement on changes to the Class 1 cash limits and the defence operating costs limit for 1997–98. [30412]

Dr. Reid: The Government have decided that, subject to Parliamentary approval of the necessary Supplementary Estimate, an addition should be made to the Defence budget to cover the additional costs of operations by UK forces in Bosnia in the current financial year. These costs are estimated to be £189 million. Some £11 million will be met from technical adjustments leaving £178 million which will be met from the Reserve.

A Spring Supplementary Estimate is, therefore, to be presented to the House to take on to Vote the additional provision of £178 million. The Supplementary Estimate will also make adjustments between the Defence operating costs programme (mostly Votes 1 and 2) and the Defence equipment programme (Vote 3) to reflect the expected pattern of expenditure on the Defence programme generally.

Because of the adjustment between operating costs and the equipment programme, the additional funding will be drawn on to Class 1, Vote 3 and token increases of £1k will be taken on Votes 1 and 2. The cash limits on Votes 1 and 2 will, however, be reduced and that on Vote 3 increased by more than the amount of the additional funding to reflect the realignment. The cash limit changes will be as follows:

£000

Class 1 Vote	*Current cash limit*	*Change*	*Revised cash limit*
1	10,096,130	–3,786	10,092,344
2	4,754,337	–59,263	4,695,074
3	6,112,530	241,068	6,353,598
Total	20,962,997	178,019	21,141,016

The impact of these changes on the Ministry of Defence Operating Cost limit is as follows:

£000

Class 1 Vote	Current cash limit	Change	Revised cash limit
1	10,090,598	−3,786	10,086,812
2	4,754,337	−59,263	4,695,074
3	735,976	−1,720	734,256
Total	15,580,911	−64,769	15,516,142

Because the increase on the Defence budget cash limit will be met from the Reserve, which is part of the Government Control total, it will not add to the planned total of public expenditure.

Overseas Travel

Mr. Duncan: To ask the Secretary of State for Defence if he will list which Ministers in his Department have made overseas visits and to which countries since 1 May. [27812]

Dr. Reid *[holding answer 5 February 1998]:* The information requested is as follows:

Secretary of State for Defence

1997

May—France, Bosnia
June—USA, Belgium, Germany (twice)
July—Spain
September—Poland, Ukraine, Oman, Kuwait, Netherlands
November—Russian, German, Italy
December—Belgium, Germany

Minister of State for Defence Procurement

1997

June—France
October—USA, Netherlands
November—UAE, Bahrain, Qatar
December—Malaysia

Minister of State for the Armed Forces

1997

May—Bosnia, Croatia
June—Belgium
July—Belgium
October—Poland, Rumania, Hungary, USA
November—France
December—Bosnia

1998

January—Cyprus

Parliamentary Under-Secretary of State for Defence

1997

June—France
September—Australia, New Zealand
October—Gibraltar
November—Baltic States

Strategic Defence Review

Mr. Blunt: To ask the Secretary of State for Defence what estimate he has made of total annual savings resulting from spend to save decisions being delayed due to the Strategic Defence Review. [28324]

Mr. George Robertson: The delay in decisions on the construction of a new building planned at Abbey Wood, which I referred to in a previous answer on 10 February 1998, *Official Report*, column 196, is the only spend to save decision identified as having been deferred by the Strategic Defence Review. Since final decisions on the Review have yet to be taken, I cannot give details of future efficiency savings or the impact of the review on previously planned savings. I am, however, confident that the outcome of the Review will result in improved efficiency throughout my Department.

Low Flying

Mr. Llwyd: To ask the Secretary of State for Defence how many flying accidents have been recorded during low-altitude training in the last 10 years; and what measures are being taken to reduce the number of accidents. [29358]

Mr. Spellar: In the years 1988–97 the number of accidents involving MOD aircraft engaged in low flying training were as follows:

1988—6
1989—4
1990—6
1991—5
1992—3
1993—6
1994—7
1995—2
1996—2
1997—1

Studies suggest that there are certain conspicuity measures that could further increase the effectiveness of the "see and avoid" principle. We have initiated a programme to paint the majority of training aircraft black including the Hawk, Tucano, Dominie and Jetstream; training helicopters and the Firefly aircraft are painted in a combination of yellow and black. In addition, the majority of military aircraft are being fitted with high intensity strobe lights, and RAF aircraft with high power light assemblies where installation is not cost prohibitive. The procurement of a Collision Warning System is under consideration as part of the Strategic Defence Review.

Flight safety is a key priority and we continue to pursue initiatives that promise further improvements in that area.

Departmental Pay

Mr. Duncan: To ask the Secretary of State for Defence how many people employed by *(a)* his Department and *(b)* the agencies for which his Department is responsible earn (i) less than £3.20 per hour, (ii) between £3.20 and £3.60 per hour, (iii) between £3.60 and £4.00 per hour and (iv) between £4.00 and £4.62 per hour. [30760]

Mr. Spellar: It is not possible to show the information precisely as requested. The tables show MOD civilian staff, including juveniles and apprentices, with hourly pay rates in the specified bands. Table 1 covers the whole department, including the smaller agencies but excluding the Meteorological Office, the Defence Evaluation and

Research Agency and the Hydrographic Office which have delegated pay arrangements. These three agencies are shown in table 2.

Table 1: MOD civilian staff with hourly pay rates in the following bands (excluding Meteorological Office, DERA and Hydrographic Office)

£	Number of staff
Below 3.20	289
3.20—3.59	2,614
3.60—3.99	1,609
4.00—4.62	17,467

Table 2: MOD civilian staff in Meteorological Office, DERA and Hydrographic Office with hourly pay rates in the following bands

£	Number of staff
Below 3.20	12
3.20—3.59	12
3.60—3.99	47
4.00—4.62	375

In the case of the Armed Forces, pay is based on recommendations made by the independent Armed Forces Pay Review Body (AFPRB) and published annually. The 1998 AFPRB Report (Cmnd 3834) is in the Library of the House. The pay of the Armed Forces is based on daily, not hourly, rates.

Firing Ranges

Mr. Steen: To ask the Secretary of State for Defence what was the advertised usage of *(a)* Merrivale Range, *(b)* Okehampton Range and *(c)* Willsworthy Range in the Dartmoor National Park for live firing in the year ended December 1997 expressed in number of days; and how many days' firing took place. [27509]

Dr. Reid: I will write to the hon. Member, and a copy of my letter will be placed in the Library of the House.

Tomahawks

Mr. Hancock: To ask the Secretary of State for Defence what measures were taken to verify claims made by the Tomahawk land attack missiles manufacturers and the United States Department of Defense about its accuracy before procuring the missile. [30170]

Mr. Spellar: The US Department of Defense has provided detailed information on the results of Tomahawk operations and missile test firings. This information was assessed fully before a decision was taken to procure the weapon system. Manufacturers' claims did not influence the decision.

Furniture Purchases

Mrs. Virginia Bottomley: To ask the Secretary of State for Defence what guidelines exist for the purchase of furniture for service accommodation; whether price ranges are provided; and whether there is specific advice with regard to the purchase of beds. [30235]

Dr. Reid: Levels of individual entitlement and agreed standards for the provision of furniture and furnishings for all Service accommodation are promulgated in the relevant Joint Service Publications. Such items are routinely purchased using centrally negotiated tri-service, fixed-priced, enabling arrangements. Where contract cover is not provided quotations are used. There is a specialist advisory service which provides advice about all items procured under these arrangements including beds.

Departmental Buildings

Mr. Swinney: To ask the Secretary of State for Defence if he will list the location and running costs in the last year for which figures are available of each of his Department's buildings. [30071]

Mr. Spellar *[holding answer 18 February 1998]:* The information sought is not held centrally in the form requested and could be obtained only at disproportionate cost.

Indian Ocean

Mr. Vaz: To ask the Secretary of State for Defence if he will make a statement on the current level of the British armed forces presence in the Indian Ocean. [30227]

Dr. Reid: The current British Armed Forces presence in the Indian Ocean consists of the Naval establishment at Diego Garcia, with a complement of 42 people.

Service Personnel (Asbestos Exposure)

Mr. Hancock: To ask the Secretary of State for Defence what changes in Government policy have taken place since 1 May 1997 in relation to compensation claims for exposure to asbestos from former service personnel; how many claims have been received in each of the last five years; what plans he has to extend the range of former employees eligible for compensation; and if he will make a statement. [30737]

Mr. Spellar: Former Service personnel who unfortunately contract asbestos-related diseases as a result of their service in the Armed Forces can claim a war pension. No policy changes have been introduced affecting this group since 1 May 1997. However, my Department is sympathetic to concerns that compensation arrangements for former Service personnel suffering from asbestos-related diseases may not be as favourable as those for former MOD civilian employees. This issue is being examined and we hope to reach a conclusion within the next few months.

The number of compensation claims received by my Department in each of the last five years from former Service personnel in respect of asbestos-related disease was:

1993: 13

1994: 19

1995: 16

1996: 9

1997: 7

Widows' Pensions

Mrs. May: To ask the Secretary of State for Defence if he will alter the payment of pensions to service widows

who were widowed before 1973 to bring such pension policy into line with that for service widows widowed after 1973. [30740]

Mr. Spellar: The Government have no plans to alter the rules of the Armed Forces Pension Scheme which apply to Service widows whose husbands retired before 31 March 1993.

Exercise Senator 97

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 22 January 1998, *Official Report*, column *628*, how many press releases were issued before, during and after Exercise Senator 97; what information was given to local residents; how many members of the media were invited to attend the exercise; and how many of his Department's staff took part. [30501]

Dr. Reid: Exercise SENATOR 97, a grade B nuclear accident response exercise, was held between 22–25 September 1997 at Prince William of Gloucester Barracks and Lincolnshire Fire Brigade Headquarters in the Grantham area of Lincolnshire. This was a table top exercise that focused on the response at the local strategic level. No press releases were issued before, during or after Exercise SENATOR 97. No information on the exercise was provided to local residents, although local MPs were informed in advance by letter, as is normal departmental practice. No members of the media were invited to attend the exercise. Two hundred and fifty members of my Department participated in this exercise.

Defence Council Instructions

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will place in the Library a list of the titles and subject matter of each of the unclassified Defence Council Instructions which have been issued since 1 December 1997. [30469]

Dr. Reid: Yes. I am placing a list today.

Surplus Property and Land

Mr. Baker: To ask the Secretary of State for Defence if he will list the properties and land owned by his Department which he has identified as surplus to requirements, giving in each case their estimated value. [30318]

Mr. Spellar: My Department currently has some 235 properties and land which are surplus to requirement and in the process of disposal. I will write to the hon. Member shortly with a listing and place a copy in the Library of the House. The number of properties in disposal inevitably changes as disposals are completed.

The financial information sought is commercially sensitive and could, if released, be prejudicial to the conduct of my Department's business. I am therefore withholding this under Exemption 7 of the Code of Practice on Access to Government Information.

Vermin Control

Mr. Gray: To ask the Secretary of State for Defence, pursuant to his answer of 13 February 1998, *Official Report*, column *428*, if he *(a)* permits and *(b)* encourages the use of rifles as a means of vermin control in areas of his Department's estate which are being used for military training at that time; and if he will make a statement. [30610]

Mr. Spellar: Access, for whatever reason, to areas of the Defence estate where military training is taking place is restricted for obvious safety reasons and would be permitted only in line with these restrictions. Access in these circumstances would not be encouraged.

Casualties

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Defence how many British soldiers have been injured or killed on active duty in each of the last five years and to date in the current year. [30975]

Dr. Reid: The number of British soldiers killed or injured while on active duty from 1993 to the current day is as follows:

Year	*Deaths*	*Injuries*
1993	7	17
1994	7	28
1995	0	18
1996	4	5
1997	1	1
1998 to date	0	0

Explosives Theft (Brecon)

Mr. Livsey: To ask the Secretary of State for Defence what inquiry he is currently conducting into the circumstances surrounding the theft of explosives from Dering Lines, Brecon, Infantry Training Centre during 1997. [30923]

Dr. Reid: A Board of Inquiry is underway to investigate the theft of explosives from the Army Training Area, Sennybridge, following the conviction of a soldier serving at the Infantry Training Centre, Brecon. I understand that the Board has already established that no explosives were stolen from the Infantry Training Centre in Brecon itself.

Second Division

Miss McIntosh: To ask the Secretary of State for Defence when he expects Second Division will have an expeditionary force capability. [30509]

Dr. Reid: The Second Division is for the most part an administrative formation responsible for units stationed in the Eastern counties from Northumberland in the north to Northamptonshire, Cambridgeshire and Suffolk in the south. The Division therefore has no expeditionary force capability; but many of the units for which it has administrative responsibility do have such a capability, including notably 19 Mechanised Infantry Brigade in Catterick.

RAF Coltishall

Mr. Keith Simpson: To ask the Secretary of State for Defence (1) what are his plans for the future use of RAF Coltishall; [30935]

(2) if RAF Coltishall is planned to be an operational base for Jaguars beyond 2002. [30934]

Dr. Reid: In common with many other bases, the future of RAF Coltishall is being considered in the context of our wide-ranging work on the Strategic Defence Review. Once all work on the review has been considered by Ministers, we will publish a White Paper setting out our overall conclusions. It is too soon to comment on what those conclusions may be and the implications that they may have.

Mr. Keith Simpson: To ask the Secretary of State for Defence if he will list the costs of upgrading RAF Coltishall for Jaguar aircraft. [30933]

Dr. Reid: As part of routine maintenance, the runway at RAF Coltishall has recently been refurbished at a cost of £5.24 million. There have been no other significant improvements to the Station, which has been a Jaguar base for 24 years.

HOME DEPARTMENT

Cash Limits

Mr. Coaker: To ask the Secretary of State for the Home Department what proposals he has for changes to the 1997–98 cash and running cost limits within his responsibilities. [30247]

Mr. Straw: Subject to Parliamentary approval of the necessary token Supplementary Estimate, the cash limit for Class VII, Vote 1 (Home Office administration, police, probation, immigration and other services, England and Wales) will be reduced by £4,538,000 from £4,728,661,000 to £4,724,123,000, the cash limit for Class VII, Vote 2 (Prisons, England and Wales) will be reduced by £1,014,000 from £1,756,845 to £1,755,831 and the gross running costs limit will be reduced by £4,552,000 from £1,892,931,000 to £1,888,379,000.

The changes in the cash limits are the net effect of the following transfers: between Vote 1 and 2 in respect of information technology provision, training and criminal justice initiatives, £44,000 to the Privy Council Office, Class XVIII, Vote 3, as a contribution towards the costs of United Kingdom Anti Drugs Co-ordinator, £8,000 to the Department of the Environment, Transport and the Regions, Class V, Vote 4, in respect of the Crime (Sentences) Act 1997 and £5,500,000 to the Crown Prosecution Service, Class VIII, Vote 4, in respect of criminal justice initiatives.

There is a £1,000,000 increase in running costs with a corresponding increase in receipts due to the increased demand for passports.

The increases will be offset by transfers and will not therefore add to the planned total of public expenditure.

ID Cards

Mr. Vaz: To ask the Secretary of State for the Home Department what *(a)* representations he has received and *(b)* assessment he has made of the cost in respect of the possible introduction of smart ID cards; and if he will make a statement on the Government's policy in respect of the introduction of such cards. [30194]

Mr. George Howarth: Hon. Members, members of the public and other interest groups contact me on a regular basis with proposals for and against the introduction of identity cards in the United Kingdom; however, there is no consensus on what form this should take. We are considering the options, including the likely cost, but have no current plans to introduce a national identity card scheme.

My right hon. Friend the Chancellor of the Duchy of Lancaster is separately looking at the scope for smart cards to facilitate electronic government transactions. Such cards would not function as national identity cards.

Police Road Blocks

Mr. Beith: To ask the Secretary of State for the Home Department, pursuant to his answer of 29 January 1998, *Official Report*, column *343*, in what circumstances a police road block can be used in conjunction with other agencies investigating *(a)* benefit fraud and *(b)* illegal immigration; on how many occasions these operations have taken place; and if he will make a statement. [29773]

Mr. Michael: Police officers commonly carry out road checks on commercial vehicles to detect those which are being driven in a dangerous condition, are overloaded, unlicensed or committing other road traffic offences. Such checks may be carried out using the power to stop vehicles in section 163 of the Road Traffic Act 1988 (as amended). Where such checks are arranged, forces may invite other agencies to attend in case the police's inquiries reveal potential offences relevant to those agencies' responsibilities. Such multi-agency checks may include representatives from the Benefits Agency and the Immigration Service. No information is held centrally on the number of multi-agency checks which have taken place.

Farmers (Devon and Cornwall)

Mr. Bradshaw: To ask the Secretary of State for the Home Department if he will estimate the cost to Devon and Cornwall police of recent operations involving protests by farmers. [30287]

Mr. Michael: The decision as to how resources are used within a police force area is a matter for the Chief Constable. The Chief Constable must deploy resources according to operational priorities and objectives, whilst trying to take account of local views whenever possible. Every force will, from time to time, face unexpected demands on its resources, such as major inquiries, sports events, pop concerts or demonstrations. Protests by farmers fall within this category.

Prisoners (Prescriptions)

Mr. Flynn: To ask the Secretary of State for the Home Department how many prescriptions were issued per 100 *(a)* male and *(b)* female prisoners for (i) tranquillisers and (ii) other medicinal drugs in each of the last five years. [30224]

Mr. George Howarth: I refer my hon. Friend to the answer I gave to him on 12 February 1998, *Official Report*, column *350*. The further breakdown which he seeks could be obtained only at disproportionate cost.

Learning Difficulties (Crime Victims)

Mr. Kidney: To ask the Secretary of State for the Home Department what directions he *(a)* has given and *(b)* intends to give to police forces on interviewing victims of crime with learning difficulties for the purpose of gathering evidence. [30282]

Mr. Michael: The inter-departmental review of Vulnerable or Intimidated Witnesses, announced by my right hon. Friend on 13 June 1997, and which includes representatives from the Association of Chief Police Officers, is considering whether special guidance could helpfully be given to the police to assist them in identifying and interviewing victims of crime and witnesses with learning disabilities. How any guidance is implemented will be an operational matter for chief officers of police.

Racial Incidents

Mr. Vaz: To ask the Secretary of State for the Home Department how many racial attacks were reported in each police area in January 1998. [29493]

Mr. Michael: Information is not available in precisely the form requested. Individual forces submit their racial incidents figures to Her Majesty's Inspectorate of Constabulary at the end of each financial year. These are incidents recorded under the Association of Chief Police Officers' definition of a racial incident:

"any incident in which it appears to the reporting or investigating officer that the complaint involves an element of racial motivation, or any incident which includes an allegation of racial motivation made by any person".

This definition is wider than simply attacks. The last available figure for the number of racial incidents reported to the police in England and Wales is 13,151 in 1996–97.

A breakdown of the number of incidents reported to the police by each police area in 1996–97 is given in the following table:

Forces	*1996–97*
Avon and Somerset	310
Bedfordshire	77
Cambridgeshire	141
Cheshire	92
City of London	10
Cleveland	68
Cumbria	37
Derbyshire	208
Devon and Cornwall	82
Dorset	67
Durham	24
Dyfed-Powys	18
Essex	116
Gloucestershire	34
Greater Manchester	595
Gwent	60
Hampshire	178
Hertfordshire	295
Humberside	55
Kent	256
Lancashire	337
Leicestershire	299
Lincolnshire	7
Merseyside	162
Metropolitan Police	5,621
Norfolk	56
North Wales	4
North Yorkshire	43
Northamptonshire	195
Northumbria	488
Nottinghamshire	330
South Wales	357
South Yorkshire	169
Staffordshire	225
Suffolk	74
Surrey	55
Sussex	260
Thames Valley	233
Warwickshire	66
West Mercia	64
West Midlands	725
West Yorkshire	623
Wiltshire	35
England and Wales Total	13,151
Provincial Total	7,530

Under data collection requirements agreed by member states within Europe, figures giving the number of serious racial incidents have been submitted to the European Union for 1994–95 and 1995–96. The 1994–95 figures showed that, of the 11,878 racial incidents recorded by the police, 508 were in respect of serious crime. Of these, four were murders; three were attempted murders; 161 were attacks involving explosives/arson; and 340 were serious assaults. In 1995–96, of the 12,222 racial incidents recorded by the police, 440 were in respect of serious crime. Of these, two were murders; 163 were attacks involving explosives/arson; and 275 were serious assaults.

Electoral Procedures

Mr. Gorrie: To ask the Secretary of State for the Home Department (1) if he will assess the advantages of setting up an Electoral Commission to recommend reforms in the conduct of elections; [30700]

(2) what plans he has to encourage a higher turn out of voters in elections; [30703]

(3) what plans he has to use technology to improve the registration of voters. [30697]

Mr. George Howarth: These are matters which will be considered by my Working Party on Electoral Procedures during the course of its review.

Mr. Gorrie: To ask the Secretary of State for the Home Department what plans he has to reform the law relating to election *(a)* candidates, *(b)* agents, *(c)* expenses and *(d)* offences. [30701]

Mr. George Howarth: I am considering the extent to which issues relating to candidates at elections should be considered by my Working Party on Electoral Procedures during the course of its review.

Death Penalty

Mr. Baker: To ask the Secretary of State for the Home Department what assessment he has made of the effect of his decision not to abolish the death penalty for treason and piracy on the prospects of other countries being persuaded to sign the Strasbourg Declaration. [30611]

Mr. Michael: The Government believe that the issue of capital punishment for murder and the question of the abolition of the death penalty for those offences for which it is still available (such as piracy with violence and treason) are matters for Parliament to decide on a free vote. We do not believe it is right to deny Parliament the opportunity to consider the issue in future by signing any international instrument which requires the abolition of the death penalty. We can, and do, support international calls for the abolition of the death penalty, because Parliament has consistently voted against the re-introduction of capital punishment for murder, and in the current Parliament anticipate that any motion to re-introduce it would be defeated by a substantial majority. On 11 October 1997, at the Summit of the Council of Europe, my right hon. Friend the Prime Minister therefore signed the Council of Europe Declaration calling for the abolition of the death penalty.

It is a matter for individual countries to decide whether or not to sign any international declaration.

Prison Service

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department, in relation to his written answer of 13 February 1998, *Official Report*, column *402*, on the Prison Service, what additional amount of money he has allocated to prisons expenditure in 1998–99; what amount of this is to be allocated from the contingency reserve; and if he will make a statement. [30510]

Ms Quin: We must examine the scope for savings elsewhere in the programme in the course of the coming year before any claim on the Reserve is considered.

Advertising Contracts

Mr. Burns: To ask the Secretary of State for the Home Department if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30717]

Mr. Michael: There have been no new advertising contracts awarded by the Home Office since May 1997 and therefore no tendering has taken place.

Prisoner Releases

Mr. Flynn: To ask the Secretary of State for the Home Department (1) what assessment he has made of the decision to release John Haase and Paul Bennett from gaol; and if he will make a statement; [30447]

(2) what protection has been provided from public funds to John Haase and Paul Bennett following their convictions for heroin smuggling and their release from gaol; [30451]

(3) what arrests and convictions resulted from information supplied to the Customs or police by John Haase and Paul Bennett after their convictions for heroin smuggling. [30448]

Mr. Michael: I understand that the former Home Secretary recommended to Her Majesty the exercise of the Royal Prerogative of Mercy in this case, following an initiative of the judge who had passed sentence. It is not for me to comment on that decision.

Information provided to assist the police and customs with their investigations is sensitive and is handled confidentially. I am unable to say whether arrests and convictions resulted from the assistance provided by these two men. They have not been provided with protection paid for from public funds.

Security Industry

Mr. Flynn: To ask the Secretary of State for the Home Department what new proposals he has to discourage the employment of convicted criminals in the security industry. [30450]

Mr. Michael: We intend to introduce statutory regulation of the private security industry as soon as possible. We will not be able to bring forward early legislation, as we warned before the election, but we have recently completed a consultation exercise with the industry and others on the best way to provide a comprehensive, effective and streamlined system. We want to look beyond the narrow proposals put forward by the previous Government, which focused only on criminal record checks for the contract guarding sector of the industry, and to put in place regulations which will protect the public by ensuring basic standards of probity, training, supervision and good practice within all sectors of the industry.

Child Sex Abuse

Mr. Levitt: To ask the Secretary of State for the Home Department if he will review the guidelines for courts dealing with child victims of crimes of sexual abuse; and if he will make a statement. [30464]

Mr. Michael: The Government want children to be able to give their best evidence in court with the minimum of distress, and for court practices to be adapted to meet their needs. Ways to improve the treatment of child witnesses are currently being considered as part of the review of vulnerable and intimated witnesses announced on 13 June 1997 by my right hon. Friend. This work is now nearing completion. In addition, Home Office commissioned research into the admissibility and sufficiency of evidence in child abuse prosecutions is due to be completed in the spring. This will provide important information on which to decide how to improve further the child evidence provisions.

Mr. Levitt: To ask the Secretary of State for the Home Department what the sentencing guidelines are for juveniles convicted of sexual offences against children. [30463]

Mr. Michael: Sentencing guidelines for juveniles convicted of sexual offences against children are a matter for the Court of Appeal which provides guidance on the appropriate sentencing range for criminal offences through its judgments in individual cases. Guidance is contained in the cases of R v Hancock (1986) R v Wright, (1987) and R v Orriss (1993) for example.

The Crime and Disorder Bill also contains provisions to build on and improve the current system of sentencing guidelines. Provisions in the Bill place a statutory duty on the Court of Appeal to consider producing sentencing guidelines. There will also be a new sentencing advisory panel established by the Bill, which will give advice to the Court of Appeal on sentencing.

Mr. Levitt: To ask the Secretary of State for the Home Department what criteria determine whether a case of sex abuse of a child by another juvenile is heard in a magistrates' court or a crown court; and when these criteria last changed. [30462]

Mr. Michael: Under section 46 of the Children and Young Persons Act 1933 there is a presumption that cases involving juvenile defendants will be tried summarily by the youth courts. Section 24 of the Magistrates' Court Act 1980 provides that, except for an offence of homicide, a juvenile may be tried on indictment only where:

the court considers that, if found guilty, it may be necessary to sentence the juvenile to long term detention under the Children and Young Persons Act 1933; or

the juvenile has been jointly accused with an adult of an indictable offence and the court considers it necessary in the interests of justice to commit them both to the Crown Court for trial.

"In Excelsis" Manuscript

Mr. Loughton: To ask the Secretary of State for the Home Department, pursuant to his answer of 17 December 1997, *Official Report*, column *176*, on what date the notebook containing the manuscript "In Excelsis" by Lord Alfred Douglas was released to the Public Record Office at Kew. [30785]

Mr. Michael: The Home Office file of which the notebook forms a part was opened on 27 November 1997. Although the file had previously been held at the Public Record Office, it was not open for public inspection before that date.

Mr. Loughton: To ask the Secretary of State for the Home Department for what reasons and on what authority the notebook containing the manuscript "In Excelsis" was released for public inspection before the expiration of the 100 year limit. [30786]

Mr. Michael: The notebook containing the manuscript of the poem "In Excelsis" forms part of a Home Office file, H0144/21591. The decision to open the file, which had previously been marked for closure until 2043, was taken in the interests of open government, following a request from a member of the public. The authority for the opening of the file is contained in a Lord Chancellor's Instrument made under section 5(1) of the Public Records Act 1958.

Wild Mammals (Hunting with Dogs) Bill

Mr. Maclean: To ask the Secretary of State for the Home Department (1) how many meetings *(a)* Home Office lawyers, *(b)* Home Office civil servants and *(c)* Home Office Ministers, have had with the hon. Member for Worcester (Mr. Foster) to discuss the Wild Mammals (Hunting with Dogs) Bill; [30505]

(2) if he intends to put forward new clauses to replace the defective clauses of the Wild Mammals (Hunting with Dogs) Bill before the Bill leaves Standing Committee; [30503]

(3) when the Government decided that there were defective clauses in the Wild Mammals (Hunting with Dogs) Bill which needed redrafting. [30504]

Mr. George Howarth: Home Office lawyers advised that there were defects in the Bill on 20 January 1998 and leave was given to instruct Parliamentary Counsel to improve the technical competence of this Private Member's Bill. A responsible Government have a duty to ensure that a defective Bill does not pass into law.

The first amendments, drafted by Parliamentary Counsel, were laid on 9 February by the sponsor of the Bill. Further amendments have been laid and prepared during Committee Stage.

The Government's position in relation to the Bill remains neutral. It neither supports nor opposes the Bill. As a member of the Standing Committee, therefore, I looked to the Committee to make improvements to the Private Member's Bill. When defects were not addressed, the Government sought to provide drafting expertise.

Following informal contacts, I met formally with my hon. Friend the Member for Worcester (Mr. Foster) on 9 and 16 February to discuss the technical deficiencies in his Bill. Civil servants, including Home Office lawyers, were present at both meetings.

My hon. Friend the Member for Worcester also met with me and my noble Friend the Lord Williams of Mostyn on 19 November 1997. Civil servants were present on this occasion too. My hon. Friend the Member for Worcester was informed at that meeting that the Government would not lay amendments to his Bill during Committee Stage and I explained this to the Committee on 17 December.

Private Members' Bills

Mr. Maclean: To ask the Secretary of State for the Home Department what was the last occasion on which his Department redrafted a Private Member's Bill, which was not Government-drafted, before the Bill left Committee. [30506]

Mr. George Howarth: The Dangerous Dogs (Amendment) Bill, a Private Member's Bill which had been first introduced in Another Place and which received Royal Assent on 21 March 1997, was the subject of extensive Government amendment during its Committee stage in the House of Commons on 12 March 1997.

The British Nationality (Hong Kong) Bill, another Private Member's Bill which had been first introduced into Another Place and which received Royal Assent on 19 March 1997, was also the subject of extensive Government amendment at its Committee stage on 26 February 1997. These amendments were prepared at much the same time as those for the Dangerous Dogs (Amendment) Bill.

Correspondence

Mr. Steen: To ask the Secretary of State for the Home Department when he expects to reply to the letter from the hon. Member for Totnes dated 31 December 1997 concerning Tom Neil, a school teacher at Rudolf Steiner School, Totnes, relating to his visa extension. [30792]

Mr. Mike O'Brien: I replied to the hon. Member on 18 February.

Market Research

Mr. Malcolm Bruce: To ask the Secretary of State for the Home Department what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and (iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26674]

Mr. Michael *[holding answer 5 February 1998]:* Purposes for which surveys involving public consultation were undertaken by the Home Office in the financial year 1996–97 are as summarised.

(i) Opinion polls—none.

(ii) Focus groups.

To canvas public attitudes about the police service they expect and the priorities for police service delivery—£28,880.

To test the 'Gap Analysis' methodology for assessing public expectations of policing. Gap analysis shows levels of dissatisfaction with a service by measuring the level of service the public expects from a particular organisation, and what level of service they perceive is actually delivered. It indicates where effort can best be focused to improve public satisfaction—£5,816.

To develop fire safety advertising campaign—£3,525.

To develop radio advertising for Special Constable recruitment campaign—£6,580.

(iii) Other forms of market research.

To find out about public attitudes to CS gas—£7,500.

Pre-campaign awareness tracking—electoral registration campaign—£4,230.

To measure ownership and maintenance of smoke alarms prior to advertising campaign—£9,067.

Post-campaign awareness tracing—Special Constables recruitment campaign—£20,872.

The Office for National Statistics conducted for the Home Office a survey of public attitudes to drug-related crime, as part of their Omnibus Survey—£15,000.

The surveys involving public consultation undertaken by the Home Office since 1 May 1997 are as follows:

(i) Opinion polls—none.

(ii) Focus groups.

To canvas public attitudes about the police service they expect and their priorities for police service delivery—£10,674.

The development of fire safety advertising campaign—£17,962.

(iii) Other forms of market research.

Victim survey and public perceptions of environmental change—£26,261.

Post campaign awareness tracking—annual electoral registration campaign—£9,684.

Forensic Science Service staff survey—£12,000.

Immigration staff survey—£12,513.

Home Office staff survey—£26,795.

Survey to provide a benchmark study for customer perception of forensic service delivery. (Requirement of Forensic Science Service framework document)—£11,166.

In addition, the British Crime Survey, which is primarily used to measure crime against households through interviews with the general public, includes questions about attitudes. The current sweep asks respondents about their attitudes to punishment, the police and victim support.

LORD CHANCELLOR'S DEPARTMENT

Surplus Property and Land

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the properties and land owned by his Department which he has identified as surplus to requirements, giving in each case their estimated value. [30325]

Mr. Hoon: The Department has identified the following properties as being surplus to requirement:

Former Brentwood County Court

Former Dudley County Court Offices

Former Home Office Creche

Former Kettering County Court

Former Oldham County Court

Former Reading Crown Court

Former Sheffield Combined Court

Former Sheffield Crown Court

Former Swansea County Court.

In addition, there is a small amount of surplus space in one of the Departmental Headquarters buildings in Tufton Street. It is not possible to give an estimate of the value of these properties as this will depend on the circumstances of their disposal and could prejudice ongoing negotiations. For accounting purposes, surplus assets will be valued in accordance with the relevant provisions of the Resource Accounting Manual.

Advertising Contracts

Mr. Burns: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30718]

Mr. Hoon: Since 1 May 1997, the Department's only expenditure on advertising has been on recruitment campaigns for judicial and other appointments. Only one advertising contract has required a tender exercise. The total value of the contract was £58,305.85, of which £7,191 was for advertising costs. Four companies tendered for this contract.

County Courts

Mr. Reed: To ask the Parliamentary Secretary, Lord Chancellor's Department what volume of work was undertaken in Loughborough County Court in each year since 1980; and what was the national average for county courts with a similar catchment area in each year. [30928]

Mr. Hoon: The information for Loughborough County Court for 1980 to 1997 is set out in the table. Information on the national average for county courts with a similar catchment area is not held centrally and could be calculated only at a disproportionate cost.

Loughborough

	Default and fixed date summons	*Warrants*	*Company winding-up petitions*	*Bankrupt petitions—creditors*	*Bankrupt petitions—debtors*	*High Court work*	*Divorce petitions filed*	*Mortgage possession actions entered*	*Trials heard*	*Arbitrations heard*
1987	3,922	3,052	0	0	0	0	0	214	5	139
1988	3,865	2,686	0	0	0	0	0	153	62	121
1989	4,150	2,764	0	0	0	0	0	208	80	140
1990	4,310	2,821	0	0	0	0	0	332	2	122
1991	4,445	3,260	0	0	0	0	0	376	15	145
1992	3,787	3,022	0	0	0	0	0	321	19	172
1993	3,367	2,290	0	0	0	0	0	234	13	347
1994	2,881	1,753	0	0	0	0	0	199	3	213
1995	3,382	1,773	0	0	0	0	0	158	1	280
1996	2,628	1,263	0	0	0	0	0	230	1	264
1997	2,444	1,016	0	0	0	0	0	162	0	278

Cash Limits

Mr. Tipping: To ask the Parliamentary Secretary, Lord Chancellor's Department what changes are proposed to the cash and running cost limits of the Lord Chancellor's Department Votes for 1997–98. [30380]

Mr. Hoon: Subject to Parliamentary approval of the necessary Supplementary Estimates, the cash and running cost limits for Class VIII Votes 1 and 3 will be increased.

Class VIII, Vote 1 Lord Chancellor's Department

The cash limit will be increased by £3,941,000 from £629,555,000 to £633,496,000. The running cost limit will be increased by £7,214,000 from £427,681,000 to £434,895,000.

The increase in the running cost limit of £7,214,000 is made up of: £7,000,000 increase in Court Service gross running costs to cover additional sittings in the civil courts; £170,000 Court Service non-running costs reclassified as running costs to reduce delays in immigration appeals hearings; £10,000 increase in Headquarters' running costs from Cabinet Office to meet the consultancy costs for a report on Misuse of Public Office proposals; and £34,000 running costs transfer from Cabinet Office to the Court Service for the transfer of responsibility of Sovereign House, Sheffield.

The increase in non-running costs of £3,737,000 is made up of a £4,013,000 transfer from Department of Social Security Class XII for the transfer of responsibility for civil means assessment; less £170,000 Court Service non-running costs reclassified as running costs; £6,000 transfer to Department of Social Security Class XII for research on pensions on divorce; and £100,000 transfer to the Department of Social Security to cover the salary costs of seconded staff.

The increase in the cash limit relates to £7,214,000 increase in running costs, £3,737,000 increase in non-running costs, offset by £7,010,000 increase in the appropriation in aid.

There will also be a reduction in the non-cash limited legal aid expenditure of £7,000,000. This reduction has been made to offset extra provision required by Northern Ireland Court Service, Class VIII, Vote 2 for legal aid.

Class VIII, Vote 3 Public Record Office

The cash limit has been increased by £2,550,000 from £23,286,000 to £25,836,000. The running cost limit has been increased by £900,000 from £23,536,000 to £24,436,000. £350,000 of the running costs increase related to expenditure on a project to microfilm WWI soldiers' documents, which is offset by a lottery grant of £350,000. The additional running costs provision of £550,000 is covered by end year flexibility arrangements. The additional capital provision of £2 million relates to the take up of capital end year flexibility arrangements.

TREASURY

Cash Limits

Mr. Timms: To ask the Chancellor of the Exchequer what changes are proposed to the cash and running costs limit of Her Majesty's Treasury in 1997–98. [30275]

Mr. Darling: Subject to Parliamentary approval of the necessary Supplementary Estimate, the running costs limit for Class XVI, Vote 1 will be increased by £5,487,000 from £56,560,000 to £62,047,000 and the cash limit will be increased by £1,900,000 from £63,187,000 to £65,087,000. The increases are necessary to provide for a machinery of Government change transferring responsibility for the regulation and supervision of the insurance industry from the Department of Trade and Industry, Class IV, Vote 1, to HM Treasury, fully offset by a reduction in their cash limit; the transferring of responsibility for the Private Finance Initiative information technology project from the Cabinet Office: Office of Public Service, Class XVII, Vote 1, to the Private Finance Taskforce, fully offset by a reduction in their cash limit; and an increase in grant of £1.8 million

to the Diana, Princess of Wales Memorial Fund, equivalent to the VAT paid on "Candle in the Wind". This brings the total grant to £2.8 million.

The net increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

Mr. Timms: To ask the Chancellor of the Exchequer what changes are proposed to the cash limit and running costs limit for the Office for National Statistics for 1997–98. [30276]

Mrs. Liddell: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash and running cost limits for Class XVI, Vote 11 (Office for National Statistics) will be increased by £3,279,000 from £93,804,000 to £97,083,000 and from £101,735,000 to £105,014,000, respectively.

The increase in running costs provision reflects (a) the carry forward of £3,391,000 under the end year flexibility schemes as announced in the House of Commons by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*, and (b) the transfer of £112,000 running costs to the Department of Health, Class XI, Vote 1 for the responsibility of Notification of Infectious Diseases Statistics.

The net increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

Mr. Timms: To ask the Chancellor of the Exchequer what changes are proposed in the cash limit and running costs limit in 1997–98 for the Inland Revenue and Valuation Office Agency. [30278]

Dawn Primarolo: Subject to Parliamentary approval of the necessary Supplementary Estimates, the cash limit for Class XVI, Vote 4 will be increased by £48,297,000 from £1,627,009,000 to £1,675,306,000 and the running costs limit will be increased by £44,200,000 from £1,675,515,000 to £1,719,715,000. The cast limit for Class XVI, Vote 5 will be increased by a token £1,000 from £1,000 to £2,000 and the net running costs limit will be increased from -£6,619,000 to -£3,619,000.

Class XVI, Vote 4 is eligible for a cash limit increase of £47,000,000 running costs and £4,597,000 capital in respect of end year flexibility entitlement as announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*.

In addition there is a transfer of £200,000 running costs from the Scottish Office, Class XIII, Vote 6 for development work on income tax in Scotland offset by a reduction of £500,000 transferred to the Department for Culture, Media and Sport, Class IX, Vote 1, in respect of a contribution to the grant being made to that department to Somerset House Limited for the upkeep and restoration of Somerset House. There is a £3,000,000 reduction on Class XVI, Vote 4 and a corresponding increase on Class XVI, Vote 5 for reduced payments from the Inland Revenue to the Valuation Office Agency in respect of a lower than expected level of valuation work for tax purposes, and the Valuation Office's operational target for this work for 1997–98 will be adjusted accordingly reducing Inland Revenue cases from 57,000 to 45,000.

The increases will be offset by transfers and charged to the reserve and will not, therefore, add to the planned total of public expenditure.

Mr. Timms: To ask the Chancellor of the Exchequer what changes are proposed in the cash limit and running cost limit in 1997–98 for HM Customs and Excise. [30279]

Dawn Primarolo: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class XVI, Vote 3 will be increased by £12,955,000 from £842,003,000 to £854,958,000 and the running cost limit for Customs and Excise by £11,737,000 from £748,986,000 to £760,723,000.

The increase in the running cost limit arises from the take up of £11,752,000 of the end-year flexibility entitlement, offset by a £15,000 running costs contribution to the funding of the UK Anti-Drugs Co-ordinator and Deputy. The adjustment to the cash limit also reflects the take up of £1,248,000 of the Capital end-year flexibility entitlement, and the provision of an additional £30,000 in appropriations in aid for Marine Fuel Relief. The increase will be charged to the Reserve and will not therefore add to the planned total of public expenditure.

Amusement Machines

Mr. Faber: To ask the Chancellor of the Exchequer what level of revenue, inclusive of value added tax, was received by his Department as a result of amusement with prizes machines in the last 12 months for which figures are available. [30000]

Dawn Primarolo *[holding answer 17 February 1998]:* The level of revenue in 1997 from Amusement Machine Licence duty was £133 million. A separate figure for amusement with prizes machines cannot be calculated. The amount of VAT collected is not separately available.

Inheritance Tax

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if he will list by English county and by unitary authority in Wales and Scotland the number of landowners who receive conditional exemption from inheritance tax by virtue of an agreement to allow public access. [26523]

Dawn Primarolo *[holding answer 30 January 1998]:* The information requested is as follows:

	Number of owners[1]
England	
Cornwall	12
Cumbria	31
Devon	25
Dorset	27
Gloucestershire	36
Hampshire	7
Herefordshire	9
Kent	14
Lancashire	11
Norfolk	7
North Yorkshire	11
Northamptonshire	25
Northumberland	12
Oxfordshire	13
Shropshire	11
Suffolk	18

	Number of owners[1]
Wiltshire	22
Wales[2]	
Gwynedd	5
Powys	14
Scotland[2]	
Argyll	7
Dumfries and Galloway	10
East Lothian	17

[1] These figures reflect conditional exemptions from inheritance tax and capital transfer tax. Some properties are owned by more than one person. To protect taxpayer confidentiality, information is only given by counties where there are five or more conditional exemption designations. There is a total of 154 owners in counties where there are less than five designations.

[2] The information is not held by new local government boundaries.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many landowners who have received conditional exemption from inheritance tax by virtue of public access to land have withdrawn from the scheme since its inception. [26490]

Dawn Primarolo: Conditional exemption ceases to apply when the owner of an exempt asset fails to observe the relevant undertakings in a material respect. The failure could be due to a number of reasons including, for example, an owner voluntarily withdrawing from the scheme. Since 1983 (the earliest year for which information is available), there have been 23 cases where land has ceased to be conditionally exempt from inheritance tax, or its predecessor, capital transfer tax.

Mortgage Tax Relief

Mr. Swinney: To ask the Chancellor of the Exchequer if he will estimate the cost to public funds of mortgage tax relief for each of the nations of the UK in *(a)* the current and *(b)* the next five years in 1998 prices. [30160]

Dawn Primarolo: *[holding answer 18 February 1998]:* Country and regional estimates of the cost of mortgage interest relief for the years 1993–94 to 1996–97 are published in Table 5.3 of "Inland Revenue Statistics 1997", a copy of which is in the Library. The estimates for the years 1993–94 to 1995–96 are based on analyses of family expenditure surveys up to 1995–96. The estimates for 1996–97 are projections based on applying the same country and regional distribution as in 1995–96 to the total figure for 1996–97. It is not possible to provide reliable estimates below United Kingdom level for 1997–98 and beyond.

Child Benefit

Mr. Lilley: To ask the Chancellor of the Exchequer how many households would pay extra tax in excess of *(a)* £90, *(b)* £100, *(c)* £180 and *(d)* £400 if child benefit were taxed as income of the principal earner in a household. [29190]

Dawn Primarolo *[holding answer 12 February 1998]:* The table gives estimates for 1998–99 assuming child benefit is taxed as income of the lone parent or the person with the higher income in a couple.

Tax increase (£ per year)	*Number of lone parents and persons with the higher income in a couple (millions)*
over 90	5.5
over 100	5.4
over 180	3.7
over 400	0.8

The estimated total number of lone parents and couples with children who would see an increase in their tax liabilities is about 5.8 million.

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will list those items valued at more than £25 stolen or lost from his Department since 1 May 1997; and if he will make a statement. [27728]

Mr. Darling *[holding answer 5 February 1998]:* The information for the Treasury, Customs and Excise, and Inland Revenue is as listed, with costs:

HM Treasury	£
3 Personal computers	6,000
Foreign currency	150
2 Laptop computers	8,000
2 Telephone answer machines	115
	14,265

Customs and Excise	£
9 Laptop computers	16,085
2 Personal computers	2,263
Cables and ethernet card	500
Ford transit van	8,300
Radio cassette	150
	27,298

Inland Revenue	£
8 Laptop computers	12,000
7 Printers	2,965
4 Personal computers	5,730
2 Visual display units	400
4 Dictaphones	120
Television/camera equipment	1,961
Telephone equipment	4,100
Miscellaneous items	1,127
	28,403

Counter measures adopted by the Treasury include, as appropriate, the installation of intruder detection systems, security marking, spot checks and searches, together with other physical deterrents such as alarms. These measures have resulted in a significant reduction in the number of thefts over the past two years. Further measures are being considered where appropriate.

Surplus Property and Land

Mr. Baker: To ask the Chancellor of the Exchequer if he will list the properties and land owned by his

Department which he has identified as surplus to requirements, giving in each case their estimated value. [30315]

Mrs. Liddell: The Treasury owns no properties or land that are surplus to its requirements.

Spending Review

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer by what date he has instructed that the departmental comprehensive spending reviews will be made available to Her Majesty's Treasury; and if he will make a statement. [30614]

Mr. Darling: Reports by departments on their individual spending reviews within the Comprehensive Spending Review (CSR) are made to the Ministerial Committee on Public Expenditure. The results of the CSR will be reported to Parliament in the Summer as I said when I announced the Review on 11 June last year, *Official Report*, columns 1143-57.

Mr. Bill O'Brien: To ask the Chancellor of the Exchequer what assessment he has made of the need to co-ordinate decisions on the outcome of the comprehensive spending review, in respect of *(a)* housing spending, *(b)* mortgage interest tax relief, *(c)* stamp duty, *(d)* housing benefit, *(e)* income support, *(f)* capital gains and *(g)* council tax; and if he will make a statement. [29546]

Mr. Darling: The Comprehensive Spending review covers public expenditure across the board. It will produce a coherent and coordinated set of plans for directing expenditure across Government to areas where we believe it is most needed. Mechanisms are in place to ensure that individual reviews take account of relevant proposals in other areas.

VAT (House Renovations)

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer if he will introduce a VAT concession for renovations on houses similar to the VAT concession applied to the building of new houses; and if he will make a statement. [30312]

Dawn Primarolo: Our agreements with other member states do not allow us to introduce any new zero rates.

Workless Households

Mr. Kirkwood: To ask the Chancellor of the Exchequer how many children live in workless households headed by an adult who is *(a)* a lone parent, *(b)* in full-time education, *(c)* retired, *(d)* unemployed and *(e)* sick or disabled. [29476]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Archy Kirkwood, dated 23 February 1998:

The Chancellor of the Exchequer has asked me to reply, as Director of the Office for National Statistics (ONS), to your recent question on the numbers of children in households where no-one works.

The ONS bases analyses of households with no-one in employment on working age households, that is households where there is at least one person of working age (i.e. a man aged 16–64 or a woman aged 16–59).

The attached table shows estimates from the latest Labour Force Survey results.

The economic status of the head of the household has been used to define the categories. Those who are unemployed under the ILO definition count as people who are: (a) without a paid job; (b) available to start work within the next two weeks and (c) have either looked for work in the last four weeks or are waiting to start a job already obtained. The other categories have been assigned according to the head of household's stated main reason for being economically inactive. The categories you specified do not cover all dependent children living in households with no-one in employment. An 'others' category has been included for information. This includes; the temporarily sick, discouraged workers, those awaiting the results of a job application, people looking after family and home (other than lone parents), and others with unspecified reasons.

	000
Number of dependent[1] children living in working age households[2] where no-one is employed which are headed by an adult who is:	
ILO Unemployed	678
Economically inactive, and whose reason for inactivity is that they are:	
Looking after family and home as a lone parent	1,179
Student	64
Retired[3]	43
Long-term sick or disabled	440
Others	216

[1] Dependent children are those aged 0–15 and 16–18 in full-time education.
[2] Households with at least one person of working age (i.e. men aged 16–64 and women aged 16–59).
[3] Head of household of working age who states he/she is retired.
Source:
ONS, Labour Force Survey.

Fast Food Companies

Mr. Hancock: To ask the Chancellor of the Exchequer what recent representations he has received regarding the imposition of a pollution tax on fast food companies. [29699]

Dawn Primarolo: I am not aware of any such representations on the subject of a pollution tax on fast food companies during the Pre-Budget Report consultation period.

Valuation Office

Mr. Hancock: To ask the Chancellor of the Exchequer if he will make a statement on the appointment of Mr. Michael Johns as Chief Executive of the Valuation Office Agency. [30230]

Dawn Primarolo: With the approval of the Prime Minister, Mr. Michael Johns was appointed Chief Executive of the Valuation Office Agency following the resignation of Mrs. Veronica Lowe, his predecessor, with effect from 31 December 1997.

VAT (Energy Use)

Mr. Alan Simpson: To ask the Chancellor of the Exchequer if he will list the VAT rules charged *(a)* on energy-saving items in each Northern EU country and *(b)* domestic energy consumption. [29923]

Dawn Primarolo: In the United Kingdom we have the lowest rate of VAT on domestic fuel of any Northern EU country. We are committed to extending that rate to the installation of energy saving materials, as announced in the Pre-Budget Report.

Table 1 shows the VAT rates applied to domestic fuel in Northern EU countries.

No other Northern EU Country has a specific relief for energy saving materials comparable to the measure we expect to introduce in the Budget.

Some Northern EU countries have a limited relief for the renovation and alteration of social housing which may allow relief for energy saving materials installed as part of such work, as well as applying their standard rate to renovation and alteration of housing. Other Northern EU countries apply their standard rate to all such supplies. Table 2 lists Northern EU countries and the rates they apply to such work.

Table 1: VAT rates applied to domestic fuel

Country	*Rate (notes) Percentage*
Austria	10[1], 20
Belgium	12[2], 21
Denmark	25
Finland	22
France	5.5[3], 20,6
Germany	15
Ireland	12.5
Luxembourg	6[3],12
Netherlands	17.5
Sweden	25
UK	5

[1] The reduced rate applies to supplies of wood.
[2] The reduced rate applies to coal and peat.
[3] The reduced rate applies to standing charges only.
[4] The 6 per cent. rate applies to gas and electricity; wood, oil and coal are 12 per cent.

Table 2: VAT rates applied to domestic renovation and alteration

Country	*Rate (notes) Percentage*
Austria	20
Belgium	6[1], 21
Denmark	25
Finland	22
France	20.6
Germany	15
Ireland	12.5[1], 21
Luxembourg	3[1], 15
Netherlands	17.5
Sweden	25
UK	5[2], 17.5

[1] Limited reduced rate—exact details vary in each country.
[2] Forthcoming reduced rate.

Working Families Tax Credit Scheme

Mr. Wigley: To ask the Chancellor of the Exchequer (1) how his proposals for the Working Families Tax Credit scheme will be applied to employees who work for more than one employer; [30458]

(2) what consultations he has had with representatives of small businesses concerning the implication for their cash flow of his proposals for the Working Families Tax Credit scheme; and if he will make a statement. [30457]

Dawn Primarolo: My right hon. Friend the Chancellor of the Exchequer is currently looking in detail at the introduction of a Working Families Tax Credit in preparing his Budget Statement.

Pensions

Mr. Wigley: To ask the Chancellor of the Exchequer what progress he has made on the payment of guaranteed minimum pension increases to retired teachers and other categories of public sector pensioners who are in receipt of invalidity or incapacity benefit beyond state retiring age; and if he will make a statement. [30424]

Mr. Darling: I understand that arrangements are in hand for the teachers' and other public services' pensions schemes to check payments to such pensioners and make adjustments where there has been an underpayment, assisted by information provided by the Benefits Agency. However, the actual arrangements are a matter for the individual pension schemes.

Public Corporations (Borrowing)

Mr. Kidney: To ask the Chancellor of the Exchequer where the net borrowing of public corporations is accounted for in *(a)* returns made to the EU Commission regarding the measure of fiscal deficit required by the Maastricht Treaty and *(b)* the public accounts. [30551]

Mrs. Liddell: The Maastricht deficit measure is the general government financial deficit (GGFD), which covers only central government and local authorities and excludes public corporations. The net borrowing of public corporations is included in the public sector borrowing requirement (PSBR), which is the sum of the central government borrowing requirement on own account, the local authority borrowing requirement and the public corporations borrowing requirement.

IMF (Nicaragua)

Barbara Follett: To ask the Chancellor of the Exchequer if he will raise with the IMF the percentage of Nicaraguan families headed by unwaged women in respect of the negotiations of the Structural Adjustment Fund. [28117]

Mrs. Liddell: IMF Staff and the Nicaraguan authorities have negotiated an adjustment programme which could by supported by the IMF's Enhanced Structural Adjustment Facility, though this has not yet been approved by the IMF Executive Board. The UK will have an opportunity to comment on the proposal at the discussion.

Hairdressers

Mr. Wilshire: To ask the Chancellor of the Exchequer what was the total number of hairdressers in the United Kingdom; and what proportion of the working population they represented in *(a)* 1979 and *(b)* 1997. [30406]

Mrs. Liddell *[holding answer 19 February 1998]:* The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. David Wilshire, dated 23 February 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on hairdressers in the labour market.

Information from the Labour Force Survey (LFS) shows that there were 185,000 employees and self-employed in hairdressing and other beauty treatment in the United Kingdom at Spring 1982, and 174,000 at Summer 1997. Both of these totals represent 0.7 per cent. of the total number of employees and self-employed.

Comparison over a long time period can be made by focusing on the number of employees only. Figures from the employer surveys show that the proportion of employees in hairdressing and other beauty treatment in Great Britain has stayed constant at 0.4 per cent. between June 1978 (the closest available to the 1979 date requested) and September 1996.

Freeholders

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if he will make it a requirement that all persons holding the freehold title of land should inform the Land Registry of their nationality. [29859]

Mr. Hoon: I have been asked to reply.

There is no present intention to make it a requirement for any person holding the freehold title of land to inform the Land Registry of their nationality.

Official Residence

Mr. Wilshire: To ask the Chancellor of the Exchequer (1) if he will list by item the furniture, fittings and decorations purchased since 1 May with public funds for his official flat in Downing Street indicating the cost of each item not subjected to a formal competitive tendering process; if he will list for each item the reasons it was not subjected to competitive tendering, if more than one quotation was sought; whether the lowest price was accepted; what was the lowest quotation submitted; and what factors led to more than one quotation not being sought in respect of certain items; [26064]

(2) if he will list by item all furniture, fittings and decorations purchased with public funds since 1 May for his official flat in Downing Street indicating the cost of each item subjected to a formal competitive process; and what was the lowest tender price submitted for each item; [26066]

(3) if he will list the country of origin of each item of furniture, fittings and decorations purchased with public funds since 1 May for his official flat in Downing Street; and what factors led to the purchase of items whose country of origin was not the United Kingdom; [26061]

(4) if he will list the date and time of delivery to Downing Street of each item of furniture, fittings and decorations purchased with public funds since 1 May for his official flat in Downing Street; and what factors governed the delivery time of each item delivered outside normal working hours. [26062]

Mr. Gordon Brown *[holding answer 30 January 1998]:* I refer the hon. Gentleman to the Prime Minister's answer to the right hon. Member for Bromley and Chislehurst (Mr. Forth) on 26 January 1998, *Official Report*, column 66.

NORTHERN IRELAND

Personal Protection Weapons

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many *(a)* off-duty members and *(b)* retired members of the Ulster Defence Regiment/Royal Irish Regiment have been murdered by terrorists since 1 April 1970; and what account she will take of these statistics in respect of personal protection weapons in her review of the Firearms (NI) Order 1981. [22775]

Mr. Ingram: Since 1 April 1970, 159 off-duty members and 53 retired members of the UDR/RIR have died as a result of the security situation.

The Secretary of State is fully aware of the history of terrorist attacks on members of the security forces. She has taken full account of this in her review of the Firearms (Northern Ireland) Order 1981, which included consideration of handgun controls.

Summonses

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many people have received a summons in respect of the *(a)* painting of kerbs and *(b)* flying of flags and emblems from (i) 1 April 1987 to 31 March 1997 and (ii) 1 April to 31 December 1997. [24844]

Mr. Ingram: The requested information is not readily available and would incur disproportionate cost to provide.

Maze Prison Inquiry

Mr. MacKay: To ask the Secretary of State for Northern Ireland if she will instigate an independent external inquiry into the Maze Prison. [29395]

Mr. Ingram: My right hon. Friend the Secretary of State has already instigated both an inquiry and an inspection independent of and external to the Northern Ireland Prison Service.

Mr. MacKay: To ask the Secretary of State for Northern Ireland when she expects the Maze Prison inquiry will be concluded. [29394]

Mr. Ingram: The inquiry has been concluded and I expect to receive the report very shortly.

Mr. MacKay: To ask the Secretary of State for Northern Ireland if she will publish in full the findings of the Maze Prison inquiry. [29393]

Mr. Ingram: Yes.

Oil and Gas Industry

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many jobs in Northern Ireland she estimates are *(a)* directly and *(b)* indirectly dependent on the oil and gas industry. [29851]

Mr. Ingram: The information which is available groups together the oil and gas industry and wholesale dealing in coal. The latest figures, from the 1995 Census

of Employment, show 1,604 jobs directly associated with these activities. No estimate is available for jobs indirectly dependent on these industries.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what assessment she has made of the impact of past increases in taxation on the total number of oil and gas related jobs in Northern Ireland. [29797]

Mr. Ingram: None.

Police Authority

Mr. McNamara: To ask the Secretary of State for Northern Ireland which members of the Police Authority were *(a)* employees, *(b)* former employees, *(c)* directors and *(d)* shareholders of Rothmans International plc, its parent or subsidiary companies between 1983 and 1989. [29965]

Mr. Ingram: According to available records, only Mr. T. Rainey, Chairman of the Police Authority from January 1987 until June 1994, had a connection with Rothmans International plc, its parent or subsidiary companies. He was Managing Director of Rothmans International Tobacco (UK) Limited from 1978 until 1986.

Cash Limits

Mr. Barnes: To ask the Secretary of State for Northern Ireland if she will make a statement on the cash and running costs limits for the Northern Ireland Office, Northern Ireland Departmental Services, the Independent Living Fund, the Social Fund, certain national agricultural schemes and discretionary rent allowance payments for 1997–98. [30271]

Marjorie Mowlam: Subject to Parliamentary Approval of the necessary Supplementary Estimate, it is proposed that the cash limit for Class XV Vote 1—the Northern Ireland Office—will be increased by £17,608,000 from £942,922,000 to £960,530,000. This reflects the take-up of end year flexibility on capital of £2,198,000 and departmental running costs of £5,549,000, additional expenditure on compensation of £13,600,000, additional expenditure to cover the costs of Political Talks administration and Forum staff of £4,900,000, reclassification of police pensions costs of £15,549,000 and other changes totalling £6,910,000.

The cash limit which covers most Northern Ireland departmental services will be increased by £90,533,000 from £4,132,783,000 to £4,223,316,000. This increase reflects changes in the Student Loan Book sale of £16,000,000, the take-up of end year flexibility on capital of £13,994,000, departmental running costs of £28,881,000, European structural funds of £7,275,000 and health programme of £37,479,000, additional resources for the Welfare to Work programme of £5,593,000 and Capital Receipts Initiative of £3,720,000, the transfer of £25,848,000 to the Northern Ireland Office cash limit on Class XV, Vote 1 and other technical changes £3,439,000.

The cash limit for the independent living fund—Northern Ireland Department of Health and Social Services Vote 6—has been reduced by £498,000 reflecting lower than expected demands on this fund.

The cash limit for the social fund—Northern Ireland Department of Health and Social Services Vote 6—has been reduced by £434,000 reflecting lower than expected demands on this fund.

The cash limit covering national agriculture capital grant schemes and certain assistance for production, marketing and processing and the fishing industry will increase by £442,000 from £30,274,000 to £30,716,000 as a result of the take-up of entitlement to end year flexibility on capital.

The cash limit for the discretionary rent allowance—Northern Ireland Department of Health and Social Services Vote 6—has been reduced by £439,000 reflecting lower than expected demands on this fund.

The combined gross running cost limit for the Northern Ireland Office and Northern Ireland departments will be increased by £34,821,000 from £783,171,000 to £817,992,000. This reflects the take-up in 1997–98 of £34,430,000 of the end year flexibility entitlement announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*, a net transfer of £130,000 from the Department of Social Security mainly in respect of agency services, a transfer of £292,000 from the Property Advisers to the Civil Estate in respect of accommodation costs and minor transfers out totalling £31,000. Of the revised gross running cost provision, £174,945,000 is for the Northern Ireland Office and £643,047,000 is for Northern Ireland departments. There is also a running costs limit of £2,145,000 for the Welfare to Work programme which is outside the Control Total.

The increases will be offset by transfers or charged to the reserve and will not therefore add to the planned total of public expenditure.

Periodicals

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is her estimate of the expenditure of her Department on newspapers and magazines *(a)* in 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if she will list the newspapers and magazines purchased or subscribed to on a regular basis. [26608]

Mr. Paul Murphy *[holding answer 5 February 1998]:* The Northern Ireland Departments and Northern Ireland Office purchase a range of newspapers and magazines. The overall cost of these publications is as follows:

1995–96: £419,504

1996–97: £561,042

1997–98: £366,094 (to date)

1997–98: £448,000 (full year)

Lost and Stolen Items

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland if she will list those items valued at more than £25 stolen or lost from her Department since 1 May 1997; and if she will make a statement. [27743]

Mr. Paul Murphy *[holding answer 5 February 1998]:* The information for the Northern Ireland Office and the Northern Ireland Departments is listed as follows:

Items	*Value £*
4 Laptop Computers	3,590
1 Envelope Opener	672
2 Cameras	110
3 Chainsaws	549
1 Vibrating Plate	72
1 Concrete Saw	144
1 Trailer and Vibrating Roller	370
2 Ford Lorries	1,651
1 Plane Combination 13,050	49
1 Portable Elect Belt Sander	128
1 Drill	96
2 Socket Sets	68
2 Micrometer ext	59
1 Tape Die set	59
1 V Blocks c/w clamps	34
1 Tester Rad Pressure	97
1 Cleaner S/Plug	83
2 Tape Die Stocks	99
1 Micrometer Internal	48
1 Gauge hol Cyl Bore 2.6	139
1 Adapter Valve 3 Way oxy	29
1 Depth Micrometer	26
7 Toolholder Self Grip	193
2 Tmax Toolholder	53
2 Tmax Boring Bar	53
2 Toolholder PTGNR 2020K 16	60
3 Toolholder Tmax PCLNR 2525 M12	120
2 Toolholder DDJNR 2020k 15	63
1 Toolholder MT3 2020R	53
1 Running Centre 3MT Shank	56
1 Cutter Single Angle	61
1 Toolholder Tmax 2525 m/z	38
1 Cutter S/face	45
1 Stub Arbor 40 Taper 27mm DIA	84
2 Side and Face Cutter	68
1 Magnetic Tape Storage Unit	616
1 Boring Bar Iscar	34
1 Internal Micrometer	42
5 Tmax Lathe Toolholder	252
1 Toolholder Siren cut	45
2 Taper Shank Drill	53
1 Vice Engineers Records	68
1 Lino Covered Bench	68
2 Toolholder Tmax RH Turning (GEI)	52
1 Cutter Ceramic Tile (But C1)	43
1 Knee Brace	521
1 Angle Grinder	37
1 Reamer Expander 13/16	36
1 Socket set	229
1 Nozzle cleaning kit cartridge	103
1 Kit Pickavant Puller 11578	450
1 Pressure Kit Me 148A	69
1 Pressure Reducing valve	94
1 Power steering pump	30
1 Power steering ram	38
2 Power take off	60
1 Rotavator Howard Model E60	30
2 Used steering boxes	60
1 Strimmer Xenoah	198
1 Height Gauge 18"	298
1 Running Centre	56
1 Toolholder Knurling	45
1 Trailer with canopy and spare wheel	1,093
1 Welding Gauge	41
1 Portable Planer	112
1 Central Arm Support Assembly	28
1 Spark Plug Repair Kit	35
1 Socket set	34
1 Adapter kit	30
1 Tarpaulin Cover for Holland Harvester	98
1 Tarpaulin Cover for Disc Harrows	26
1 Transformer 110v zX5 AMP sockets	38
1 Converter Aco VCJ 85	45
1 Air Nibbler	39
Total	14,365

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is her current estimate of the expenditure of her Department, its agencies and non-departmental public bodies on hospitality since 1 May 1997. [27745]

Mr. Paul Murphy *[holding answer 5 February 1998]:* The information for the Northern Ireland Office and the Northern Ireland Departments is £351,695 for the Department and £273,054 for its agencies. Information on non-departmental public bodies could be obtained only at disproportionate cost.

Shootings (Forensic Evidence)

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland if the RUC has established a forensic link between the gun used in the attempted murder of Mr. Jackie Mahood and a gun used in previous shootings; and if she will list the shootings and the organisation believed to be responsible. [28522]

Mr. Ingram: There is an on-going investigation into the attempted murder of Mr. Mahood and it would therefore not be appropriate to make public evidential material.

Publications

Mr. Gale: To ask the Secretary of State for Northern Ireland if she will list, by title, the publications produced by her Department between 1 May 1997 and 31 January 1998. [26320]

Mr. Paul Murphy *[holding answer 9 February 1998]:* A list of the publications produced by the Northern Ireland Office and the Northern Ireland Departments between 1 May 1997 and 31 January 1998 has been placed in the Library of the House.

Royal Ulster Constabulary

Mr. Öpik: To ask the Secretary of State for Northern Ireland what measures she is taking to establish equality of opportunity in the RUC in terms of sexual orientation; and if she will make a statement. [28952]

Mr. Ingram: The RUC's Community Affairs and Training Branches have been liaising with the Northern Ireland Gay Rights Association, members of which facilitate training sessions as part of the community awareness training for new recruits.

The RUC Equal Opportunities Unit includes sexual orientation in its briefings.

Mr. Öpik: To ask the Secretary of State for Northern Ireland when she expects the RUC's working party on the implications of sexual orientation in the RUC to report its work; and if she will make a statement. [28950]

Mr. Ingram: It is expected that the RUC's working party dealing with issues relating to sexual orientation will report during 1998.

A final decision regarding the release of the working party findings will be made after completion of the final report and in consultation with senior officers.

Mr. Öpik: To ask the Secretary of State for Northern Ireland if the equal opportunities policy statement of the RUC contains an explicit reference to sexual orientation; and if she will make a statement. [28951]

Mr. Ingram: The current RUC policy statement regarding equal opportunities does not contain a reference to sexual orientation. However, this is one of the issues which the new working party will consider as part of its brief.

The RUC is committed to the principles of equality of opportunity for all its officers.

WALES

Gross Domestic Product

Mr. Evans: To ask the Secretary of State for Wales if he will list the GDP of each county in Wales since 1977. [29483]

Mr. Hain: The information requested in respect of the old counties of Wales is given in the table, for those years available since 1977. A single figure is given for the counties of Dyfed and Powys, because separate estimates cannot reliably be made.

These data are published by the Office for National Statistics; the estimates for 1993 and 1995 were published in the January 1996 edition of "Economic Trends" and the estimates back to 1977 are available in the Library of the House.

Gross domestic product by county at factor cost: current prices

	1977	*1979*	*1981*	*1984*	*1987*	*1989*	*1991*	*1993*	*1995*
£ million									
Clwyd	673	870	1,038	1,581	2,272	2,891	3,263	3,472	4,007
Dyfed & Powys	836	1,167	1,366	1,733	2,231	2,729	3,019	3,324	3,500
Gwent	862	1,078	1,314	1,724	2,375	2,971	3,229	3,584	4,064
Gwynedd	415	517	660	839	1,171	1,452	1,577	1,653	1,869
Mid Glamorgan	941	1,216	1,501	1,782	2,449	3,076	3,181	3,140	3,734
South Glamorgan	945	1,183	1,480	2,064	2,644	3,298	3,889	4,340	4,861
West Glamorgan	834	1,039	1,278	1,404	1,964	2,413	2,760	2,798	3,053
Wales	5,506	7,072	8,638	11,127	15,105	18,830	20,918	22,311	25,088
£ per head									
Clwyd	1,748	2,227	2,577	3,994	5,654	7,055	7,891	8,349	9,579
Dyfed & Powys	1,914	2,644	2,992	3,901	4,927	5,879	6,441	7,051	7,384
Gwent	1,947	2,443	2,965	3,926	5,367	6,659	7,198	7,960	8,979
Gwynedd	1,802	2,243	2,795	3,611	4,979	6,068	6,591	6,883	7,773
Mid Glamorgan	1,734	2,244	2,808	3,339	4,581	5,713	5,871	5,770	6,864
South Glamorgan	2,426	3,029	3,704	5,238	6,632	8,186	9,518	10,502	11,649
West Glamorgan	2,232	2,784	3,518	3,831	5,345	6,544	7,438	7,536	8,247
Wales	1,966	2,517	3,045	3,966	5,332	6,562	7,234	7,676	8,601

Source:
Office for National Statistics

Blood Service

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will make a statement on current blood stocks at the Welsh Blood Service. [27444]

Mr. Win Griffiths: Levels of blood stocks are a matter for the Welsh Blood Service in conjunction with NHS trusts which make use of blood products. However, I understand that their stocks are satisfactory at present following a good collection during January.

Music Industry

Mr. Llwyd: To ask the Secretary of State for Wales what steps he is taking to promote the Welsh music industry. [29819]

Mr. Ron Davies: The Government recognises that the music industry occupies an increasingly important role in the national economy and the Welsh Office is seeking to identify ways of maximising that economic impact through its membership of the Creative Industries Task Force.

Cash Limits

Mr. Caton: To ask the Secretary of State for Wales what changes he proposes to make to the voted cash limits for his Department and the Office of Her Majesty's Chief Inspector of Schools in Wales in 1997–98. [30379]

Mr. Ron Davies: Subject to Parliamentary approval of the necessary supplementary estimates, I intend to make the following changes:

The cash limit on class XIV, vote 2 will be reduced by £3,877,000 from £799,326,000 to £795,449,000 which mainly reflects a virement from cash limited resources into non-cash limited for the Further Education Funding Council to cover the increase in student numbers and

£360,000 of additional funding under the Welfare to Work initiative for the further education sector. This £360,000 is outside of the control total.

The cash limit on class XIV, vote 3 will be increased by £168,000 from £441,270,000 to £441,438,000 as the net result of an additional £200,000 from the Reserve towards the costs of providing for asylum seekers; a transfer of £7,000 to the Class XVIII, vote 3 for costs associated with the UK Anti-Drugs Co-ordinator and a transfer of £25,000 to Class XI, vote 2 for the Review of Nurses, Midwives and Health Visitors. The transfer of £25,000 to Class XI, vote 2 also reduces the Department's running costs provision by £25,000 from £73,897,000 to £73,872,000.

The cash limit on class XIV, vote 4 has been decreased by £5,818,000 from £2,007,810,000 to £2,001,992,000 mainly as a net result of the take-up of £3,978,000 of end-year flexibility entitlements (£3,000,000 for NHS Trusts capital programme and £978,000 for hospital, community health and family health services), and the transfer of £10,000,000 from the cash limited general practitioner fundholder's drugs provision to the non-cash limited family health services provision. The external finance limit for NHS Trusts has been increased by £8,886,000 from £52,914,000 to £61,800,000.

The cash limit on class XIV, vote 6 has been reduced by £300,000 from £9,705,000 to £9,405,000 as a result of lower than expected expenditure on training courses.

The non-voted cash limit for expenditure on the European Regional Development Fund (WO/ERDF) has been increased by £1,398,000 from £44,750,000 to £46,148,000 as a result of a transfer of resources from DETR/ERDF.

None of the above changes add to the overall level of public expenditure.

NHS Trusts

Mr. Key: To ask the Secretary of State for Wales if a committee established under sections 3, 4 (1)(a) and 17 of the NHS Trusts (Membership and Procedure) Regulations 1990 (S.I. 1990 No. 2024) prior to the establishment of a remuneration committee has powers *(a)* to appoint a chief executive and *(b)* to agree the terms and conditions of employment of the chief executive. [30931]

Mr. Win Griffiths: Sections 3, 4(1)(a) and 17 of the NHS Trusts (Membership and Procedure) Regulations 1990 provide for a committee, comprised of the Chairman and Non-Executive Directors of a trust, whose function is to appoint the chief officer of a trust as a director of the trust and to agree on the terms and conditions of employment.

Surplus Property and Land

Mr. Baker: To ask the Secretary of State for Wales if he will list the properties and land owned by his Department which he has identified as surplus to requirements, giving in each case their estimated value. [30320]

Mr. Ron Davies: My Department is reviewing the use of all its assets, including identifying assets which are surplus to requirements, as part of the Comprehensive Spending Review which will be completed this summer.

The following assets have already been identified as surplus to requirements:

Prince of Wales Hospital Rhydlafar

Ely Hospital Cardiff

1 Neville Street Cardiff

Clinic at Gelli Deg

Mid-Wales Hospital Talgarth

Former ambulance station at Fishguard

Pen y Fal Hospital, Abergavenny

Former clinic at Maes y Cymmer

Former ambulance station at Bargoed

Land at Llanfrecha Grange, Cwmbran

Pontypool Hospital

Land at Griffithstown

Land at Brynmawr clinic

Varteg radio mast site

WHCSA Stores at Garngoch, Swansea

Bridgend Hospital

Garth Mor Neath

Druid Hospital Llangefni

Valley Hospital

St David's Hospital Bangor

North Wales Hospital Denbigh

Groes y nyd Conwy

Land at Blackbridge near Holyhead

Landsdown Hospital Cardiff

St Davids Hospital Cardiff

Priory Street Hospital Carmarthen

Bala Ambulance Station

Dolgarrog Health Centre

12 Cae Cilmelyn

Bryn y Neuadd Farm

In addition surplus land and buildings acquired by agreement or compulsory purchase in connection with Trunk Road improvement schemes are disposed of at the earliest opportunity.

It is not possible to give an estimate of the value of the surplus property as this will depend on the circumstances of their disposal. For accounting purposes surplus assets will be valued in accordance with the relevant provisions of the Resource Accounting Manual.

Advertising Contracts

Mr. Burns: To ask the Secretary of State for Wales if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies who tendered for them. [30708]

Mr. Ron Davies: My Department has not awarded any advertising contracts since 1 May 1997.

We have run the following campaigns under existing arrangements for advertising with the Central Office of Information:

£

Campaign	*Cost*
Referendum for Welsh Assembly	206,611
Kill Your Speed	19,860
Drink Drive	26,582
Food Safety	18,780

SCOTLAND

Cancer Surgery

Mr. Moore: To ask the Secretary of State for Scotland how many people in Scotland had been waiting over *(a)* one, *(b)* three, *(c)* six and *(d)* 12 months for cancer surgery on 1 November (i) 1996 and (ii) 1997. [20060]

Mr. Galbraith *[holding answer 10 December 1997]:* The precise information requested is not held centrally since the waiting times data collected nationally do not explicitly identify patients waiting for cancer surgery.

Information is collected nationally on the number of patients who were admitted to hospital from the waiting list with a cancer-related diagnosis and who were later discharged following a surgical procedure. However, cancer-related diagnosis covers a very wide range of surgical treatments, not all of which are of a serious nature. The relevant information for the year ending 31 March 1996 and the latest available for the year ending 31 March 1997 is set out in the table. It should be noted that in the year to 31 March 1997, nearly 60 per cent. of patients who waited more than one month had minor surgical procedures for the bladder or for skin lesions.

	Year ended 31 March 1996	*Year ended 31 March 1997*[1]
Patients waited		
Over one month	5,567	5,765
Over three months	913	978
Over six months	246	235
Over twelve months	49	22

[1] Data for year ending 31 March 1997 provisional

Source:
SMR1, ISD Scotland

Publications

Mr. Gale: To ask the Secretary of State for Scotland if he will list by title the publications produced by his Department between 1 May 1997 and 31 January 1998. [26338]

Mr. Dewar *[holding answer 9 February 1998]:* My Department has published over 400 items during this period. A list of these publications has been deposited in the House Library.

Rural Watch

Mr. Charles Kennedy: To ask the Secretary of State for Scotland if he will list the number of farm watch and rural watch schemes *(a)* in each area and *(b)* in total; what is the estimated average number of people involved in each scheme; what steps his Department takes to encourage individuals to join the schemes; and if he will make a statement. [29243]

Mr. McLeish *[holding answer 19 February 1998]:* Information obtained from individual police forces on the number of rural watch schemes operating is set out in the table:

Police forces	*Number*
Central Scotland Police	0
Dumfries and Galloway Constabulary	
Farm Watch	4
River Watch	1
Fife Constabulary	0
Grampian Police	
Farm Watch	44
Lothian and Borders Police	
Farm Watch	4
Horse Watch	2
Northern Constabulary	
Farm Watch	1
Rural Watch	2
Strathclyde Police	
Countryside Watch	1
Farm Watch	5
Horse Watch	1
Tayside Police	
Farm Watch	55
Glen Watch	9
Poacher Watch	2
Total	131

Estimates of the average number of people involved in these schemes are not available. Last year, the Scottish Office published the booklet 'Cultivating Crime Prevention in Rural Scotland' which encourages rural crime prevention generally and includes reference to Farm Watch.

Further Education

Mr. Welsh: To ask the Secretary of State for Scotland how many people applied to Scottish further and higher education institutions for entry in *(a)* 1996, *(b)* 1997 and *(c)* 1998; and how many of these were from (i) Scotland, (ii) England, (iii) Wales, (iv) Northern Ireland, (v) other EU countries and (vi) the rest of the world. [29177]

Mr. Wilson *[holding answer 12 February 1998]:* Figures for applicants to non-UCAS Scottish institutions of further and higher education are not held centrally. Figures on applicants for 1997 and 1998 entry to Scottish higher education institutions derived from applications received by UCAS on or before the closing date (15 December 1997 for 1998 entry, and equivalent date for the previous year) are provided in the table. Figures are not available on a consistent basis for 1996 entry.

The small drop between 1997 and 1998 was expected because of the increase in admissions that took place this session when Scottish institutions exceeded their targets, compared with previous shortfalls.

UCAS applicants to Scottish higher education, 1997 and 1998, entry by domicile of applicant

Domicile of applicant	*1997*	*1998*
Scotland	24,184	23,176
England	25,950	24,599
Wales	851	877
Northern Ireland	6,792	6,289
Rest European Union	5,842	4,662
Non-European Union	3,976	3,841
All applicants	67,595	63,444

This is still not the final picture; a fifth of applications normally arrive after the closing date. UCAS figures show a burst of late applications, reducing the overall drop in the UK to 2.9 per cent.

Epilepsy

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how many sudden deaths in epilepsy there have been in Scotland in each of the last 10 years, by health board area. [29947]

Mr. Galbraith: The tables show the numbers of deaths *(a)* where the underlying cause of death was epilepsy, and *(b)* where epilepsy was mentioned on the death certificate but not recorded as the underlying cause of death. In neither case is it possible to say how many of the deaths were sudden.

(a) Epilepsy recorded as underlying cause of death[1]

Health board area	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*[2]
Argyll and Clyde	8	3	8	8	7	8	11	5	9	15
Ayrshire and Arran	10	4	3	7	3	11	10	9	5	6
Borders	0	1	1	1	2	0	1	0	4	1
Dumfries and Galloway	1	2	4	0	0	1	1	2	0	0
Fife	5	7	3	6	5	2	6	11	8	4
Forth Valley	3	1	7	5	3	4	5	6	6	6
Grampian	1	12	13	12	9	12	13	8	10	11
Greater Glasgow	31	18	26	27	20	13	18	22	24	20
Highland	7	7	4	0	0	0	1	3	1	5
Lanarkshire	6	8	15	10	9	6	7	10	16	13
Lothian	18	10	15	16	14	11	7	14	17	8
Orkney	1	0	0	0	0	0	2	0	2	0
Shetland	0	0	1	0	0	0	0	1	2	0
Tayside	2	7	12	7	15	9	7	9	9	5
Western Isles	3	1	2	2	1	0	0	1	0	2
Scotland	96	81	114	101	88	77	89	101	113	96

[1] International Classification of Diseases (9th Revision) Codes 345.0–345.9
[2] 1997 figures are provisional

(b) Epilepsy mentioned on death certificate but not recorded as the underlying cause of death[1]

Health board area	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*[2]
Argyll and Clyde	12	16	19	21	15	19	22	17	17	20
Ayrshire and Arran	10	21	13	11	11	18	18	18	12	16
Borders	8	6	4	5	1	0	5	5	3	2
Dumfries and Galloway	3	3	8	4	2	5	3	2	4	4
Fife	5	10	11	10	10	7	8	8	9	12
Forth Valley	8	10	11	10	8	7	6	8	5	8
Grampian	14	13	10	16	9	13	17	11	18	18
Greater Glasgow	27	33	29	30	31	43	40	25	39	37
Highland	8	8	6	8	8	4	7	11	9	8
Lanarkshire	14	16	14	12	26	25	27	21	11	20
Lothian	24	27	28	23	29	20	36	21	22	26
Orkney	2	0	1	1	2	0	0	0	0	1
Shetland	1	2	3	2	1	1	0	2	0	1
Tayside	22	16	17	18	19	16	10	14	16	16
Western Isles	4	1	0	0	1	0	4	1	2	1
Scotland	162	182	174	171	173	178	203	164	167	190

[1] International Classification of Diseases (9th Revision) Codes 345.0–345.9
[2] 1997 figures are provisional

Soccer Facilities

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland (1) what assessment he has made of the current provision of soccer facilities for those under 12 years of age in Scotland; and if he will make a statement; [29941]

(2) what Lottery funding has been received by the Scottish Sports Council in each year since the inception of the National Lottery; what proportion of those funds were directed towards projects to develop football facilities for the under-12s; and if he will make a statement. [29967]

Mr. Galbraith: The Scottish Sports Council has a range of information available on sports facilities in Scotland, including provision for youth football. It is not possible, however, to identify separately facilities for, or funding from the National Lottery or elsewhere directed to, under-12 football.

Since the inception of the National Lottery the Scottish Sports Council has been allocated the following Lottery funding:

£ million

	Funding
1994–95	5.201
1995–96	27.265
1996–97	28.165
1997–98 (to 31/1/98)	28.070

Since 1995, football projects have been awarded £8.136 million, of which £3.750 million was awarded to national facilities, £1.189 million to regional facilities and £3.197 million to local facilities.

Hill Farming

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what was the impact of the incidence of demonstrations at Stranraer on *(a)* the timing and *(b)* the scale of the additional financial support, announced in respect of Scottish hill farming on 22 December; and if he will make a statement. [29758]

Mr. Macdonald: The special aid announced on 22 December is in recognition of economic and other pressures affecting beef and sheep producers, particularly those in the hills and uplands.

Anti-knife Legislation

Mr. David Marshall: To ask the Secretary of State for Scotland what assessment he has made of the effects of anti-knife legislation; and if he will make a statement. [30049]

Mr. McLeish: The Government continue to be concerned about knife-related crime and, as an additional means of combating such crime, we implemented the main provisions of the Knives Act 1997 on 1 September 1997. These create an offence of marketing a knife in such a way as suggests it is suitable for combat, or which encourages violent behaviour. It is, as yet, too soon to establish what effect these provisions may have had on knife-related crime.

Student Awards Agency

Mr. Welsh: To ask the Secretary of State for Scotland for what reasons the number of staff employed by the Student Awards Agency for Scotland has been reduced over the last four years. [29768]

Mr. Wilson *[holding answer 16 February 1998]:* Reductions in staff at the Agency, as elsewhere in the Civil Service, were made under the previous Government in accordance with their policies towards the public services.

Mr. Welsh: To ask the Secretary of State for Scotland if he will take steps to ensure that from 1998 all students applying to the Student Awards Agency for Scotland will have their applications processed within 21 days of receipt; and if he will make a statement. [29716]

Mr. Wilson *[holding answer 16 February 1998]:* The immediate priority for the Agency is to regain its capacity to meet its current target of processing fully completed application forms within 28 calendar days of receipt. The work of the Review of the Agency which is currently underway is directed to that end.

Mr. David Marshall: To ask the Secretary of State for Scotland what is the total number of *(a)* male and *(b)* female students in each constituency in Scotland who are in receipt of an award from the Scottish Student Awards Agency. [29793]

Mr. Wilson: The data on student award holders in Scotland are not held by reference to parliamentary constituencies and could not readily be converted to that basis.

The total number of Scottish-domiciled students in full-time higher education who were in receipt of an award from the Student Awards Agency for Scotland in academic year 1996–97 (the most recent year for which complete figures are available) was 110,506. Of these, 53,173 were male and 57,333 were female.

Cash Limits

Mr. Ernie Ross: To ask the Secretary of State for Scotland if the Lord Advocate proposes any changes to the Crown Office cash and running costs. [30454]

Mr. Dewar: Subject to Parliamentary approval of the necessary Supplementary Estimate the cash limit for Class VIII, Vote 7 will be increased by £3,080,000 from £45,337,000 to £48,417,000.

Within this total the running cost limit will be increased from £43,565,000 to £44,824,000.

The Supplementary Estimate is required to meet the Department's ongoing commitment to the Law and Order programme in Scotland and additional expenditure required as a result of legislation relating to Devolution for Scotland. This will utilise the end year flexibility as announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report,* columns *245–50.*

Mr. Ernie Ross: To ask the Secretary of State for Scotland what changes he intends to make to the cash limits and running cost provision for 1997–98 within his responsibility. [30455]

Mr. Dewar: Subject to Parliamentary approval of the necessary Supplementary Estimates, I intend to make changes to 7 voted cash limits, 2 non-voted cash blocks and 2 running costs limits.

The cash limit for class XIII, vote 1, Agriculture, fisheries and environmental services, Scotland, will be increased by a total of £99,725,000 from £312,889,000 to £412,614,000. The changes include take-up of £4,725,000 capital end year flexibility entitlement. The increase reflects re-phasing of project expenditure and comprises £2,465,000 for the new Fishery Research vessel, £1,520,000 for Harbour Grants and various capital projects for the Fisheries Research Services, the Scottish Agricultural College, Scottish Agricultural Biological and Research Institute and the Royal Botanic Gardens totalling £740,000. The increase also takes account of payments to the Public Works Loan Board for the commutation of £95,000,000 of debt owed by the North of Scotland Water Authority (resulting in reduced provision in future years for the relevant External Finance Limit).

The cash limit for class XIII, vote 2, Local Government, Housing, Transport, Other Environmental Services and European Funds, Scotland will be increased by a net total of £80,985,000 from £5,483,876,000 to £5,564,861,000. The net increase reflects an increase of £312,000 in Housing Support Grant as a result of revised economic assumptions and a net increase of £38,400,000 in respect of grant to enable redemption of Scottish Homes debt. There has been an increase in capital expenditure of £10,295,000 for motorways and trunk roads due to higher than expected expenditure for land acquisition on completed road projects and an increase of £585,000 for grants to Caledonian MacBrayne for Piers and Harbours improvements. These are offset by a reduction of £2,968,000 for grants to Strathclyde Passenger Transport Executive, a reduction of £844,000 for grants for the Northern Isles Shipping Services with the balance of £7,068,000 met by a transfer from the non-voted cash limit, SO/LA1. There is also an increase in provision of £35,205,000 for Revenue Support Grant which is covered by a transfer of £33,300,000 from SO/LA1; £2,000,000 from the non-voted cash limit SO/LA2; £104,000 transferred from DSS and a reduction of £199,000 following a redetermination of Revenue Support Grant for 1992–93.

The cash limit for class XIII, vote 3, Education, industry, arts and libraries, Scotland, will be increased by £3,824,000 from £1,671,708,000 to £1,675,532,000. The increased cash limit takes account of a £10,800,000 reduction following the rescheduling of a major inward investment project. There has been an increase of £3,000,000 in respect of the Scottish Higher Education Funding Council and £2,000,000 in respect of FE colleges to provide emergency assistance to institutions with cash flow problems as a result of the delay in the payment of fees, both amounts being offset by a corresponding reduction in SO/LA1. There has been an increase of £24,000 transferred from class XIII, vote 6 in respect of the continuation of a welfare service within the National Museums of Scotland. There has also been an increase of £50,000 in respect of the Student Awards Agency for Scotland to meet the demands of additional running costs pressures. This is offset by a corresponding reduction in class XIII, vote 6. Provision has also been increased as a result of the Government's Welfare to Work scheme. £8,900,000 has been provided for the New Deal for Schools as a capital resource and £650,000 to assist young people and long term unemployed adults wishing to take further education courses before the launch of the New deal.

The cash limit for class XIII, vote 4, Hospital, community health, family health, other health services and welfare food, Scotland, will be increased by a net total of £31,428,000 from £3,707,049,000 to £3,738,477,000. The increase includes the cash limit increase of £16,907,000 announced on 14 October in respect of additional expenditure to reduce the effect of winter pressures on the NHS; a transfer of £373,000 from class XI, vote 2 for the cost of services provided by the Medical Devices Agency which were previously funded on a UK basis; a transfer of £80,000 to class XI, vote 2 for Scotland's contribution to the review of the Nurses, Midwives and Health Visitors Act 1979 and to the National Screening Committee; a transfer of £347,000 from class XVIII, vote 4 due to reduced costs of the NHS complaints procedures; a transfer of £19,000 from class XI, vote 1 in respect of patients resident in England who attend a Scottish medical practice; a transfer of £6,000 to class XII, vote 3 for the setting up costs of the unit which will collect road traffic accident charges on behalf of NHS Trusts; and a transfer of £12,000 to class XVIII, vote 3 as a contribution towards the costs of the UK Anti-drugs Co-ordinator and Deputy. The NHS Trusts' External Financing Limit has also been decreased by £11,550,000 from -£28,037,000 to -£39,587,000.

The cash limit for class XIII, vote 5 will be increased by £2,380,000 from £662,635,000 to £665,015,000. The increase takes account of additional expenditure of £2,408,000 on Social Work Services (of which access to the Reserve has been granted for £1,500,000 in respect of grants to Asylum Seekers) and a transfer of £300,000 to SO/LA1 in respect of an increase in the local authority capital allocation for the Highland and Islands Fire Board. The vote will underspend by £1,000,000 to meet the adjustment of Scottish Homes balance sheet. There will also be a number of minor inter and intra vote transfers.

The cash limit for class XIII, vote 6, Scottish Office Administration, is being decreased by £274,000 from £150,074,000 to £149,800,000. Within this total running cost provision is being decreased by £50,000 from £136,142,000 to £136,092,000 as a result of a transfer to class XIII, vote 3. Provision for capital expenditure is being reduced by £224,000 to £13,082,000 reflecting transfers of £200,000 to class XVI, vote 4 and £24,000 to class XIII, vote 3 for the National Museums of Scotland.

The cash limit for class XIII, vote 8, Scottish Record Office, is being increased by a token amount of £1,000 to £5,173,000. Provision for capital expenditure is being increased by £201,000 to £1,287,000 to allow for remedial work to be undertaken on the Moat development project. Appropriations-in-Aid are being increased by £200,000 to £979,000 due to the receipt of a compensation payment in respect of the Moat project from the building contractor.

The non-voted cash limit SO/LA1, which covers non-housing capital expenditure by local authorities is to be reduced by a net total of £54,968,000 from £411,440,830 to £356,472,830. The net decrease reflects transfers of £300,000 from class XIII, vote 5 in respect of Fire capital provision, £33,300,000 to class XIII, vote 2 reflecting provision for the Spend to Save Scheme, £7,068,000 to class XIII, vote 2 reflecting provision for Roads and Transport, £6,400,000 in respect of Scottish Homes balance sheet adjustment, £5,000,000 to class XIII, vote 3 for the Scottish Higher Education Funding Council and Further Education Colleges and £3,500,000 to the non-voted element of Caledonian MacBrayne's external financing limit.

The non-voted cash limit SO/LA2 which covers Housing capital expenditure by local authorities will be reduced by £2,000,000 from £184,226,000 to £182,226,000 wholly reflecting a transfer to class XIII, vote 2 in respect of the Spend to Save Scheme.

Advertising Contracts

Mr. Burns: To ask the Secretary of State for Scotland if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30715]

Mr. Dewar: Details of advertising contracts awarded by my Department are listed.

Faulds Advertising Limited, Edinburgh:

Children's Panel Recruitment

Continence Campaign

Crime Prevention

Electoral Registration

Fire Safety

Food Hygiene

Police Recruitment

Devolution Referendum

Road Safety

Total value £1,075,000

Barker Scotland:

Severe Weather Advice

Total value £46,000

It is the practice of my Department to appoint agencies under a framework agreement from which advertising services are provided. A review of the Scottish Office advertising account was held in 1997 according to the EC competitive tendering regulations when Barkers Scotland and Faulds Advertising Limited were appointed. Ten companies took part in the competition.

Hyundai Project

Dr. Fox: To ask the Secretary of State for Scotland what financial guarantees have been extended to the construction companies and their subcontractors in association with the Hyundai project in Dunfermline. [30685]

Mr. Wilson: This is a contractual matter for the companies concerned.

Dr. Fox: To ask the Secretary of State for Scotland if he will list the total public moneys expended in the Dunfermline area in association with the Hyundai project, separately identifying the costs of the provision of utility infrastructure for the development area and the reconfiguration of the M90 interchange at Halbeath. [30690]

Mr. Wilson: I refer the hon. Member to the answer I gave to the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) on 16 February 1998, *Official Report*, column *505*.

In addition to the sums expended by the Scottish Enterprise Network on the preparation of the site, the East of Scotland Water Authority has spent about £1.5 million on water and sewerage infrastructure related to the Hyundai project.

The upgrading of the M90/A92 Halbeath Interchange—a Design and Build contract valued at £8.4 million which will be opened in March—is designed to relieve congestion and improve traffic flow at the interchange and was included in the Trunk Road programme prior to Hyundai's decision to locate its new semiconductor facility at Dunfermline. The upgrading work was not associated with the Hyundai project.

Dr. Fox: To ask the Secretary of State for Scotland if he will take steps to protect employment levels amongst the construction companies and their subcontractors during the suspension of work at the Hyundai project in Dunfermline. [30766]

Mr. Wilson: There is a strong demand for the specialist services offered by many of the companies involved. Employment levels within these companies are however a matter for decision by the companies themselves.

Lynebank Hospital

Ms Squire: To ask the Secretary of State for Scotland what is the estimated overall cost of closing Lynebank Hospital and transferring all patients to other sites; and what are the costs in respect of transferring *(a)* the elderly, *(b)* those with learning disabilities and *(c)* those with forensic and/or dual diagnosis. [29151]

Mr. Galbraith: Fife Health Board has indicated that the estimated overall cost of closing Lynebank Hospital and transferring all patients to other sites is being reviewed as part of the ongoing Lynebank Discharge Programme. The current breakdown of future funding for the various elements of the service has been estimated by the Health Board as follows:

	£ million
Reprovision of NHS Services:	
Elderly Frail	1.3
Core and Community Health for Learning Disability	2.9
Community Placements and Social Care:	
Resource Transfer to Fife Council	4.9
Total	9.1

HEALTH

New Variant CJD

Mrs. Gorman: To ask the Secretary of State for Health if he will list the occupations in each of the 10 years preceding death of those individuals who died from new variant CJD. [22725]

Ms Jowell: The details given in the list show the known occupations over the last 10 years for the 23 individuals who have died from new variant Creutzfeldt-Jakob Disease to date. Totals do not sum because some patients had more than one occupation.

Occupations

Sales assistant x 5

Engineering x 2

Clerical work x 2

Solicitor

Catering x 4

Debt collector

Bar work

Nursing x 2

Cleaner

Cable layer

Forestry

Waitress x 3

Office work x 3

Factory work including food industry

Retail industry

Armed services

Domestic

Computing x 2

Horticulture

NHS Dentists

Mr. Jenkin: To ask the Secretary of State for Health what is *(a)* the total number of NHS dentists in each NHS health authority area in England and Wales and *(b)* per head of population in each area, arranging the health authorities in order of the number per head of population. [28671]

Mr. Milburn: The information requested has been placed in the Library.

Labour Party Donations

Mr. Maples: To ask the Secretary of State for Health what meetings *(a)* he and *(b)* his officials, have held since 1 May with individuals, groups or their representatives who have donated more than £5,000 to the Labour Party. [29053]

Mr. Dobson: I refer the hon. Member to the reply my right hon. Friend the Prime Minister gave the right hon. Member for North-West Cambridgeshire (Sir B. Mawhinney) on 24 November 1997, *Official Report*, column *405*.

GP Fundholders

Mr. Maples: To ask the Secretary of State for Health if he will make a statement regarding the proposed powers of his Department over GPs who do not wish to relinquish control of their practice budgets, under the measures set out in his White Paper on the NHS. [29060]

Mr. Milburn: Subject to legislation, the general practitioner fundholding scheme will be wound up and replaced by a system of Primary Care Groups and Primary Care Trusts who will be accountable to health authorities for the way in which they discharge their functions within the locally agreed Health Improvement Programme. Groups rather than individual practices will reach service agreements with National Health Service trusts. Over time, we expect that groups will extend indicative budgets to individual practices for the full range of services, but no individual element will be artificially capped.

It will be open to the group to agree practice level incentive arrangements associated with those budgets, with the approval of the health authority, where this helps promote best use of resources. Initially, every practice will have a prescribing budget, as most do now.

Hepatitis C

Mr. Wigley: To ask the Secretary of State for Health how many people are estimated to have died as a result of being infected with hepatitis C as a result of their NHS treatment; and over what period of time. [29026]

Ms Jowell: We are not able to provide the information requested as it is not collected centrally. Deaths related to hepatitis C infection result from chronic liver disease. There are many causes of chronic liver disease, and data from death certificates are not classified by particular cause.

I understand, however, that the Haemophilia Society assess that over 50 haemophiliacs have died (it is not clear over what period) as a result of hepatitis C infection. These figures are understood to be based on the number of haemophilia patients where the cause of death was shown as liver disease. Hepatitis C may not therefore have been the main cause of that disease.

We have no figures relating to the cause of death amongst those people who have been infected with hepatitis C through blood transfusion.

Smoking

Mr. Peter Bottomley: To ask the Secretary of State for Health what professional advice he has taken on the minimum effective expenditure on an advertising campaign intended to reduce significantly the numbers of teenagers who start and continue to smoke cigarettes; from whom he has taken it; what changes in policy and spending he made as a result; and if he will make a statement. [29675]

Ms Jowell: In developing campaigns aimed at teenagers, the Department takes advice from the Health Education Authority and Brewer Blackler Limited, the agencies running the current teenage smoking campaigns. This advice ensures the most effective use of the available resources.

Future plans will be set out in the forthcoming Tobacco Control White Paper and consultations now taking place will inform future expenditure planning.

Mr. Cox: To ask the Secretary of State for Health what plans his Department has to reduce smoking among young people. [30574]

Ms Jowell: Our strategy on smoking, including plans to reduce smoking among young people, will be set out in detail in the Tobacco Control White Paper to be published later this year.

Currently we fund a campaign called "Respect" which is targeting approximately 3 million teenagers (11 to 15 year olds). The campaign addresses the reasons why young people start smoking and seeks to create a positive lifestyle as relevant to the two thirds of teenagers who do not smoke as to the third who do. The campaign is costing up to £1 million a year for 3 years (from July 1996).

Secure Mental Health Units

Mr. Vaz: To ask the Secretary of State for Health if he will make a statement on guidelines for security in secure mental health units. [29539]

Mr. Boateng: National Health Service Estates has produced a design guide for medium secure psychiatric units which provides general information for security in such units.

Mr. Vaz: To ask the Secretary of State for Health how many escapes there were from secure mental health units in 1997. [29538]

Mr. Boateng: Information about escapes is not collected centrally as a matter of routine. It is for the commissioning authorities to monitor the security arrangements of medium secure units.

Mr. Vaz: To ask the Secretary of State for Health what representations he has received in respect of the Arnold Lodge secure mental health unit in Leicester since April 1997. [29542]

Mr. Boateng: The only representations received were from my hon. Friend.

Mr. Vaz: To ask the Secretary of State for Health what steps he proposes to increase security at secure mental health units. [29540]

Mr. Boateng: It is an operational matter for individual trusts to satisfy themselves that adequate security measures exist relating to their own circumstances. Security at secure mental health units is achieved by a combination of staff operational procedures including risk assessment, physical design of the buildings and, where appropriate, fences together with locking and electronic security systems.

Health Education

Mr. Wigley: To ask the Secretary of State for Health what plans the Government have to increase spending on health education following the recent Green Paper. [29590]

Ms Jowell: We will consider our plans in the light of responses to the Green Paper.

Diabetes

Mrs. Curtis-Thomas: To ask the Secretary of State for Health what was the cost of National Health Service prescriptions relating to diabetes in 1997. [29536]

Mr. Milburn: Information for the whole of 1997 is not yet available. The net ingredient cost of drugs used in diabetes and dispensed in the community in England in 1996 was £123.7 million. In addition the net ingredient cost of hypodermic equipment was £8.1 million although this may include equipment used for conditions other than diabetes.

Mr. Wills: To ask the Secretary of State for Health (1) what research his Department has *(a)* commissioned and *(b)* evaluated into difficulties arising from the standardisation of insulin strengths; [29782]

(2) what assessment he has made of the benefits of standardising insulin strengths; [29775]

(3) what assessment he has made of the advantages of allowing doctors to prescribe insulin at different strengths and types; and what assessment he has made of practices in other EU countries relating to the standardisation of insulin strengths. [29777]

Ms Jowell: Insulin strengths were standardised in the United Kingdom in the 1980s in order to avoid confusion and administration of the wrong dose. The move was agreed by the medical professions and the British Diabetic Association and endorsed by the World Health Organisation and the International Diabetes Federation. All other member states of the European Union have agreed to standardise insulin strengths. The Department has neither commissioned nor evaluated any research into difficulties arising from the switch to a single strength insulin.

Mr. Wills: To ask the Secretary of State for Health what research his Department has evaluated into the effect on the quality of life of patients who have reverted to animal insulin after using human insulin; and if he will make a statement. [29781]

Ms Jowell: The Medicines Control Agency (MCA) and Committee on Safety of Medicines (CSM) are responsible for the continuous monitoring of the safety of all licensed medicines. The safety of both human (genetically engineered) and animal insulin is therefore under continuous review. The MCA has not evaluated specific studies into the effect on the quality of life of patients who have reverted to animal insulin after using human insulin. The MCA and the CSM will continue to monitor closely the safety of insulins.

Cash Limits

Mr. Rooney: To ask the Secretary of State for Health what changes will be made to the cash limits of his Department in 1997–98. [30433]

Mr. Dobson: Subject to Parliamentary approval of the necessary Supplementary Estimates, the cash limit for Class XI, Vote 1 (Hospital, community health, family health and related services, England) will be increased by £203,554,000 (from £29,353,438,000 to £29,556,992,000). This allows for increases of £242,965,000 in respect of the take up of amounts under the end year flexibility scheme as announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*; and £159,000,000 from the Reserve for that element of Department of Health's National Health Service winter pressures money allocated to cash limited lines. This increase is partially offset by a transfer of £232,882,000 following a re-appraisal of drugs budget requirements (£215,500,000) and for health centre rents (£17,382,000). In addition the following transfers will take place: £6,000,000 from Class XI Vote 2 (Department of Health, administration, miscellaneous health and personal social services, England) to contribute to additional NHS funding in 1997–98; £3,257,000 from Class XVIII, Vote 4 (Office of the Parliamentary Commissioner and Health Service Commissioners) as an offset for previously funded activity not now required; £373,000 from Class XII, Vote 1 (Central government administered social security benefits and other payments) for hearing aids for war pensioners and £25,000,000 from NHS Trusts non voted external finance, partially offset by transfers of £60,000 to Class XII, Vote 3 (Department of Social Security, administration) for start-up costs of the Compensation Recovery Unit; £19,000 to Class XIII, Vote, 4 (Hospital, community health, family health, other health services and welfare food, Scotland) for General Practice Fundholders cross border flows, and £80,000 to Class XI, vote 2 (Department of Health, administration, miscellaneous health and personal social services, England) for work on injury benefits recharging.

The cash limit for Class XI, Vote 2 (Department of Health, administration, miscellaneous health services and personal social services, England) will be increased by £86,828,000 (from £995,737,000 to £1,082,565,000). This increase allows for a claim on the Reserve of £86,600,000 to support the asylum seekers' accommodation grant and persons from abroad childrens' grant; £6,000,000 (running costs) in respect of the take up of amounts under the end year flexibility scheme as announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*. The increase also allows for the following transfers, £300,000 (running costs) from Class XII, Vote 3 (Department of Social Security: administration) for law charges; £112,000 from Class XVI, Vote 11 (Office for National Statistics) for the transfer of responsibility of notification of infectious diseases statistics; £80,000 (into running costs) from Class XI, Vote 1 (Hospital, community health, family health and related services, England) for injury benefits recharging; £80,000 (into running costs) from Class XIII, Vote 4 (Hospital, community health, family health, other health services and welfare food, Scotland) for the Nurses, Midwives and Health Visitors Act (£50,000) and for the National Screening Committee (£30,000); £25,000 (into running costs) from Class XIV; Vote 3 (Roads and transport, housing, other environmental services, Cadw, arts and libraries, health and personal social services, European Regional Development Fund and Welsh Office administration, Wales) for the Nurses, Midwives and Health Visitors Act; £15,000 (into running costs) from Class XIV, Vote 4 (Hospital, community health, family health and other health services (part), Wales) for the National Screening Committee; £33,000 (into running costs) from the Department of Health and Social Services, Northern Ireland for the Nurses, Midwives and Health Visitors Act (£25,000) and for the National Screening Committee (£8,000). The overall increase is partially offset by transfers of £6,000,000 (running costs) to Class XI, Vote 1 (Hospital, community health, family health and related services, England) towards additional funding for the National Health Service; £373,000 to Class XIII, Vote 4 (Hospital, community health, family health, other health services and welfare food, Scotland) for the Medical Devices Agency Evaluation Service; and £44,000 (running costs) to Class XVIII, Vote 3 (Privy Council Office) for the Central Drugs Co-ordinating Unit.

The Department's gross running cost limit will be reduced by £4,494,000 from £260,129,000 to £255,635,000 made up of a net increase of £489,000 reflecting the transfer to and from running costs mentioned above and a reduction of £4,983,000 to meet increased capital spending and a shortfall in receipts.

All increases will either be offset by savings, increased receipts, or transfers to or from other Votes and non voted provision, or charged to the Reserve, and will not therefore add to the planned total of public expenditure.

Overall the External Financing Limit for NHS Trusts is decreased by £142,835,000 from £309,950,000 to £167,115,000.

Care in the Community

Mr. Öpik: To ask the Secretary of State for Health if he will make a statement on the public safety implications of Care in the Community. [30204]

Mr. Boateng: Care in the community has failed to deliver effective services for some people. We have to build a new basis of confidence and trust. We want to ensure that mentally ill people receive appropriate care and treatment, while safeguarding the public.

In recognition of the priority we accord to mental health services, we have established an Independent Reference Group to advise us on mental health issues; and have asked the Group, as its first priority, to consider the issue of the closure of the remaining long-stay mental hospitals to ensure that proper and credible alternative services are in place before closures take place.

Mr. Öpik: To ask the Secretary of State for Health how many murders have been committed by people treated under the Care in the Community policy; and if he will make a statement. [30205]

Mr. Boateng: Information is not available in the form requested.

Aricept

Mr. Chaytor: To ask the Secretary of State for Health if he will list the health authorities which currently make Aricept available on National Health Service prescription. [30782]

Mr. Milburn: Information about the prescribing of Aricept within the National Health Service is available only for prescriptions dispensed in the community in England. In many health authorities these will have been prescribed in hospitals. Data available show that prescriptions have been dispensed in 99 out of the 100 health authorities in England. However, I understand that many health authorities are reluctant to commit resources to the drug because published data currently suggest that it has limited clinical effectiveness.

Surplus Property and Land

Mr. Baker: To ask the Secretary of State for Health if he will list the properties and land owned by his Department which he has identified as surplus to requirements, giving in each case their estimated value. [30324]

Ms Jowell: The Department is reviewing the use of all its assets, including identifying assets which are surplus to requirements, as part of the Comprehensive Spending Review which will be completed this summer. Of the buildings occupied by the Department, St. Charles School, Brentwood, has already been identified as surplus to requirements. It is not possible to give an estimate of its value as this will depend on the circumstances of its disposal. For accounting purposes surplus assets will be valued in accordance with the relevant provisions of the Resource Accounting Manual.

Dental Services

Mr. Steen: To ask the Secretary of State for Health what investigations he has made of the level of provision of dental care in each of the towns in the South Hams; and if he will make a statement. [30793]

Mr. Milburn: There were 213 general dental practitioners whose main contract was with the South and West Devon Health Authority in December 1997. Six dentists are currently accepting various categories of National Health Service patients in South Hams.

I understand that the health authority is currently preparing proposals under the *Investing in Dentistry* initiative which will, if successful, improve the provision of dental care in South Hams.

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for Health if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26600]

Mr. Milburn *[holding answer 5 February 1998]:* The average number of working days sickness absence per staff-year in the Department in 1995 was 9.8. In 1996, the figure was 7.1.

The only agency for which separate figures are available is the National Health Service Estates Agency. In 1995, the average number of working days sickness absence per staff-year was 5.4. In 1996, the figure was 5.3.

Sickness absence information for 1997 is not yet available. Absence information for the non-departmental public bodies is not held centrally.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Health (1) what steps he is taking to ensure the continuity of production and supply of essential drugs currently manufactured outside the United Kingdom in the years covered by millennium computer compliance problems; [29506]

(2) what discussions he has had with non-UK based companies who provide essential drugs and services to the National Health Service about their millennium compliance status. [29507]

Mr. Milburn *[holding answer 13 February 1998]:* The responsibility for ensuring the continuity of supply of essential drugs and services to National Health Service organisations over the millennium date change rests with the chief executive of each organisation, who will be seeking assurances of continuity of supply from suppliers. Where those assurances are inadequate, alternative suppliers will be used or other contingency plans used.

To avoid unnecessary duplication of effort in liaising with suppliers, central organisations such as NHS Supplies will be contacting major suppliers and making the results known to all NHS organisations. Furthermore, a central contingency stock plan is being developed by NHS Supplies in conjunction with regional offices.

AGRICULTURE, FISHERIES AND FOOD

Waste Materials

Mr. Sheerman: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to regulate waste materials spread on UK farmland. [30193]

Mr. Morley: There are regulations to control environmental and public health risks from spreading of waste material on agricultural land. The use of sewage sludge on agricultural land is controlled by the Sludge (Use in Agriculture) Regulations 1989 and spreading of other non-agricultural waste is controlled by the waste management licensing system in force under Part II of the Environmental Protection Act 1990 and by the associated Waste Management Licensing Regulations 1994. These controls are the responsibility of the Department of the Environment, Transport and the Regions and are enforced by the Environment Agency in England and Wales.

The Department complements these Regulations by providing farmers with free written guidance, e.g. the Code of Good Agricultural Practice for the Protection of Air, Soil and Water.

Certified Herd Scheme

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what specific matters affecting the export certified herd scheme in Northern Ireland were considered by the relevant EU Working Group meeting on 29 January. [27340]

Dr. John Cunningham *[holding answer 5 February 1998]:* The EU Working Group met on 29 January and examined in detail each article of the Commission's proposals.

Beef on the Bone

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what tests will be applied by environmental health inspectors to differentiate foreign beef bones from those coming from United Kingdom animals. [27336]

Dr. John Cunningham *[holding answer 5 February 1998]:* The Beef Bones Regulations 1997 require the deboning of all beef, whether from home supplies or imported, coming from cattle over 6 months old before it is sold to the consumer.

Mr. Garnier: To ask the Minister of Agriculture, Fisheries and Food how many letters his Department has received since he announced the ban on beef on the bone objecting to that ban and the Government's policy relating to it. [29732]

Dr. John Cunningham *[holding answer 16 February 1998]:* Since the announcement on 3 December 1997, this Department has received approximately 3,100 such letters.

Brazilian Mahogany

Mr. Alan Simpson: To ask the Minister of Agriculture, Fisheries and Food what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by his Department in (i) 1996 and (ii) 1997; and for what purpose. [28381]

Dr. John Cunningham: Disaggregated information of this nature is not available. However, the Department has not knowingly acquired or specified Brazilian mahogany in any central purchasing or construction contracts in 1996 and 1997 and has a policy of giving preference to renewable natural resources wherever possible.

Farm Incomes

Mr. Alan W. Williams: To ask the Minister of Agriculture, Fisheries and Food if he will list the average net annual income for farmers in England from 1989–90 to date. [28283]

Mr. Rooker *[holding answer 6 February 1998]:* Long term trends in net farm income are normally presented as indices because of the changing sample of the Farm Business Survey. However, set out are the equivalent monetary values.

Net farm income[1]: England 1990–91—1997–98
Full-time farms only Accounting years ending on average in February

Farm type	*1989–90*	*1990–91*	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98 provisional*
At current prices (£)									
Dairy	30,300	23,900	26,200	34,600	38,700	32,900	37,300	30,400	19,800
Cattle and sheep (LFA)	8,600	6,200	10,000	14,700	17,200	14,200	18,600	18,800	12,700
Cattle and sheep (lowland)	3,600	1,200	5,000	8,500	10,500	8,100	8,400	7,400	2,900
Cereals	11,300	14,900	16,800	22,600	22,200	29,400	46,000	40,700	25,800
General cropping	31,800	27,500	25,700	27,600	34,300	55,400	68,300	36,500	28,600
Pigs and poultry	61,800	52,900	32,900	37,000	12,000	25,800	55,000	49,800	29,700
Mixed	19,300	19,800	20,700	26,500	25,200	32,000	48,500	37,000	20,900
All types (excl. horticulture)	20,000	17,800	18,800	23,900	25,700	29,500	39,000	30,000	19,400
In real terms (deflated by the RPI)—at 1997 prices (£)									
Dairy	41,100	29,700	30,900	39,500	43,400	36,000	39,400	31,400	19,800
Cattle and sheep (LFA)	11,600	7,700	11,800	16,700	19,300	15,500	19,700	19,400	12,700
Cattle and sheep (lowlands)	4,900	1,500	5,900	9,600	11,700	8,800	8,900	7,700	2,900
Cereals	15,400	18,400	19,800	25,700	24,900	32,100	48,700	42,000	25,800
General cropping	43,200	34,100	30,300	31,400	38,500	60,500	72,200	37,700	28,600
Pigs and poultry	83,900	65,500	38,800	42,200	13,500	28,200	58,200	51,400	29,700
Mixed	26,200	24,500	24,400	30,300	28,300	34,900	51,300	38,200	20,900
All types (excl. horticulture)	27,100	22,000	22,200	27,300	28,800	32,200	41,300	31,000	19,400

[1] Net farm income represents the return to the principle farmer and spouse for their manual and managerial labour and on the tenant-type capital of the business. For consistency, all farms are treated as tenanted.
Source:
Farm Business Survey

Milk Quotas (Italy)

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what action he has requested the EU Commission to undertake following the Italian Government's recent report on further fraud in the administration of milk quotas in Italy; and if he will make a statement. [28854]

Dr. John Cunningham *[holding answer 10 February 1998]:* None. The situation in Italy is kept under close scrutiny by the EU Commission, which has recently instigated infraction proceedings against the Italian Authorities for their failure to collect super-levy from over-quota producers.

Food Safety

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food to what extent the calculation of risk of mortality governs his approval of food for human consumption. [28856]

Dr. John Cunningham *[holding answer 10 February 1998]:* Protection of human health is always the primary consideration of the Government in their food risk management decisions. The Government seek to achieve protection of the public with a proportionate response that takes account of the size of any risk and the measures that may be available to remove or reduce such a risk.

Correspondence

Sir Brian Mawhinney: To ask the Minister of Agriculture, Fisheries and Food when he expects to reply to the letter of 22 December from the right hon. Member for North-West Cambridgeshire. [28734]

Dr. John Cunningham *[holding answer 10 February 1998]:* I replied to the letter of 22 December 1997 from the right hon. Member for North-West Cambridgeshire on 10 February 1998.

Ministerial Visits

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food which rural areas in Wales he has visited in the last six months; and what plans he has to visit rural areas in the future. [29681]

Dr. John Cunningham: I have not made any visits to rural Wales in the past six months. I regularly visit rural areas, and shall continue to do so.

Flood Defences (Sussex)

Mr. Loughton: To ask the Minister of Agriculture, Fisheries and Food for what reason Environmental Agency flood defence work to sea defences at Shoreham and Lancing has been discontinued; and when the programme will be resumed. [30688]

Mr. Morley: The Department has advised the Environment Agency's Sussex Flood Defence Committee that it will provide grant to support a programme of capital defence works of £3.9 million in 1998–99 (an increase over the provision for 1997–98). Within this total, it is for the Committee to decide which projects should be promoted and their timing. I understand that substantial works have already been completed at Shoreham/Lancing and that the current phase, estimated to cost £1.6 million, is likely to be completed by the end of March 1998. The Committee has determined that the next phase should be promoted in 1999–2000 in the light of its urgency in comparison to works elsewhere in the area.

Sheep Dip

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food what research he has *(a)* commissioned and *(b)* evaluated into alternatives to synthetic pyrethroid sheep dips and ivermectin injectables. [29726]

Dr. John Cunningham *[holding answer 16 February 1998]:* Since 1992, the Department has funded research on alternatives to chemotherapeutics such as the synthetic pyrethroids and organophosphates used in sheep dips, and ivermectin injection, that are used for the treatment of ecto and endo parasitic infestations.

The Department's current research programme is costing £1.6 million over about 5 years and is focused on two main areas of improving control:

(a) the development of ways of modulating the immune response such as by vaccination, and

(b) by the use of insect attractants to lure nuisance flies away from livestock to baited traps.

Most of this work is relatively strategic. However the work on insect attractants is more applied and will be evaluated shortly for its practical value.

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food what advice his Department gives to farmers on the disposal of synthetic pyrethroid sheep dips. [29737]

Dr. John Cunningham *[holding answer 16 February 1998]:* Advice on the disposal of sheep dips is given on the label of every product and in the leaflet, *Sheep dipping*, published jointly by the Ministry of Agriculture, Fisheries and Food, the Health and Safety Executive and the former Department of the Environment. A new edition of the leaflet is in preparation and will be sent to all known sheep farmers in Great Britain. Advice is also contained in the code of Good Practice for the Protection of Water, published by the Ministry of Agriculture, Fisheries and Food and the Welsh Office.

The National Proficiency Tests Council organises a test leading to the issue of a Certificate of Competence which includes the disposal of all types of sheep dip.

A certificate is currently required for the purchase of OP dips but the Government have accepted the advice of the Veterinary Products Committee that the requirement should be extended to cover the purchase of non-OP dips including those containing synthetic pyrethroids. We are currently consulting on a change in legislation which would take effect on 1 August 1998.

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food when the results of tests on ivermectin injectable products to replace synthetic pyrethroid sheep dips will be available; and if they will be published. [29736]

Dr. John Cunningham *[holding answer 16 February 1998]:* Three injectable veterinary medicinal products have been authorised and are available for the treatment and control of sheep scab. Two contain ivermectin as their active ingredient. Details of all sheep ectoparasiticides are published every six months by the Veterinary Medicines Directorate and a copy of the January 1998 leaflets is in the Library of the House.

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food what testing was carried out before synthetic pyrethroid sheep dips were introduced with regard to its impact on *(a)* the aquatic environment, *(b)* the soil environment and *(c)* fisheries. [29727]

Dr. John Cunningham *[holding answer 16 February 1998]:* Applications for marketing authorisations for veterinary medicinal products must be supported by data, including the results of relevant tests, to satisfy the statutory criteria of safety, quality and efficacy. Safety includes the safety of the environment.

Herbicide-tolerant Crops

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food if he will issue a moratorium on the introduction of genetically modified herbicide-tolerant crops. [30420]

Mr. Rooker: We are considering the introduction and management of genetically modified herbicide tolerant crops on the farm and shall be announcing our decision shortly.

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what advice he has received from his statutory advisers on herbicide-tolerant crops. [30421]

Mr. Rooker: The Advisory Committee on Releases to the Environment (ACRE) is the Government's statutory adviser on applications to release or market genetically modified crops.

In the case of herbicide-tolerant crops, ACRE has advised that the evidence suggests there is unlikely to be a risk from the release of glufosinate ammonium tolerant oilseed rape and that it is content that this crop can be

placed on the market. ACRE has also given similar advice for the marketing of maize tolerant to glyphosate or glufosinate ammonium herbicides and glyphosate tolerant fodder beet.

Experimental releases of glyphosate tolerant oilseed rape are also taking place in Great Britain, and in this case ACRE has advised that an isolation distance of 50m be imposed as a condition to consents until further information is provided to support the removal of the isolation distance. Glyphosate tolerant sugar beet has also been released for trials, but with the condition that all "bolters" are removed before they flower.

ACRE has also issued general advice that all bags of genetically modified seed are clearly labelled as herbicide tolerant, stating the herbicide to which they are tolerant.

Food Labelling

Ms Shipley: To ask the Minister of Agriculture, Fisheries and Food what measures the Government are taking to reduce the number of single ingredient foods exempted from listing. [30482]

Mr. Rooker: The Food Labelling Regulations 1996 will be amended on 1 July this year to make clear that this exemption applies only to those single ingredient foods the name of which is identical to that of the name of the ingredient, or where the name enables the nature of the ingredient to be identified clearly. These changes—which we have supported—are as a result of new EC requirements which will become compulsory with effect from 14 February 2000.

Ms Shipley: To ask the Minister of Agriculture, Fisheries and Food what measures the Government are taking to harmonise European terminology used on food labels. [30485]

Mr. Rooker: I assume that my hon. Friend is referring to new requirements for quantitative ingredient declarations which become compulsory on 14 February 2000. The UK has taken the lead in the EC on guidelines to explain these requirements so that consumers are given consistent and uniform information on food labels.

Ms Shipley: To ask the Minister of Agriculture, Fisheries and Food if he will take steps to ensure that ingredients containing starch and modified starch indicate their specific vegetable origin if they are likely to contain gluten. [30483]

Mr. Rooker: Yes. The Food Labelling Regulations 1996 will be amended on 1 July this year to introduce this new requirement, which will become compulsory with effect from 14 February 2000.

Ms Shipley: To ask the Minister of Agriculture, Fisheries and Food what measures the Government will take to implement the new EC directive on food labelling by 2000. [30484]

Mr. Rooker: The Food Labelling Regulations 1996 will be amended on 1 July this year to implement directive 97/4/EC. The new requirements will become compulsory with effect from 14 February 2000.

Milk Products

Mr. Spring: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact on competition within the British dairy industry of the Codex proposals on bio-yoghurt products. [30705]

Mr. Rooker: A detailed assessment has not been made. However, around 60 per cent. of the UK yoghurt market would be affected by the new requirement to re-label as "fermented milks" products sold legally in the UK as yoghurt.

Poultry Meat

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what volume of poultry meat has been imported from *(a)* Thailand and *(b)* Brazil, in each of the last three years. [30942]

Mr. Rooker: The volumes (tonnes) of poultry meat dispatched to the UK from Thailand and Brazil, as recorded in the Overseas Trade Statistics, are shown in the table.

Volume in tonnes

	Thailand			*Brazil*		
	1995	*1996*	*1997*[1]	*1995*	*1996*	*1997*[1]
Poultry carcase meat	135	4,769	3,232	543	7,552	9,681
Poultry meat and offal preparations	385	593	2,320	76	4,909	6,132
Total	520	5,362	5,551	619	12,461	15,813

[1] January-November

Data for 1996 and 1997 are provisional and subject to amendment.

Cash Limits

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food what changes are proposed to his Department's Cash Limit for Class III Vote 1, Intervention Board Executive Agency, for 1997–98. [30378]

Dr. John Cunningham: Subject to parliamentary approval of the necessary supplementary estimate, the cash limit for Class III, Vote 1 (Intervention Board—Executive Agency: CAP market support and administration) will be increased by £10,890,000 from £118,865,000 to £129,755,000. The increase will be charged to the Reserve and will not therefore add to the total public expenditure. The Vote 1 supplementary will give effect to full take up of the running costs end-year flexibility of £4,062,000 and the capital end year flexibility of £842,000 announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*. The supplementary estimate also reflects an increase of the running costs limit by £7,063,000 from £55,085,000 to £62,148,000.

Mr. Dawson: To ask the Minister of Agriculture, Fisheries and Food what changes are proposed to his Department's Cash Limit for Class III Vote 2, Ministry of Agriculture, Fisheries and Food, for 1997–98. [30377]

Dr. John Cunningham: Subject to Spring Supplementary Estimate being agreed by Parliament, the cash limit for Class III, Vote 2 (Ministry of Agriculture, Fisheries and Food) for 1997–98 will be reduced by £15,746,000 from £739,802,000 to £724,056,000. This reduction is accounted for by a net cash limit reduction of £14,000,000 in BSE-related provision, transfers of £983,000 to OST Class IV Vote 2 for staff restructuring at Horticulture Research International and £60,000 to DETR Class VI Vote 3 for enforcing the Nitrate Action Programme, a reduction of £933,000 arising from transfers within the Vote, and a transfer of £230,000 from WOAD Class XIV Vote 3 for Veterinary Field Service accommodation in Wales. The net effect on our gross running cost limit is a reduction of £8,566,000 from £339,292,000 to £330,726,000 which reflects a switch of £8,796,000 BSE-related provision from running costs to programme expenditure, and the transfer in of £230,000 running costs from WOAD.

TRADE AND INDUSTRY

Second-hand Cars

Mrs. Gillan: To ask the President of the Board of Trade how many second-hand cars, manufactured and used in Japan, were imported into the United Kingdom in 1997; and what is her estimate of the number in 1998. [30724]

Mr. Battle: The latest figures available from Customs and Excise show that between January and October 1997, 1,654 used motor vehicles were imported into the UK directly from Japan. It is not possible from the figures to identify separately those which were manufactured in Japan, or to include those which came to the UK from Japan via a third country. This trade is a difficult one to predict and it is not possible to provide an estimate for 1998.

Mrs. Gillan: To ask the President of the Board of Trade what assessment she has made of the impact of the importation of second-hand cars manufactured and used in Japan on the United Kingdom manufacturing and retail motor industry; and if she will make a statement. [30723]

Mr. Battle: My noble Friend the Minister for Roads is currently reviewing the impact of the new Single Vehicle Approval scheme, in consultation with me. As part of this process we will take into account any effect on UK industry of imports into the UK under the scheme.

Hawk Jets (Indonesia)

Mr. Redwood: To ask the President of the Board of Trade how much money has been committed by the ECGD since 1 May 1997 for *(a)* loan and *(b)* cover for deliveries of Hawk jets to Indonesia. [30534]

Mrs. Beckett: ECGD has not supported any new facilities for Hawk jets to Indonesia since 1 May 1997 or given any commitments since that date to do so.

Mr. Redwood: To ask the President of the Board of Trade how many Hawk jets remained to be delivered to Indonesia on 1 May 1997. [30444]

Mrs. Beckett *[holding answer 19 February 1998]:* Sixteen aircraft remained to be delivered on 1 May 1997.

Mr. Redwood: To ask the President of the Board of Trade on what date the final detailed agreement was signed for the cover and the loan from ECGD for the most recent batch of Hawk jets to Indonesia. [30443]

Mrs. Beckett *[holding answer 19 February 1998]:* The ECGD supported loan agreement in respect of the most recent Hawk contract was signed on 28 March 1996.

Mr. Redwood: To ask the President of the Board of Trade what is the ECGD total cover value and the total loan for Hawk jets supplied to Indonesia. [30442]

Mrs. Beckett *[holding answer 19 February 1998]:* ECGD has guaranteed two loans valued at US$530m and £13.4m for a contract for Hawk aircraft made with the Indonesian Government in 1993 and one loan valued at £280m in respect of a further contract made in 1996.

The total value of ECGD's guarantees, which cover interest as well as the principal value of the loans, is £467m in respect of the loans relating to the 1993 contract and £362m in respect of the loan relating to the 1996 contract.

Exchange Rate

Mr. Redwood: To ask the President of the Board of Trade what measures she is proposing to help exporters and manufacturers in respect of the current sterling exchange rate. [30612]

Mrs. Beckett: I refer the right hon. Member to the answer given to my hon. Friend the Member for Northampton, North (Ms Keeble) on 5 February 1998, *Official Report*, column *1215*.

Official Entertainment

Mr. Bercow: To ask the President of the Board of Trade how many receptions have been held in her Department since she took office; how many people have attended; and what was the total cost of these events. [25165]

Mrs. Beckett *[holding answer 23 January 1998]:* Since I took office the Hospitality Section in the Department of Trade and Industry has been involved in arrangements for twenty-two receptions. The estimated number of people attending these receptions is 2,300. The DTI has been responsible for funding or part-funding seventeen of them. Not all the bills have been received yet but so far the cost to the department has been £16,250.

Details are contained in the table.

Receptions held

Date	*Venue*	*Purpose*	*Host*	*Who paid*	*Estimated attendance*[1]	*Cost to DTI*
14/05/97	1 Victoria St	Journalists	President	DTI	40	£403.70
29/05/97	1 Victoria St	Journalists	Battle	DTI	6	£122.00
04/06/97	1 Victoria St	Science Journalists	Battle	DTI	20	£267.70
01/07/97	1 Victoria St	Small Firms Media	Roche	DTI	11	£117.20
14/07/97	Flat, Admiralty House	TUC	President	DTI	75	£1,136.53
24/07/97	Flat, Admiralty House	CBI	President	DTI	80	£1,098.58
05/12/97	Flat, Admiralty House	Regional businessmen	President	DTI	90	£1,112.55
13/05/97	Lancaster House	COPOLCO	Griffiths	GHF	95	—
28/05/97	Lancaster House	Russia	Battle	GHF	40	—
09/06/97	Adelphi Hotel, Liverpool	Rubber Study Group	Battle	GHF	105	—
18/06/97	Lancaster House	Philippines	Lord CD	GHF	230	—

Receptions held

Date	*Venue*	*Purpose*	*Host*	*Who paid*	*Estimated attendance*[1]	*Cost to DTI*
02/07/97	Lancaster House	Egypt	Lord CD	GHF	155	—
07/07/97	Lancaster House	India	Lord CD	GHF £1,510.33 & DTI £755.00	125	£755.00
16/07/97	Lancaster House	Saudi Arabia	Lord CD	Saudi-British Bank	60	—
13/10/97	Church House	WTO	Scholar	TPE/DTI	55	£731.44
16/10/97	Lancaster House	US Marketing Scholarship	Lord CD	XP5/DTI	80	£2,041.61
30/10/97	Lancaster House	SITPRO	Lord CD	SITPRO/DTI	90	N/A
05/11/97	Lancaster House	Turkey	Lord CD	XP1/DTI	90	£2,023.15
06/11/97	Lancaster House	20th IBB Anniversary	President	IBB/DTI	270	£6,441.09
15/12/97	Lancaster House	Singapore	President	XP2/DTI	130	N/A
17/12/97	Lancaster House	Export Promotors	President	JEPD/DTI	200	N/A
22/12/97	Lancaster House	25th BOTB Anniversary	Lord CD	BOTB/DTI	250	N/A

[1] Based on number of lapel badges picked up.

Notes:

GHF = Government Hospitality Fund

N/A = Not available—bills not yet received but costs will be incurred.

Nuclear Safety

Mr. Chaytor: To ask the President of the Board of Trade how many safeguards visits, involving how many person hours, were made respectively by safeguards inspectors from *(a)* Euratom and *(b)* the International Atomic Energy Agency to plants operated by (i) British Nuclear Fuels plc and (ii) the UK Atomic Energy Authority in 1997. [28497]

Mrs. Roche: I refer my hon. Friend to my reply of 19 December 1997, *Official Report,* column *342.*

Reports on the operation of Euratom safeguards, including information on typical Euratom safeguards inspection effort both by country and by type of installation, are published periodically by the European Commission. The most recent information available is for 1996. This information is available in the paper "Euratom Safeguards—An update on Present Developments", which has been placed in the library of the House.

The International Atomic Energy Agency (IAEA) do not routinely publish similar figures, but the information they have provided to us, which is subject to validation within the IAEA, shows that the inspection effort in the United Kingdom in 1997 fell within the range indicated in my previous answer. The facilities inspected included parts of BNFL's Sellafield site, but at present no UKAEA facilities are designated for inspection by the IAEA.

Oil Exploration

Mr. Evans: To ask the President of the Board of Trade when she expects to reply to the questions, tabled on 14 January, from the hon. Member for Ribble Valley, relating to the oil industry. [29248]

Mr. Battle: These questions were answered today. The delay in answering, for which I apologise, was caused by the need to discuss the question within the DTI and with other Government Departments.

Mr. Evans: To ask the President of the Board of Trade (1) what powers her Department has in relation to the seismic exploration for oil on the mainland where environmental damage has occurred, but where the exploration licence has expired; [23837]

(2) if she will list the occasions when her Department has used its powers against companies which have caused environmental damage during the seismic exploration for oil. [23835]

Mr. Battle: Petroleum licences are granted under the Petroleum (Production) Act 1934. Neither this Act nor the Regulations made under it provide for the criminal prosecution or taking by the Secretary of State of civil action against a licence holder where environmental damage has been caused in the course of petroleum exploration, whether or not that licence is still in force. Where environmental damage on land results from activity which contravenes any environmental legislation, then it is for the appropriate body such as the Environment Agency or relevant local authority to take action.

However, where a licence is still in force, breaches of the terms and conditions may lead to its revocation. The President of the Board of Trade may also take any lack of efficiency and responsibility in operations under a licence into account in decisions about future petroleum licence awards.

Television Broadcasting

Mr. Gale: To ask the President of the Board of Trade what proposals she has to regulate the bundling of satellite television channels carried by cable television systems. [30405]

Mrs. Roche *[holding answer 19 February 1998]:* The Office of Fair Trading has twice reviewed the position of BSkyB in the wholesale programme supply market to cable, most recently in a review carried out in 1996. As a result of those reviews BSkyB have given certain undertakings to meet the Director General of Fair Trading's concerns. He continues to keep this market under review. In addition, the Independent Television Commission is currently investigating the practice of "bundling".

Mr. Gale: To ask the President of the Board of Trade when she expects to announce a determination relating to the application by BT to be allowed to carry television signals over BT telephone lines. [30404]

Mrs. Roche *[holding answer 19 February 1998]:* The Government are considering carefully the options available for fulfilling their manifesto commitments on lifting the broadcast restrictions which affect BT amongst others. We are determined to maximise the benefit to the consumer, by encouraging investment and competition in all areas of the market; both infrastructure and services. I expect to publish our conclusions shortly.

Minimum Wage

Mr. Redwood: To ask the President of the Board of Trade on what basis the defence forces have been categorised as exempt from the minimum wage. [30521]

Mrs. Beckett: I refer the right hon. Member to the explanation given by my hon. Friend the Minister of State which is reported in the *Official Report*, of the thirteenth sitting of Standing Committee D on 5 February 1998, in particular column 777.

Export Licences

Mr. Redwood: To ask the President of the Board of Trade what is the average time taken in handling export licences. [30429]

Mrs. Beckett *[holding answer 19 February 1998]:* As I stated in my earlier answer, on 24 November 1997, *Official Report*, column *416*, the Export Control Organisation of my Department does not record the average length of time it takes for an export licence application to be issued. However, it does monitor its performance against published targets which are fully detailed in my previous answer.

Tractor Production and Exports

Mr. Charles Kennedy: To ask the President of the Board of Trade what assessment she has made of the impact of the current decline in farming incomes upon the United Kingdom tractor production and export market; and if she will make a statement. [30567]

Mr. Battle: Despite relatively weak demand in the home market, strong export sales allowed UK based manufacturers of agricultural tractors to increase production volumes by around 6 per cent. last year to over 75,000 units (a seven year high).

Cash Limits

Mr. Hanson: To ask the President of the Board of Trade what changes will be made to the cash and running cost limits for her Department, the Office of Gas Supply and the Office of Electricity Regulation for 1997–98 and to the external financing limits of the British Coal Corporation and British Shipbuilders for 1997–98. [30413]

Mrs. Beckett: Subject to Parliamentary approval of the necessary supplementary estimate, the cash limit for Class IV Vote 1—programmes and administration—will be increased by £3,949,000 from £1,349,066,000 to £1,353,015,000. This net increase results from:

(i) additional provision amounting to £9,000,000 for the settlement of nuclear liabilities;

offset by:

(ii) the transfer of £100,000 from the non-voted provision of the Northern Ireland Department for Economic Development to the Sectoral Support budget;

(iii) a net reduction of £3,000,000 in the provision for Privatisation Expenses;

(iv) a net reduction of £2,100,000 in the provisions for the Local Competitiveness and Telecommunications and Posts budgets;

(v) the transfer of £51,000 to the Foreign and Commonwealth Office (Class II Vote 2) in respect of the UK's subscription to the UN Convention on the Law of the Sea.

Within this total, the gross running costs limit for the Department of Trade and Industry is being reduced by £74,000 from £371,937,000 to £371,863,000. This change results from the machinery of government change involving the transfer of responsibility for insurance matters to the Treasury.

The increase will be charged to the Reserve and will not, therefore, add to the planned total of public expenditure.

Subject to Parliamentary approval of the necessary supplementary estimate, the cash limit for Class IV Vote 2—science—will be increased by £7,693,000 from £1,330,543,000 to £1,338,236,000. This net increase results from:

(i) the take up of capital end-year flexibility (£6,747,000) as announced by my right hon. Friend the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*.

(ii) the transfer of £983,000 from the Ministry of Agriculture, Fisheries and Food (Class III, Vote 2) in respect of further redundancies at Horticulture Research International;

offset by:

(iii) the transfer of £37,000 to the Department for Education and Employment (Class IX Vote 1) to reflect the transfer of responsibility for the Advisory Group on Computer Graphics from the Engineering and Physical Sciences Research Council to the Joint Information Systems Committee of the Higher Education Funding Council for England.

The increase will be charged to the Reserve and will not, therefore, add to the planned total of public expenditure.

Also, subject to Parliamentary approval of the necessary supplementary estimate, the cash limit for Class IV Vote 9—Office of Gas Supply—will be increased by £100,000 from £11,128,000 to £11,228,000. This change reflects the extra resources required for infrastructure servicing and associated health and safety work on the Leicester estate. The increase will be charged to the Reserve and will not, therefore, add to the planned total of public expenditure.

Additionally, subject to Parliamentary approval of the necessary supplementary estimate, the cash limit for Class IV Vote 10—Office of Electricity Regulation—will be increased by £350,000 from £15,950,000 to £16,300,000 and the running costs limit will be increased by £300,000 from £16,635,000 to £16,935,000. Also an increase in

receipts to the consolidated fund of £1,000,000 is provided for in the Estimate. These changes reflect the extra resources required for new work concerning the preparation for a fundamental review of the electricity trading arrangements and give effect to the end-year flexibility carry forward of £50,000 on capital announced by my right hon. Friend the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50*. The increase will be charged to the Reserve and will not, therefore, add to the planned total of public expenditure.

In addition to these changes, the External Financing Limits of British Coal and British Shipbuilders have been adjusted. British Coal's External Financing Limit has been reduced from £71,000,000 to £58,800,000 to reflect a transfer of responsibility for residual property liabilities to the Coal Authority. British Shipbuilders' External Financing Limit has been adjusted from £–1,300,000 to £–25,564,000 to reflect a payment from GEC in respect of deferred consideration following the sale of VSEL. The payment had been expected in 1998–99 but has been made in this financial year.

Millennium Compliance

Mr. Nigel Jones: To ask the President of the Board of Trade if she will make a statement on the preparedness of the nuclear power industry in dealing with the millennium computer date problem. [26263]

Mr. Battle: The nuclear power industry is well aware of the implications of the millennium computer date problem. Action is being taken to assess the scale of the problem and take remedial action as follows:

Magnox Electric is working in collaboration with other nuclear operators. Following an inventory and assessment phase, remedial work has been planned with the aim of completing work on their own systems by the end of 1998.

British Nuclear Fuels Ltd. has instigated plans to implement its compliance strategy and achieve compliance by March 1999.

British Energy in co-operation with other nuclear operators and the Electricity Association has a comprehensive and well established Year 2000 programme. Following an inventory and assessment phase, work on essential and safety systems is on schedule to be completed by the end of 1998.

The UK Atomic Energy Authority is following a plan designed to ensure that key systems achieve compliance by the end of March 1999.

Chief Executives of these organisations are responsible for ensuring that their plans are successfully achieved. The DTI has been assured that the projects are currently on schedule.

Mr. Redwood: To ask the President of the Board of Trade what factors govern the publications recommended by the Millennium Hotline; and what mechanism determines what new titles are added. [26381]

Mrs. Beckett *[holding answer 30 January 1998]:* I understand from Action 2000 that they selected the sources of good practice based on advice from a team of experts, taking into account the size of businesses seeking help and the stage they have reached in tackling the problem. Action 2000 is keeping the selection under review so that it can be improved as more material becomes available.

Mr. Redwood: To ask the President of the Board of Trade if she will publish a list of all makes of PCs sold in the United Kingdom in the last 10 years which will need modifying to work in 2000. [26392]

Mrs. Beckett *[holding answer 30 January 1998]:* We have no plans to publish such a list, but Action 2000 has already published a list of sources of information about many manufacturers' systems. I understand it also plans to make available information about some of the most popular commercial software.

Mr. Redwood: To ask the President of the Board of Trade what advice the Millennium Hotline is able to offer other than recommended publications. [26388]

Mrs. Beckett *[holding answer 30 January 1998]:* I understand from Action 2000 that the Hotline was set up initially to help disseminate the Millennium Bug Campaign information pack. Inquiries requesting specific information on tools, skills, training, and sources of advice on best practice can be referred to specialist help on these topics. As more information becomes available, the Hotline will be used to disseminate it.

Industrial Development Advisory Board

Mr. Alasdair Morgan: To ask the President of the Board of Trade on how many occasions in each of the last five years she has received *(a)* advice and *(b)* representations from the Industrial Development Advisory Board in respect of her Department's activities in Scotland. [30206]

Mrs. Roche *[holding answer 18 February 1998]:* On no occasion in the last five years has the Industrial Development Advisory Board submitted advice or made representations about my Department's activities in Scotland.

Trade Missions

Mrs. Gillan: To ask the President of the Board of Trade if she will list the trade missions undertaken by Ministers in her Department since 1 May 1997 and the British companies which were represented on each trade mission. [24250]

Mrs. Beckett *[holding answer 20 January 1998]:* Since 1 May 1997 my Ministerial colleagues at the DTI and I have undertaken the following trade missions abroad, accompanied by British companies.

President of the Board of Trade

16–18 November 1997—India

10–21 January 1998—China and Pakistan

Minister for Trade

10–16 September 1997—Argentina and Chile

15 October 1997—Paris

Minister for Small Firms, Trade and Industry

7–11 February 1998—Egypt.

The hon. Member will know that such missions usually feature in Press Notices beforehand and, as such, are a matter of public record. A full list of those companies participating will be placed in the Library.

The hon. Member will also know from my response to the right hon. Member for Wokingham (Mr. Redwood) on 17 February 1998, *Official Report*, column *572*, that Ministers undertake many other visits overseas for trade purposes.

Export Credit Guarantees (Far East)

Mr. Redwood: To ask the President of the Board of Trade when ECGD last raised rates for cover to *(a)* Indonesia, *(b)* South Korea, *(c)* Malaysia, *(d)* Hong Kong and *(e)* China; and by how much. [26383]

Mrs. Beckett *[holding answer 30 January 1998]:* I refer the right hon. Member to the answer I gave him on 2 February 1998, *Official Report*, columns *484–85*.

British Investments

Mr. Sarwar: To ask the President of the Board of Trade if she will make a statement on the current level of British investment in *(a)* Bosnia and Herzegovina and *(b)* Croatia. [28703]

Mrs. Roche: The latest available information, from the Overseas Direct Investment inquiries conducted by the Office for National Statistics, is for 1996. At the end of 1996 there was no reported investment by British companies in Bosnia and Herzegovina. Information on British investment in Croatia is not available because of commercial confidentiality.

Brazilian Mahogany

Mr. Alan Simpson: To ask the President of the Board of Trade what amount of Brazilian mahogany has been *(a)* acquired and *(b)* specified by her Department in (i) 1996 and (ii) 1997; and for what purpose. [28376]

Mrs. Roche: The Department has not used Brazilian mahogany in the period specified.

Correspondence

Mr. Steinberg: To ask the President of the Board of Trade if she will make it her policy that she and her Ministers personally read the letters sent to them by hon. Members on constituency matters. [27674]

Mrs. Beckett: Yes.

Dietary Supplements

Mr. Tredinnick: To ask the President of the Board of Trade what recent representations she has received from *(a)* senators in the United States of America and *(b)* other sources within the United States of America about barriers to free trade in the context of proposed new restrictions on the retail sale of vitamin B6 supplements; what was the nature of these representations; and what response she has made. [26357]

Mrs. Roche: My right hon. Friend the President of the Board of Trade has received a letter from US Senators Harkin and Hatch about the compatibility of proposed new controls on the retail sale of vitamin B6 supplements with international trade rules. My right hon. Friend replied, confirming that the Government are fully committed to meeting their World Trade Organisation (WTO) and European Community obligations which require that any national measures taken to protect human health must be non-discriminatory, proportionate to the risk posed and based on scientific evidence. My right hon. Friend has received no other representations from the US.

Oil and Gas Industry

Mr. Anthony D. Wright: To ask the President of the Board of Trade what plans she has to encourage the oil and gas industry to invest in recommissioning offshore platforms. [29305]

Mr. Battle *[holding answer 13 February 1998]:* Innovative new development and production techniques are constantly under appraisal by the industry and many installations now being installed on the UK Continental Shelf are designed specifically to be re-used.

As more fields reach the end of their lives there will clearly be a need to deal with facilities which have served their purpose offshore. The majority of North Sea facilities will be brought to shore for re-use or recycling.

Mumbai Airport

Mr. Vaz: To ask the President of the Board of Trade if he will make a statement on British Government support for the new Mumbai airport project; which British companies are involved in the project; and what discussions have taken place with the Indian authorities. [29422]

Mrs. Beckett: My Department provided financial support from the Overseas Projects Fund to a UK consortium to enable them to undertake the pre-feasibility study for the proposed new international airport for Mumbai. Discussions with the Indian authorities on the project are continuing but details of those discussions and the companies involved are treated as confidential.

Transco

Mr. Vaz: To ask the President of the Board of Trade what consultations officials from her Department have had with representatives of Transco over the reorganisation of the operational structure of Transco East Midlands. [30188]

Mr. Battle: Transco has kept my officials informed about its general restructuring plans. However, there has been no formal consultation as this restructuring is a commercial matter for the company, subject to conforming with its licence conditions, set by the Regulator.

Overhead Power Line (Lune Valley)

Miss Geraldine Smith: To ask the President of the Board of Trade when she expects to announce her decision on the application submitted by Norweb to erect an overhead power line in the Lune Valley; and if she will make a statement. [30438]

Mr. Battle: My right hon. Friend the President of the Board of Trade will reach her decision on this application as soon as she properly and practically can, taking into account all the representations received.

Social Dialogue

Mr. Redwood: To ask the President of the Board of Trade what is the EU budget for 1997–98 for consultation, conferences, training and education as part of the social dialogue in the United Kingdom. [30437]

Mrs. Beckett: The EU budget line for social dialogue is not broken down by member states.

Wealth Warnings

Mr. Whittingdale: To ask the President of the Board of Trade what representations she has received about the removal of wealth warnings from radio advertisements relating to financial services products and consumer credit; and if she will make a statement. [27107]

Mr. Nigel Griffiths *[pursuant to his reply, 6 February 1998, c. 817]:* I should inform the hon. Gentleman that we have in fact received 10 letters and 5 PQs asking for the requirement for wealth warnings on radio to be removed. I apologise unreservedly for this omission.

EDUCATION AND EMPLOYMENT

Cash Limits

Judy Mallaber: To ask the Secretary of State for Education and Employment what changes he plans to announce to cash limits and running cost limits within his responsibility for 1997–98. [30274]

Dr. Howells: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class IX, Vote 1, Department for Education and Employment: programmes and central services, and Class IX, Vote 3, Employment Service will be amended as follows:

£

Class	*Vote*	*Existing cash limit*	*Change*	*New cash limit*
IX	1	9,505,077,000	34,653,000	9,539,730,000
IX	3	1,235,477,000	−15,657,000	1,219,820,000

The cash limit for Class IX, Vote 1 (Department for Education and Employment) will be increased by £34,653,000 from £9,505,077,000 to £9,539,730,000. This is a result of machinery of government changes whereby provision for disability issues is being transferred from the Department of Social Security (Class XII, Vote 1) and the Scottish Office (Class XIII, Vote 3); and provision for Women's issues is being transferred to the Department of Social Security (Class XII, Vote 1). The Employment Service (Class IX, Vote 3) are to transfer £25,000,000 to finance additional expenditure on section A, £175,000 for work in connection with the New Deal for Young People to be done by Government Offices, and £40,000 for Employment Zones. Transfers to that Vote comprise £500,000 for a Challenge Fund publicity campaign, £1,600,000 for restructuring costs, and £90,000 for Central Dispatch. Section W will increase by £6,050,000 for funding on the further education element of the Welfare to Work programme and £125,000 for additional running costs on that programme. Net provision on Section B will be increased by £521,000,000 as a result of fewer than expected appropriations in aid, financed through a claim on the Reserve. Transfers to the Department of Social Security (Class XII, Vote 1) comprise £150,000 in connection with the single school leaving date and £1,700,000 in connection with Severe Hardship Allowances. £89,000 will be transferred from that Vote for Lone Parents. Section O will increase by £1,600,000 in respect of consultancy costs in connection with the sale of the student loans debt. £37,000 will be transferred from the Department of Trade and Industry (Class III, Vote 2) in connection with the Advisory Group on Computer Graphics. £6,000,000 for European Social Fund projects will be funded in advance of receipts from the European Commission from two new sections of the Vote. £15,000 will be transferred to the Cabinet Office (Class XVIII, Vote 3) for the Drugs Tsar. In addition, £408,000 will be vired to section P from section D and £8,000,000 to section R from section B.

The cash limit on Class IX, Vote 3 will be decreased by £15,657,000 from £1,235,477,000 to £1,219,820,000. The running cost provision (within the control total) on this Vote will be increased as a result of the following changes: a net transfer of £4,498,000 in running cost provision from Class XII, Vote 3 (Department of Social Security: administration) due to the recalculation of the cost of the implementation of the jobseeker's allowance; transfers from Class IX, Vote 1 (Department for Education and Employment: programmes and central services) of £1,600,000 in relation to restructuring costs and £90,000 for Central Dispatch work now undertaken by the Employment Service (ES); the transfer of £40,000 in running costs provision to that Vote to cover work Government Offices will undertake on Employment Zones; and the transfer of £170,000 in running costs provision from Class XII, Vote 3 (Department of Social Security: administration), £140,000 of which is to cover the cost of work undertaken by ES in preparation for New Deal for Lone Parents and £30,000 for Decision Making Advice in connection with Adjudication work. In addition, "other current expenditure" will be reduced as a result of: a transfer of £25,000,000 to Class IX, Vote 1 (Department for Education and Employment: programmes and central services) for additional spending on section A of that Vote, offset by a transfer of £500,000 from Class IX, Vote 1 to the Challenge Fund publicity campaign.

The running cost provision for the Welfare to Work programme (outside the control total) on this Vote has been increased as a result of the following changes: expenditure of £2,700,000 required for the preparation for the New Deal for Lone Parents which will be funded from the Windfall Tax; and a transfer of £175,000 from the New Deal running costs provision (outside the control total) to Class IX, Vote 1 to cover Government Offices costs on the implementation of New Deal for Young People.

As a result of these changes, the running costs provision within the Control Total for Class IX, Vote 1 (DfEE) will be increased by £277,000 from £251,987,000 to £252,264,000. The running costs provision within the Control Total for Class IX, Vote 3 (Employment Service) will be increased by £6,318,000 from £805,231,000 to £811,549,000. The overall running costs limit for the DfEE is therefore increased by £6,595,000 from £1,057,218,000 to £1,063,813,000.

As a result of changes to provision relating to the Welfare to Work programme, running costs provision outside of the control total on Vote 1 has increased by £300,000 from £1,330,000 to £1,630,000 and on Vote 3 by £2,525,000 from £48,000,000 to £50,525,000. The revised non-control total running costs limit is therefore £52,155,000.

The control total elements of the increases will be offset by transfers or charged to the Reserve and will not therefore add to the planned total of public expenditure.

Salaries

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the total expenditure on the salaries and other emoluments of the chief executives and the chairmen of all non-departmental public bodies sponsored by his Department, for the financial year 1996–97. [30819]

Dr. Howells: The Department sponsored fifteen executive non-departmental public bodies in 1996–97. Using the spot date of 1 September 1996 for the salaries and other emoluments of Chairmen, the Cabinet Office publication "Public Bodies 1996" shows expenditure of £333,676. The salaries and other emoluments of chief executives for that financial year totalled £1,206,202.

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the names, current salaries and other emoluments of the (i) Chief Executive and (ii) Chairman of the *(a)* National Council for Vocational Qualifications, *(b)* National Council for Education Technology, *(c)* Centre for Information on Language Teaching and Research, *(d)* Education Assets Board, *(e)* School Curriculum and Assessment Authority, *(f)* Further Education Funding Council, *(g)* Higher Education Funding Council for England, *(h)* Funding Agency for Schools, *(i)* Teacher Training Agency and *(j)* Office for Standards in Education. [30818]

Dr. Howells: The names of the chief executives and the names and current salaries of the chairmen of the non-departmental bodies requested are as follows. Total costs of the salaries and other emoluments of chief executives for the current financial year will not become available until the year end.

Both the National Council for Vocational Qualifications and the School Curriculum and Assessment Authority closed in October 1997. They were replaced by the Qualifications and Curriculum Authority. The names of its chief executive and chairman are as listed. The Office for Standards in Education is a Government Department in its own right; questions relating to Ofsted's running costs and other expenditure should be addressed directly to Her Majesty's Chief Inspector, Mr. Chris Woodhead. I have asked him to write to the hon. Member and I will place a copy of his reply in the Library.

NDPB	*Chairman (current salary)*	*Chief executive*
Centre for Information on Language Teaching and Research (CILT)	Stephen Jones (unpaid)	Dr. E King
Education Assets Board (EAB)	Keith Bridge (£27,252)	Stuart Hoare
Funding Agency for Schools (FAS)	Sir Anthony Tippet (£30,000)	Mike Collier
Further Education Funding Council (FEFC)	Lord Davies of Oldham (£37,014)	Prof. David Melville
Higher Education Funding Council for England (HEFCE)	Sir Michael Checkland (£38,100)	Prof. Brian Fender
National Council for Educational Technology (NCET)	Heather Du Quesnay (unpaid)	Owen Lynch
Qualifications and Curriculum Authority (QCA)	Sir William Stubbs (£40,000)	Dr. Nick Tate
Teacher Training Agency (TTA)	Prof. Clive Booth (£15,759)	Anthea Millett

Advertising and Publicity

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the principal expenditure items and the outturn expenditure for his Department and its predecessors on advertising and publicity in the year 1996–97. [30847]

Dr. Howells: The principle expenditure items and the outturn expenditure for the Department and its predecessors on advertising and publicity in the year 1996–97 are listed as follows:

Corporate Publicity
Employment and Lifelong Learning
Schools
Strategy, International and Analytical Services
Further and Higher Education and Youth Training
Employment Service.

Gross Total Outturn Expenditure for all of the above principal expenditure items is £17.6 million.

Non-teaching Staff

Mr. Don Foster: To ask the Secretary of State for Education and Employment how many non-teaching staff were employed by local education authorities in 1997. [30817]

Ms Estelle Morris: At June 1997, there were 271,000 full-time equivalent non-teaching staff employed by local education authorities in England.

Non-teaching staff includes educational support, clerical, school meals and premises related staff employed in schools and colleges, together with central services and administration within the education service. Both manual and non-manual staff are included. Staff employed in grant-maintained schools are excluded. This information comes from the Joint Staffing Watch Survey carried out by the Local Government Management Board.

Surplus Property and Land

Mr. Baker: To ask the Secretary of State for Education and Employment if he will list the properties and land owned by his Department which he has identified as surplus to requirements, giving in each case their estimated value. [30321]

Dr. Howells: The DfEE is reviewing the use of all its assets, including identifying assets which are surplus to requirements, as part of its Departmental Spending Review which will be completed this summer. The properties in the following table have already been identified as surplus to requirements. It is not possible to

give an estimate of their value as this will depend on the circumstances of their disposal. For accounting purposes, surplus assets will be valued in accordance with the relevant provisions of the Resource Accounting Manual.

	Tenure
Vacant property	
Letchworth Skillcentre	999 year lease
East Lane House, Runcorn	Freehold
Sub-let properties	
Middlesbrough Annexe	Freehold
Skillcentre	

Advertising Contracts

Mr. Burns: To ask the Secretary of State for Education and Employment if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30714]

Dr. Howells: Details of the advertising contracts placed by the Department, through the Central Office of Information, since 1 May 1997 are as follows:

Contract

New Deal

Value to date

£8.8 million

Number of companies which tendered

4.

National Child Care Strategy

Mrs. Mahon: To ask the Secretary of State for Education and Employment what action he has taken towards developing a national child care strategy. [29094]

Mr. Alan Howarth: The Department has consulted widely, and co-hosted a conference on 19 January with the Minister for Women, my hon. Friend the Member for Lewisham, Deptford (Ms Ruddock), at which we met with child care experts to hear their views on key aspects of the Strategy. My right hon. Friend Secretary of State has set up a child care unit within the Department to draw up, in liaison with Departments across Whitehall, a national child care strategy consultation document which we plan to issue after the spring budget. After consultation on the document we plan to launch the final strategy later in the year.

We have also developed plans to spend the first tranches of the £300 million child care package announced by the Chancellor of the Exchequer last November, and we look forward to early benefits on the ground as some of the funding becomes available in 1998–99. In 1998–99 the £25 million receipts from the Windfall Tax for England will enable us to:

help support new child care provision for children who are four years old and in full time education;

boost the provision of child care in FE colleges with a new grant to the Further Education Funding Council; and

support activities such as training and information services which will help to develop the infrastructure and capacity of the child care sector to meet the challenge of the huge expansion of out of school child care when lottery funding comes on stream in 1999.

We have made £50 million available to the Out of School Child Care Initiative over the next five years. For 1998–99, this means that funding has more than doubled (from £4.1 million to £10.1 million) and will create 20,000 new places.

Health and Safety

Mr. Hoyle: To ask the Secretary of State for Education and Employment what responsibilities *(a)* Ofsted, *(b)* the Health and Safety Executive, *(c)* the local education authority and *(d)* the Secretary of State for Education have to ensure a safe environment for teachers and pupils in nursery schools. [30814]

Ms Estelle Morris: Under health and safety legislation, the employer, which for maintained nursery schools is the local education authority, is legally responsible for health and safety and must ensure that the school has policies and procedures in place. Ofsted inspectors evaluate and report on schools' policy and procedures, including health and safety. Ofsted's inspectors also evaluate and report on the extent to which the arrangements for the induction, appraisal and professional development of staff in schools contribute to their effectiveness. The Health and Safety Executive are responsible for enforcing the legislation. The Department provides health and safety guidance to schools and LEAs where necessary and has statutory responsibility for regulations on building safety standards.

Mr. Hoyle: To ask the Secretary of State for Education and Employment what assessment he has made of the effectiveness of the guidelines governing safety of children at nursery schools. [30812]

Ms Estelle Morris: The Department is responsible for the maintained nursery school sector. We have issued guidelines on recommended adult: child supervision in maintained nursery schools. We have also issued health and safety guidance on a range of issues to schools and local education authorities. Although this is not aimed specifically at nursery schools, they may adopt the guidance, as the same safety principles often apply. We have not assessed the take up by nursery schools.

The Department and the Department of Health will be consulting shortly on the regulation of early education and day care with the aim of creating a more uniform regime.

Questions on private and voluntary nursery providers are matters for my right hon. Friend the Secretary of State for Health.

Mr. Hoyle: To ask the Secretary of State for Education and Employment what plans he has to improve training in health and safety best practice for nursery teachers and administrators. [30813]

Ms Estelle Morris: Under health and safety legislation, the employer has responsibility for ensuring that employees are aware of health and safety issues and are trained to carry out their health and safety responsibilities effectively. In all primary Initial Teacher Training courses, trainee teachers must demonstrate that they understand health and safety legislation, are familiar with subject specific health and safety requirements and can plan lessons to avoid potential hazards.

Mr. Hoyle: To ask the Secretary of State for Education and Employment if he will review the penalties available to courts for breach of Health and Safety regulations in nursery schools. [30815]

Angela Eagle: I have been asked to reply.

My right hon. Friend the Minister of State and I have been discussing with the Health and Safety Commission what more can be done to secure a more realistic level of penalties for health and safety offences, including any breaches which occur in nursery schools. The Deputy Prime Minister is in correspondence with the Home Secretary and the Lord Chancellor to explore this matter further.

SOCIAL SECURITY

Family Credit

21. **Audrey Wise:** To ask the Secretary of State for Social Security how many Benefits Agency staff in Preston are engaged in administering the family credit scheme. [29096]

Mr. Keith Bradley: On 2 February there were 1,614 staff employed at the Family Credit Unit in Preston. A further 213 Family Credit staff are located at sites in Blackpool.

Lone Parents

22. **Mr. Gray:** To ask the Secretary of State for Social Security what age group of lone parents the new deal for lone parents is targeted at. [29097]

Mr. Keith Bradley: The New Deal for Lone Parents is available to all lone parents of working age, irrespective of age.

Lone parents are one of the key groups the Government aim to help with the welfare to work programme, because they have previously been excluded from the opportunity to work. The New Deal for Lone Parents is designed specifically for lone parents' needs: to tackle the barriers that prevent them from working.

The Government seek to ensure that all people of working age, including lone parents, are not excluded from society as a result of poverty or lack of opportunity for employment. The New Deal for Lone Parents aims to tackle social exclusion by providing lone parents with the same opportunities as everyone else.

26. **Mr. Viggers:** To ask the Secretary of State for Social Security how many lone parents had obtained employment through the new deal for lone parents by 31 January. [29101]

Mr. Keith Bradley: The New Deal for Lone Parents service has been available in eight lead areas around the country since July last year and, up to 31 January, has already helped 1,113 lone parents obtain employment. From April, the service will be available nationwide to all lone parents making a new or repeat claim for Income Support, and it will be extended to all lone parents on Income Support from October.

These early results are very encouraging. There will be independent evaluation of the service, comparing the outcomes for lone parents in the New Deal for Lone Parents areas with those in control areas, which will be available in 1999.

Welfare Reform

23. **Mr. Mackinlay:** To ask the Secretary of State for Social Security what representations he has received from trade unions about the Government's welfare reform proposals. [29098]

Mr. Field: We are committed to reforming the welfare system in consultation with the people. That is why we have announced that we will consult individuals, organisations, including trade unions, and others with an interest before any changes are introduced.

During the pensions review consultation exercise, we received representations from the TUC and 16 trade unions. The Parliamentary Under-Secretary of State and Minister for Pensions has also met trade unions on several occasions as part of this consultation exercise.

We have also received a number of representations on various aspects of welfare reform from individual trade unions.

Absent Fathers

24. **Mr. Bill Michie:** To ask the Secretary of State for Social Security what plans she has to ensure absent fathers pay proper maintenance for their children. [29099]

31. **Helen Jones:** To ask the Secretary of State for Social Security what plans she has to ensure absent fathers support their children. [29106]

Mr. Keith Bradley: All children are entitled to the financial and emotional support of both parents wherever they may live. The receipt of regular maintenance is a key part of the Government's strategy for helping lone mothers off Income Support and into work. We are therefore looking closely at all aspects of the child support scheme to see where improvements can be made and we expect to bring forward a consultation document on our proposals by the Summer. In the meantime we are directing a further £15 million to the Agency in each of the next two financial years specifically aimed at increasing the amounts of maintenance that are paid.

Long-term Sick and Disabled

25. **Angela Smith:** To ask the Secretary of State for Social Security if she will make a statement on the Government's new deal for the long-term sick and disabled. [29100]

Mr. Denham: The Government believe that work is the best form of welfare for people of working age, and are committed to improving opportunities and incentives for disabled people who want to work. Under the New Deal for people with a disability or long-term illness we have set aside £195 million to finance a range of measures to help those who want to move into or stay in work.

The first strand of the New Deal will involve funding a number of innovative schemes to test ways of helping people who want to work. The bidding process was launched on 9 December and will consist of two tranches.

We have sent over 2,500 bidding packs to interested organisations, and hope to award the first contracts in the Spring.

In developing proposals under the New Deal we are working in partnership with the Department for Education and Employment; with disabled people and the organisations that represent them; and with other interested parties. As a further example of this new approach, over 500 disability and other groups were invited earlier this month to a series of briefings to help bidders under the Innovative Schemes strand with their understanding of the guidance for preparing bids.

Disability Benefits

27. **Mr. Flight:** To ask the Secretary of State for Social Security if she will make a statement on the progress of the Government's review of disability benefits. [29102]

Mr. Denham: We continue to review sickness and disability benefits as part of our commitment to modernise the Social Security system. No decisions have yet been reached; we will consult disabled people, their organisations and others with an interest before making any changes.

Benefits (Information)

28. **Mr. Gorrie:** To ask the Secretary of State for Social Security what plans she has to ensure that citizens seeking information about benefits are given correct information in leaflets by staff at the offices of relevant agencies. [29103]

Mr. Field: We are building a modern Social Security system, which balances customer rights and responsibilities. That means customers need accurate information at the right time and the right place.

The Benefits Agency produces comprehensive benefits information for customers and their representatives. Leaflets and information are available from all Benefits Agency offices, where other Agencies are often co-located. Customer Representatives are given free access to information from the whole of the Department via the Benefits Agency Publicity Register, which has over 90,000 members.

Benefits Agency staff are fully trained to process, maintain and provide advice on benefits. Initial training is refreshed and updated as changes to both benefit rules and processes occur.

The Benefits Agency is to re-examine its information and publicity material, to ensure it continues to meet customers' information needs.

The Benefits Agency will look to simplify its programme of leaflets and other media, in order to provide better information and allow customers easier access to the benefits system.

The Benefits Agency is working closely with its sister agencies, other government departments, customer representatives and the public in making these improvements.

Teenagers and Pensioners

29. **Mr. Peter Bottomley:** To ask the Secretary of State for Social Security if she will estimate the average (i) costs to and (ii) income from public funds of *(a)* a teenager and *(b)* a pensioner in a household. [29104]

Mr. Keith Bradley: The information is not available in the format requested. The average weekly Social Security benefit income for all benefit units (including those who receive no benefit) headed by a teenager is £10 per week, and by a pensioner is £101 per week.

Notes:

(i) A benefit unit headed by a teenager is defined as a single or couple living as married plus any dependent children where the head is aged 16 to 19 inclusive. A pensioner benefit unit is similarly defined and where the head is at least state pension age (65 for men, 60 for women).

(ii) Social Security benefit income includes all income and non-income related benefits and excludes Social Fund loans.

(iii) Figures are based on information from the 1995–96 Family Resources Survey. The 1995–96 survey is the latest for which data are available.

(iv) The estimates are based on sample counts which have been adjusted for non-response using multi-purpose grossing factors which control for region, Council Tax Band and a number of demographic variables. Estimates are subject to sampling error and to variability in non-response.

Pension Sharing

30. **Mr. Caplin:** To ask the Secretary of State for Social Security if she will make a statement on the Government's plans for pension sharing. [29105]

Mr. Denham: Pension sharing will allow for fairer overall financial settlements on divorce. Our Manifesto committed us to introducing pension sharing for divorcing couples and we aim to do so from April 2000. We are working through the detailed issues and implementation arrangements with a panel of representatives of the pensions industry, family lawyers and others, and plan to publish draft legislation for consultation during this Parliamentary session. This is an important first step in the modernisation of the pension system to enable more people, mainly women, to secure an adequate income in retirement.

Occupational Pensions

32. **Mr. Heald:** To ask the Secretary of State for Social Security what steps she has taken to support and strengthen the framework for occupational pensions. [29108]

Mr. Denham: We fully recognise and support the important role that occupational pension schemes have and play.

As we made clear when we launched our wide ranging Pensions Review on the 17 July 1997, we will also build on the good quality second pensions that many employees enjoy by supporting and strengthening the existing framework of occupational pension provision where that is necessary. That is why we are consulting those who run and advise pension schemes about the effectiveness of the provisions introduced by the Pensions Act 1995. We will then consider what can be done to remove unnecessary burdens and complexity whilst making sure that the security of members rights is paramount. And we are working on our own plans for a Quality Award scheme to

reward high standards and set a benchmark against which employers, employees and trustees could measure their own scheme.

The Pensions Review produced over 2,000 responses which we are currently considering. We have also made clear our intention to introduce stakeholder pensions, which will extend the opportunity for good funded pension provision to many people who cannot join an occupational pension scheme.

Housing Benefit

33. **Mr. Campbell-Savours:** To ask the Secretary of State for Social Security what assessment the social security review team has made of evidence on the interaction between housing benefit and incentives to work. [29109]

Mr. Field: The Government firmly believe that work is the best form of welfare. The Housing Comprehensive Spending Review is appraising the interaction between Housing Benefit and incentives to work and is considering a number of ideas. The Comprehensive Reviews will report in the Summer.

Taxation and Social Security Benefits

34. **Mr. Wilkinson:** To ask the Secretary of State for Social Security what discussions she has had with the Chancellor of the Exchequer about the interaction of the taxation and social security benefit systems. [29110]

Mr. Field: My right hon Friend the Secretary of State and I meet regularly with my right hon Friend the Chancellor of the Exchequer to discuss tax-benefit reform issues. We are working closely together on details of the proposed Working Family Tax Credit. The Chancellor will make an announcement in his Spring Budget.

Benefit Levels (London)

35. **Mr. Simon Hughes:** To ask the Secretary of State for Social Security what assessment is made of the minimum level of weekly disposable income required by *(a)* a single adult resident in London aged between 25 and 50 years, *(b)* a married couple resident in London aged between 50 and 60 years and *(c)* a single pensioner living in London aged between 65 and 70 years, in determining benefit levels. [29111]

Mr. Keith Bradley: There is no objective way of deciding what are adequate benefit rates. Levels of benefit need to take account of the competing demands on public expenditure and work incentives. Premiums are added to Income Support payments to take account of the particular needs of specific groups. Income Support is not intended to replace a decent pension or a good job.

State Pensions

36. **Mr. Corbyn:** To ask the Secretary of State for Social Security what plans she has to revise the basis of the calculation for the setting of state pension levels. [29112]

Mr. Denham: As we said in our manifesto the basic State pension will be retained as the foundation of pension provision in retirement and be increased at least in line with prices. We are considering the basic pension, including its value, as part of our pensions review.

Disability Living Allowance

Ms Abbott: To ask the Secretary of State for Social Security how many people she estimates are fraudulently claiming disability living allowance; and if she will make a statement. [29075]

Mr. Denham: We are currently examining the estimates of fraud made by the previous Administration, in the light of further analysis of the findings of the on-going programme of benefits reviews.

Child Support Agency

Mr. Baker: To ask the Secretary of State for Social Security when she plans to complete her review of the Child Support Agency. [29093]

Mr. Keith Bradley: We aim to bring forward a consultation paper on our proposals by the Summer.

Mr. Kirkwood: To ask the Secretary of State for Social Security (1) how many deductions from earnings orders issued by the CSA are currently in force; what is the number of accounts with live assessments with arrears; and if she will include this information in the CSA statistical information which is placed in the Library; [30119]

(2) how many deductions from earnings orders issued by the CSA have been appealed to the magistrates and sheriff courts; and how many of these appeals have been successful. [30120]

Mr. Keith Bradley: Children are entitled to the financial and emotional support of both parents wherever they may live.

The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to the hon. Member.

Letter from Mrs. Faith Boardman to Mr. Archy Kirkwood, dated 23 February 1998:

I am replying to your Parliamentary Questions to the Secretary of State for Social Security about Child Support Agency deductions from earnings orders and cases with arrears.

The imposition of a deduction from earnings order is considered when the absent parent defaults on an agreement or refuses to come to an agreement. This step is taken as a last resort and every effort is made to secure the compliance of the absent parent before a deduction from earnings order is issued. From April 1998 to 30 November 1997 the number of deduction from earnings orders issued are as follows:

1993–94: 2,600

1994–95: 32,027

1995–96: 52,931

1996–97: 57,898

1997–98 (to 30.11.97): 45,273.

We are increasingly becoming more effective in issuing deduction from earnings orders where the absent parent fails to make a maintenance payment or reach an agreement for repayment.

Information on the number of appeals against deductions from earnings orders is only available from April 1996, as are the number of successful appeals to Magistrate and Sheriff courts. From April 1996 to November 1997, of 103,171 deductions from earnings orders issued, 330 appeals were received 138 of which were successful.

You have also asked for details of accounts with live assessments with arrears and details are available from the Agency's Financial Management System. These can be split into those cases with full maintenance assessments and those with interim maintenance assessments. As at 31st January 1998, 286,437 cases with full maintenance assessments had arrears and 65,182 cases with interim maintenance assessments had arrears.

The House of Commons Library Report is intended to provide information on the performance of those activities which are considered key to the operation of the Agency. There are no plans at present to include further information.

I hope this is helpful.

Mr. Kirkwood: To ask the Secretary of State for Social Security if she will list the number of cases awaiting periodical review, change of circumstances review and second tier review at *(a)* 31 March (i) 1995, (ii) 1996 and (iii) 1997 and *(b)* 30 December 1997. [30124]

Mr. Keith Bradley: The administration of the Child Support Agency is a matter for Mrs. Faith Boardman, the Chief Executive. She will write to the hon. Member shortly.

Letter from Mrs. Faith Boardman to Mr. Archy Kirkwood, dated 20 February 1998:

I am replying to your Parliamentary Question about Child Support Agency assessment reviews.

The number of review cases outstanding at each of the points in time requested in your question are shown in the table attached. For each category I have also provided details of the number of cases cleared at each of the points in time.

Although the volume of work outstanding for review cases does not appear to have reduced significantly over the time period in question, the clearance figures show the improvement in the Agency's performance over the years, and we are now keeping abreast of new work.

The Agency's performance has improved considerably since 1994/5, but we still have some way to go before customer service is at an acceptable level. Furthermore, the Agency expects its liveload to more than doube to around 1.2 million by the end of 2003/2004. The Agency, therefore, needs to make the most of its resources to meet this challenge.

I hope this is helpful.

Child Support Agency—Work on hand and cases cleared

Category	*31.03.95*	*31.03.96*	*31.03.97*	*31.12.97*
Periodic Reviews[1]				
Work on hand	40,268	39,206	59,684	42,588
Number cleared in Financial Year	[2]9,864	22,878	45,834	148,645
Change of circumstances				
Work on hand	[3]7,282	17,182	13,207	[3]29,097
Number cleared in Financial Year	[2]7,295	36,037	42,524	158,279

Child Support Agency—Work on hand and cases cleared

Category	*31.03.95*	*31.03.96*	*31.03.97*	*31.12.97*
Second tier reviews				
Work on hand	7,252	11,189	6,279	5,319
Number cleared in financial year	28,272	26,955	36,339	33,905

[1] Figures for periodic reviews on hand reflect the number of cases where the Agency has all the relevant information or is awaiting further information. It is estimated that around 290,000 reviews may be outstanding.
[2] August to March data only.
[3] Change of circumstance work on hand did not previously include cases which were not going to breach the monetary tolerance level for change to the assessment. All changes of circumstances are now included.

Family-friendly Employment Policies

37. **Ms Beverley Hughes:** To ask the Secretary of State for Social Security what plans the Ministers for Women have to promote family-friendly employment policies. [29113]

Ms Ruddock: The Ministers for Women are working closely with colleagues across Government to develop family-friendly employment policies in order to support family life, welfare to work objectives and social inclusion, fairness and equality of opportunity as well as to support competitiveness within industry.

The Government are looking at ways to encourage employers to consider the benefits of family friendly employment practices which will include flexible working practices, as well as part-time or flexible hours, job sharing, term-time working, working from home and career breaks. Such arrangements can help parents, particularly mothers, balance work and family commitments and directly affect their ability to take up offers of employment.

To take this forward the Government will be implementing various European Directives as well as working closely with all employers, large and small.

Cash Limits

Ms Drown: To ask the Secretary of State for Social Security if she will make a statement on changes in the *(a)* cash limits and *(b)* running costs limit of her Department for 1997–98. [30382]

Mr. Field: Subject to the Parliamentary approval of the necessary Supplementary Estimate the cash limit for Class XII, Vote 2 will be decreased by £6,313,300 from £462,105,000 to £455,791,700. The cash limit of Class XII, Vote 3 will be increased by £314,536,000 from £2,035,828,000 to £2,350,364,000.

The main reason for the revision to Vote 2 is to provide for payments totalling £190 million to be made from the Social Fund in respect of the Winter Fuel Bonus announced by the Chancellor in his Pre-Budget statement of 25 November 1997, *Official Report*, columns 779-80.

Smaller increases are also sought: £77,066,000 for payments into the National Insurance Fund due to an increase in the Government Actuary's assessment of expenditure on Statutory Sick Pay and Statutory Maternity Pay and amount owed in respect of the National Insurance Surcharge Account; £32,000,000 for Rent Rebate Subsidies due to higher costs than previously estimated

on this one element of benefit expenditure; £270,000 for the grant in aid to Motability towards additional equipment fund costs; £1,700 for the grant in aid to the British Limbless Ex-Servicemen's Association (BLESMA).

The Estimate also takes account of the improved performance of the economy which has resulted in falling unemployment, and which in turn has reduced the take up of benefits compared with what was expected at the time the Main Estimate provision was approved. The specific decreases are: £104,170,000 on sums payable to the National Insurance Fund due to a decrease in the Government Actuary's assessment of the expenditure on the National Insurance Contribution Holiday Scheme and Treasury Grant; £90,000,000 for Rent Allowance and £90,000,000 for Council Tax Benefit subsidies due to lower final claims and benefit costs than previously estimated; £8,000,000 for Rent Rebates subsidies payable to New Towns due to lower benefit costs than previously estimated; £3,000,000 on Social fund expenditure due to improved Social Fund loan recoveries which allows the planned level of gross funding to be delivered with a reduced net budget; £2,000,000 due to a reduction in Housing Benefit and Council Tax Benefit administration costs and £1,000,000 for discretionary Rent Allowance to reflect the policy decision not to extend the Single Room Rent to those aged 25 to 59 and £585,000 being transferred to the Department of Social Security administration Vote, Class XII Vote 3.

Vote 3 revisions take account of increased requirements of (£13,264,000 running costs) under the Welfare to Work programme, an increase of £47,999,000 (running costs) towards early retirement costs, comprising £29,500,000 additional funding and £18,499,000 under the end year flexibility scheme as announced by the Chief Secretary to the Treasury on 17 July 1997, *Official Report*, columns *245–50)*, an increase of £3,774,000 (capital) under the capital end year flexibility scheme and an increase of £20,600,000 (running costs) for the administration costs associated with the Winter Fuel Bonus.

Other changes result from a reduction of £4,498,000 (running costs) arising from the recalculation of JSA implementation costs, offset by a corresponding increase on Class IX Vote 3 (Education and Employment), an increase of £514,000 (running costs), offset by a corresponding reduction on Class IX, Vote 1 (Education and Employment), a reduction of £1,017,000 (running costs) for legal aid assessment work, offset by a corresponding increase on Class VIII, Vote 1 (Lord Chancellors' and Law Officers' Departments), a reduction of £300,000 (running costs) for expenses associated with the employment of agency solicitors, offset by a corresponding increase on Class XI, Vote 2 (Department of Health), a reduction of £170,000 (running costs), which represents an aggregate of a number of small transfers, offset by a corresponding increase on Class IX, Vote 3 (Education and Employment), an increase of £70,000 (running costs), offset by a corresponding reduction on Class XI, Vote 1, Class XIII, Vote 4 and Class XIV, Vote 4 and an increase of £585,000 (running costs) offset by a corresponding reduction on Class XII, Vote 2 (Department of Social Security). Further transfers arise from an increase of running cost cover of £160,000 for services provided to Department of Health and Social Services (Northern Ireland) and a net reduction of £7,808,000 in running cost provision arising from a higher recovery of deductible VAT on contracted out services.

Cash limit changes arise from a net reduction in capital provision of £1,952,000 and a reduction in Appropriations in Aid of £243,315,000. This arises mainly as a result of an anticipated receipt from the sale of assets now being due in 1998–99.

As a result of these changes the running cost limit of the Department of Social Security (within the control total) will be increased by £56,135,000 from £3,218,908,000 to £3,275,043,000 and the new running cost limit for the Welfare to Work programme (outside the control total) is £13,264,000.

Increases will be offset by transfers or charged to the Reserve and will not therefore add to the planned total of Public Expenditure.

Benefit Integrity Project

Mr. Burstow: To ask the Secretary of State for Social Security (1) how many people, who have been subject to either *(a)* Benefit Integrity Project postal survey and *(b)* BIP interviews, have had their disability living allowance stopped; and how many of these have (i) had the decision reviewed, (ii) on review had their disability living allowance restored, (iii) on review had their disability living allowance restored to the previous rate, (iv) had their disability living allowance restored at a higher rate and (v) had their disability living allowance restored at a lower rate; [30003]

(2) what plans she has to institute a programme of sampling decisions taken as part of the Benefit Integrity Project; [30004]

(3) if she will take steps to encourage claimants of disability living allowance who are about to be included within the Benefit Integrity Project to gain access to their initial disability living allowance claim forms. [30002]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with the Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write shortly to the hon. Member with further details.

Letter from Peter Mathison to Mr. Paul Burstow, dated 18 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions regarding the Benefit Integrity Project (BIP).

The BIP is looking again at some awards of Disability Living Allowance (DLA) to collect up to date information about the care and mobility needs of some disabled people and to make sure that the correct amount of benefit is being paid.

The total number of enquiries carried out to date by post and interview is contained in the attached tables.

Entitlement to DLA is determined by independent Adjudication Officers (AOs). A statistically valid sample of AO decisions is checked by an independent discrete team who report their findings

to Benefits Agency managers and to the Chief Adjudication Officer. This is part of an ongoing process designed to maintain adjudication standards.

Measures are in place for this team to check a statistically valid sample of decisions made by AOs working on BIP cases.

If customers wish to have sight of evidence used to decide entitlement in their current or previous claims they can have copies of this on request. Information about BIP has been publicised through disability organisations, the media and by appearances in the media by Ministers.

I hope you find the reply helpful.

Total number of postal and interviews enquiries carried out by the Benefit Integrity Project to date

	Number
Postal cases as at 31 December 1997	
Total number of Postal cases looked at = 25,638	
Number of cases disallowed	1,274
Number of cases reviewed	281
Review decision maintained	220
Restored to a higher rate on review[1]	1
Restored to a lower rate on review[1]	28
Restored to original award on review	32
Total number of cases restored on review	61
Visit cases as at 31 December 1997	
Total number of BIP interviews = 7,515	
Number of cases disallowed	153
Number of cases reviewed	6
Review decision maintained	6
Restored to a higher rate on review[1]	0
Restored to a lower rate on review[1]	0
Restored to original award on review	0
Total number of cases restored on review	0

[1] These figures include all combinations of increased awards resulting from a disallowance.

Mrs. Carol Preston

Mr. Winnick: To ask the Secretary of State for Social Security (1) what factors governed the timing of restoring the full disability benefit to Mrs. Carol Preston of Stockport; [30254]

(2) if disciplinary action is to be taken against officials responsible for the original decision to reduce the disability benefits for Mrs. Carol Preston of Stockport; [30255]

(3) what measures she will take to avoid the recurrence of situations similar to that in which Mrs. Carol Preston of Stockport had her benefit reduced. [30258]

Mr. Denham: The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. David Winnick, dated 19 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about Mrs. Preston of Stockport and her claim for Disability Living Allowance (DLA).

DLA decisions are largely made on the basis of self reporting by the disabled person, that is on the judgment of those best placed to know the practical effects of their disabilities. Entitlement depends not on the fact that a person has a particular disability but on the day to day effects of that condition and the care and mobility needs that arise.

Mrs. Preston's claim was looked at again as part of the Benefit Integrity Project (BIP) which is a programme of postal enquiries and home visits to seek up to date information about the care and mobility needs of DLA customers receiving the Higher Rate Mobility Component with either the Middle or Highest Rate Care Component. This sort of enquiry is routine in most benefits. It does not necessarily mean an award will be changed.

As Mrs. Preston was in receipt of the highest rates of both components of DLA a visit was arranged and took place on 27 November 1997, where a questionnaire was completed. The information gathered from the visit was passed to an officer acting on behalf of the Secretary of State who felt that there may have been a relevant change in Mrs. Preston's night time needs which could affect entitlement. The case was subsequently passed to an Adjudication Officer (AO) who made a decision to reduce the entitlement on review.

It is the responsibility of AOs in each individual case to determine awards. Neither Ministers nor departmental officials can alter or influence an AO's decision. The correct procedures have been followed, therefore disciplinary action is inappropriate.

A request for a review of the decision to reduce Mrs. Preston's entitlement to DLA was received on 18 December 1997. In support of the review application, the local CAB provided more detailed information about Mrs. Preston's need for care at night. A different AO, from the one who had decided to reduce Mrs. Preston's benefit, took advice from a Benefits Agency Medical Officer who advised that it was unlikely that Mrs. Preston's needs would have decreased despite what was recorded in the questionnaire completed on 27 November 1997. The AO decided to re-instate benefit from 27 November 1997 on review. On 9 February 1998 Mrs. Preston was notified in person of the revised decision. This step was taken to minimise any delay and anxiety to Mrs. Preston following the further investigation into her case.

There are a number of measures in place to ensure that the decisions made by an AO are of a high standard. AOs can seek the advice of medically qualified personnel who can offer advice. A statistically valid sample of AO decisions is checked by an independent discrete team who report their findings to Benefits Agency managers and to the Chief Adjudication Officer. This is part of an ongoing process designed to maintain adjudication standards. Anyone whose benefit is reduced or disallowed is entitled to request a review by another AO, who will consider all available evidence.

Customers suffering from certain conditions will not be contacted as part of BIP. These include customers suffering from a terminal illness where life expectancy is likely to be under six months, quadriplegics, paraplegics, people who are both deaf and blind, double amputees and those within the definition of severe mental impairment. All efforts are taken to avoid contact in regard to the BIP exercise with customers in these categories.

To improve confidence in decisions on cases made by the BIP, an additional safeguard has been introduced from 9 February 1998. No decision to reduce or remove entitlement as a result of BIP will be taken on the basis of the claimant's statement alone, there will always be additional evidence to support the decision.

Further evidence about a customer's care and mobility needs may include factual medical evidence from a General Practitioner or hospital or other health care professional, a full examination by a qualified medical practitioner or information from carers. The source of the additional evidence will be determined by the officer acting on behalf of the Secretary of State in the light of the individual circumstances of the case.

I hope you find this reply helpful.

Miss A. Steed

Mr. Winnick: To ask the Secretary of State for Social Security (1) which officials from the Benefits Agency have seen Miss A. Steed (DB502640) to assess in person the need for her to have the renewal of her motability scheme; and if she will make a statement; [30251]

(2) how many officials were involved in the decision to end the motability scheme originally awarded to Miss A. Steed because of the severe disability of her young daughter (ref: DB502640); [30252]

(3) what consideration was given to the applicant's bringing up a severely disabled child in determining the application by Miss A. Steed (ref: DB502640) for a renewal of the motability scheme; [30253]

(4) what factors led to the decision that Miss A. Steed (ref: DB502640) should no longer be able to lease a car under the motability scheme. [30256]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. David Winnick, dated 19 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about Miss A. Steed (DB502640).

Motability is an independent body which helps recipients of Disability Living Allowance (DLA) higher rate mobility component to use their benefit to obtain a car on the best possible terms, either on lease, or through a hire purchase agreement. It is a requirement of the Motability Scheme that a disabled person or their representative/appointee who wishes to obtain a car, must have an award of higher rate mobility component that will run throughout the period of the leasing or hire purchase agreement.

I would point out that the Adjudication authorities award DLA higher rate mobility component on the basis of whether the customer satisfies the medical conditions for the benefit. This principle equally applies to the duration of an award of DLA and the adjudicating authorities are not influenced by external factors, such as the qualifying conditions for entering into a Motability agreement.

As the Motability Scheme is an independent body, the Benefits Agency would not have seen Miss A. Steed to assess the renewal of the Motability Scheme or the decision to end the Motability Scheme. The Department is not directly involved in operational issues concerning the Motability Scheme.

If a review is requested within three months of the Adjudication Officer's decision being notified the decision can be reviewed on any grounds. If the review request is received outside the three months period a review can only take place on limited grounds, such as the decision being erroneous in law, based on a mistake, given in ignorance of a material fact or a relevant change in circumstances. Miss A. Steed asked for a review of her daughter's entitlement in April 1997 on the grounds that she wished to enter into a further agreement with Motability. Her daughter's case was passed to another Adjudication Officer who could not find any grounds to review the previous award.

I hope you find this reply helpful.

Surplus Property and Land

Mr. Baker: To ask the Secretary of State for Social Security if she will list the properties and land owned by her Department which she has identified as surplus to requirements, giving in each case their estimated value. [30322]

Mr. Keith Bradley: Final decisions on surplus properties and land have been taken only on three Benefits Agency outlets: Bishopsgate House in Manchester and the Todmorden and Eccles offices. These were closed in March 1997 with services provided through alternative outlets. Information about the estimated value of surplus properties and land is commercially confidential and has therefore not been included.

We are continually planning for the renewal and transformation of our estate, testing proposals against the following criteria:

wider access to our services for customers;

improved quality, accuracy and security of service;

achieving a fair balance between the needs of staff, policy and operational needs;

increased efficiency and reduced costs.

Disabled Workers

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what plans she has to allow the disabled to continue to receive benefits when at work, while paying an increased level of tax. [30922]

Mr. Denham: We are committed to modernising the Social Security system so that it helps people to work as far as they are able; provides appropriate support to those who cannot work; and makes the most effective use of the resources available. We want to encourage people who are disabled, or who have long-term health problems, to play a full part in society and to help them to help themselves wherever that is possible. This means being positive about people's abilities and their capacity, rather than negative about their disabilities and incapacity.

The main benefit available to contribute to the extra costs of disability for disabled people of working age, whether or not in work, is Disability Living Allowance.

No decisions have been made about any changes to benefits for disabled persons. When we have identified specific proposals we will consult disabled people, their organisations and others with an interest. We will not make any changes without consulting on them.

Child Support

Mr. Jim Cunningham: To ask the Secretary of State for Social Security (1) what plans she has to cap the amount of benefit money the State can recover from absent parents; [30921]

(2) what plans she has to seek to amend the Child Support Act 1995 in order to protect voluntary agreements between separated parents; [30920]

(3) what consultations she is planning as part of her review of the Child Support Act; when she expects the review to be completed; and if she will publish the evidence submitted to the review. [30985]

Mr. Keith Bradley: All children are entitled to the financial and emotional support of both parents wherever they may live. Where benefit is not in payment it is already open to parents to make voluntary financial arrangements for their children. The Child Support Agency will become involved only where one or both parents so wish.

We are looking closely at all aspects of the child support scheme to see where improvements can be made and we expect to bring forward a consultation paper on our proposals by the Summer.

Advertising Contracts

Mr. Burns: To ask the Secretary of State for Social Security if she will list the advertising contracts her Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30719]

Mr. Field: The information is as follows:

Headquarters

There have been two advertising contracts awarded by the Department since May 1997 which are for the following advertising campaigns:

Campaign	*Value*	*Number of companies tendered*
Winter Fuel Payments	£1,325,000	Single company BMP DDB No other companies were invited to tender
Business Anti-Fraud Hotline	£370,000	Single company BMP DDB No other companies were invited to tender

The Central Office of Information (COI) ensures that current EC/GATT legislation, on tendering public service contracts, has been met.

To comply with the EU directive on tendering, COI runs EU wide tenders by placing an Invitation to Tender notice in the Official Journal of the European Communities. Tendering agencies who meet the criteria are then given approved status and a framework agreement is established. BMP DDB have this status.

Benefits Agency

Have not awarded any advertising contracts since May 1997.

Child Support Agency

Campaign	*Value*	*Number of companies tendered*
Information on leaflets etc.	£17,000	Single company London Leisure Publishing Ltd.

This was a single tender contract because the company is the only one to provide this service. Their newspaper "Time for Change" is issued free at all Jobcentres.

Contributions Agency

No advertising contracts since May 1997.

War Pensions Agency

No advertising contracts since May 1997.

Carers

Mr. O'Hara: To ask the Secretary of State for Social Security what estimate she has made of the proportion and number of *(a)* full-time and *(b)* part-time carers who are aged (i) 24 years and under, (ii) 25 to 44 years, (iii) 45 years to the state pension age and (iv) over the state pension age. [24863]

Mr. Boateng: I have been asked to reply.

We collect information on informal carers via questions in the General Household Survey. The latest set of available data relates to the period from April 1990 to March 1991. The age group of the carer and the amount of time spent caring was collected but not information on whether the carer was full or part time. The table shows, for Great Britain 1990, the percentage and estimated number of carers in each age group caring for less than 20 hours a week and those caring for 20 hours or more per week.

Carers by age group and hours spent caring, Great Britain, 1990

	Carers caring for less than 20 hours per week		*Carers caring for 20 hours or more per week*	
Age group	*Percentage*	*Number (millions)*	*Percentage*	*Number (millions)*
16–24	8	0.4	6	0.1
35–44	35	1.8	22	0.3
45-state pension age	40	2.1	40	0.6
Over state pension age	18	1.0	32	0.5
All ages (16 and over)	100	5.3	100	1.6

Source:
General Household Survey 1990; population estimates. Figures are rounded.

Mr. O'Hara: To ask the Secretary of State for Social Security what estimate she has made of the proportion and number of the population of working age who are *(a)* full-time carers and *(b)* part-time carers. [24846]

Mr. Boateng: I have been asked to reply.

We collect information on informal carers via questions in the General Household Survey. Based on the latest set of available data, which relates to the period April 1990 to March 1991, it is estimated that around 16 per cent. of the Great Britain population of working age were carers at that time—approximately 5.5 million people.

Information from the survey on the amount of time spent caring did not specify full time or part time. Estimates based on the survey show that around 1 million adults of working age in Great Britain were spending 20 hours or more each week on caring activities. This represents around one fifth of all adult carers of working age.

Social Fund Loans

Mr. Ruffley: To ask the Secretary of State for Social Security what is the maximum value of a loan available under the Social Fund for the purchase of *(a)* kitchen units, *(b)* carpets, *(c)* curtains, *(d)* a bed and *(e)* a dining table. [30790]

Mr. Denham: There is no specified maximum value for any individual item for which a budgeting or crisis loan may be given. All awards from the Social Fund are decided in accordance with Social Fund Guidance and Directions, issued by my right hon. Friend the Secretary of State, a copy of which is available in the Library.

Written Answers to Questions

Tuesday 24 February 1998

PRESIDENT OF THE COUNCIL

Anti-Drugs Coordinator

Mr. Flynn: To ask the President of the Council what are the costs of the *(a)* salaries, *(b)* other personal expenses and *(c)* offices for the United Kingdom Anti-Drug Coordinator and his Deputy. [30990]

Mrs. Ann Taylor: The UK Anti-Drugs Coordinator, his Deputy and their personal assistant are based alongside the Central Drugs Coordination Unit in the Privy Council Office. The total budget for the CDCU in 1998–99 will be £553,000. This includes £102,471 for the UK Anti-Drugs Coordinator's salary, £45,000 for his Deputy's salary, and their pension contributions (16 per cent. of salaries). The remainder of the budget covers the salaries of their personal assistant (£17,219) and CDCU officials, accommodation and IT costs and travel and subsistence. It is not possible to specify the proportion of office costs which relate to the Coordinator and his Deputy, or to predict the precise extent of claims for travel and subsistence which may be made.

TREASURY

Official Residence

Mr. Willis: To ask the Chancellor of the Exchequer what was the total amount spent by Government on the refurbishment of No. 11 Downing Street in each year since 1989. [26932]

Mr. Gordon Brown: I refer the hon. Gentleman to the Prime Minister's answer to the right hon. Member for Bromley and Chislehurst (Mr. Forth) on 26 January 1998, *Official Report*, column *66*.

Ministerial Directorship

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer, pursuant to his answer of 10 February 1998, *Official Report*, column *134*, what was the last date after 1 May 1997 on which a Minister in his Department resigned a company directorship; who was the relevant Minister; and if he will make a statement. [29598]

Mr. Gordon Brown *[holding answer 16 February 1998]:* I refer the hon. Member to the reply I gave to him on 10 February 1998, *Official Report*, column *134*.

European Investment Bank

Mr. Mitchell: To ask the Chancellor of the Exchequer which projects involving public investment of over £1,000,000 have received capital finance from the European Investment Bank; and for each project, if that investment is taken into account in calculations made *(a)* by Her Majesty's Government and *(b)* the European Commission, for national borrowing levels in respect of the criteria for qualification for membership of stage three of monetary union. [30175]

Mrs. Liddell: The information sought about UK projects financed by the EIB could be provided only at disproportionate cost. Capital expenditure by general government is treated as a determinant of the general government financial deficit, including capital expenditure financed by EIB loans.

Housing (VAT Rates)

Dr. Iddon: To ask the Chancellor of the Exchequer what advice he has received from the European Commission as to which Government housing policy measures qualify for a lower rate of VAT because they are defined as the supply, construction, renovation and altering of housing as part of social policy under Annex H of the Sixth VAT Directive. [30265]

Dawn Primarolo: The Commission's view is that a reduced rate provided under this category could be applied only narrowly, and should be specifically targeted to benefit the less well off.

Public Borrowing Targets

Mr. Mitchell: To ask the Chancellor of the Exchequer what evidence and analysis underlay his consent for the percentage public borrowing targets placed on members of the European Union. [30561]

Mrs. Liddell: Percentage targets for public borrowing by the Member States of the European Union were established in Article 104c and Protocol No. 5 of the Maastricht Treaty.

Retirement Relief

Mr. Gibb: To ask the Chancellor of the Exchequer what was the cost of retirement relief, in terms of lost capital gains tax receipts in 1996–97; and if he will estimate the net effect of *(a)* doubling and *(b)* halving the relief bands in the same year. [29720]

Mr. Geoffrey Robinson *[holding answer 19 February 1998]:* Under current rules for capital gains tax retirement relief, full relief is available for the first £250,000 of gains, and half relief on gains between £250,000 and £1,000,000. The estimated costs of retirement relief for 1996–97 with these thresholds and with thresholds at *(a)* double and *(b)* half these levels are given in the table. The estimated costs of relief for the alternative thresholds take no account of any changes in taxpayer behaviour which might have occurred if those thresholds had applied for 1996–97.

Capital gains tax
Cost of retirement relief for 1996–97

£ million

Thresholds	*Cost of relief*
As set for 1996–97 (£250,000 and £1 million)	120
Double the level for 1996–97 (£500,000 and £2 million)	135
Half the level for 1996–97 (£125,000 and £500,000)	100

Advertising Contracts

Mr. Burns: To ask the Chancellor of the Exchequer if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30710]

Mrs. Liddell *[holding answer 23 February 1998]:* The Treasury has not awarded any advertising contracts since 1 May 1997.

Universal Benefit

Mr. Gibb: To ask the Chancellor of the Exchequer what his Department's definition is of a universal benefit; and if that definition covers a benefit which is taxed or means-tested. [30608]

Mr. Darling *[holding answer 23 February 1998]:* I refer the hon. Member to the reply given to him by the Parliamentary Under-Secretary of State for Social Security, my hon. Friend the Member for Manchester, Withington (Mr. Bradley), on 19 February 1998, *Official Report*, column *86*.

Nursery Schools (Deaths)

Mr. Hoyle: To ask the Chancellor of the Exchequer how many children have died at nursery schools in the United Kingdom in each of the last five years; and if he will provide statistics for each region. [30811]

Mrs. Liddell *[holding answer 23 February 1998]:* The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Lindsay Hoyle, dated 24 February 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on deaths at nursery schools.

In England and Wales for 1993–1996, the latest years for which data are available, there were no deaths registered to children aged 3–5 inclusive where place of death was recorded as nursery school.

In Scotland for 1996 there were no deaths registered to children aged 3–5 inclusive where place of death was recorded as nursery school.

Data for England and Wales for 1992, Scotland for 1992–95 and Northern Ireland for 1992–1996 could only be made available at disproportionate cost.

Statistics

Ms Lawrence: To ask the Chancellor of the Exchequer if he will make a statement about the Government's plans in respect of statistics. [31449]

Mrs. Liddell: The public, Parliament and government need statistics they can trust. Official statistics commanding confidence are essential to good public management and are the factual cornerstone of democracy. Accordingly, the Government are today publishing a Green Paper, "Statistics: A Matter of Trust", to open up debate on the best arrangements for ensuring high quality statistics, driven by the requirements of all users, efficiently produced, and compiled and presented free from political interference. This is yet another stage in the Government's progress towards a more open, fair and modern democracy.

Arrangements are in place to engage in the debate those known to have a close interest in statistics. But views generally will be welcome. The consultation period extends until 31 May 1998. A decision on the way forward will be made as soon as possible after that date.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those visits made within the United Kingdom since 1 May on which *(a)* he and *(b)* other Ministers within his Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23762]

Mr. Prescott *[holding answer 19 January 1998]:* None.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the cost of Ministerial overseas travel in his Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26659]

Mr. Prescott *[holding answer 5 February 1998]:* The estimated costs for both the former Departments of the Environment and Transport and the merged Department of the Environment, Transport and the Regions are as follows:

£

	DOE	*DOT*	*DETR*	*Total*
1995–96	105,237	86,371	—	191,608
1996–97	120,131	57,801	—	177,932
1997–98 to 31 January	14,937	—	124,115	139,052

In the case of the former Department of Transport these figures also include an element for travel within the UK.

The Department of the Environment figures for 1997–98 cover the period of one month from 1 April until the election when £14,937 overseas expenditure was incurred by ministers in the previous Government. The remaining amount relates to travel costs of this Government to 31 January.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions what is his current estimate of the expenditure of his Department, its agencies and non-departmental public bodies on hospitality since 1 May 1997. [27805]

Angela Eagle *[holding answer 5 February 1998]:* Total Spend by my Department, its agencies and its non-departmental public bodies for the period 1 May 1997 to 31 January 1998 is as follows:

	£000
Department	260
Agencies	83
NDPBs	411

The classification of hospitality expenditure in some cases differs between the Department, its Agencies and NDPBs, so the figures may not be directly comparable.

Conferences

Mr. Malcolm Bruce: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27804]

Angela Eagle *[holding answer 15 February 1998]:* I have today placed the information requested in the Library.

Oil Spills

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions what advice his Department has issued on methods of aerial spraying to be used following oil spills; and what reports his Department has received in the last two years on the effectiveness of methods of tackling oil spills. [30284]

Ms Glenda Jackson: The Marine Pollution Control Unit (MPCU) of my Department's Coastguard Agency is responsible for the Government's response to oil spills. The MPCU receive few requests for advice on this method of combating marine oil spills, but when it does it makes reference to:

(a) "IMO/UNEP Guidelines on Oil Spill Dispersant Application" published by the International Maritime Organisation (IMO-575E).

(b) Advice on the use of dispersants in the UK is contained in the MAFF booklet. "The approval and use of Oil Dispersants in the UK".

(c) The International Petroleum Industry Environmental Conservation Association have also produced a document "Dispersants and their role in oil spill response".

The Government last reviewed the use of oil dispersants in 1995. The final report of the review, published by MAFF in January 1996, concluded that

"Retaining oil dispersants as a means of dealing with spilt oil when economic and environmental resources are at risk is fully justified."

The recently published report by the Sea Empress Environmental Evaluation Committee "The Environmental Impact of the Sea Empress Oil Spill" (ISBN 0–11–702156–3) published by the Stationery Office, assessed the effectiveness of the clean-up in Pembrokeshire. This assessment looked at all aspects of the clean-up in detail. The general conclusions found that the clean-up was well managed and that the use of aerial spraying of dispersants considerably reduced the quantity of oil impacting the shoreline and will have had significant environmental benefits.

Planning and Water Directorates

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what provision he has made within his Department for liaison between the planning and water directorates. [30598]

Mr. Raynsford: Officials of the two Directorates liaise as necessary over matters of common interest.

House Building

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the rate of house building in *(a)* Scotland, *(b)* East Anglia and *(c)* Cornwall. [30597]

Mr. Raynsford: The Department and the Scottish Office monitor housebuilding activity in England and Scotland respectively. They collect information from local authorities about house building in their area, and in the case of England, this is supplemented with information from the National House Building Council. Recent figures for the three areas are shown in the table.

House building: starts and completions: by sector

Number of dwellings

	Private enterprise	*Housing association*	*Public sector*	*Total*
Scotland[1]				
Starts				
1993	16,598	5,020	932	22,550
1994	19,449	4,879	776	25,104
1995	17,092	5,400	507	22,999
1996	15,759	4,664	104	20,527
Completions				
1993	17,711	2,723	958	21,392
1994	17,753	2,990	661	21,404
1995	18,329	5,003	1,173	24,505
1996	17,793	2,683	209	20,685
East Anglia				
Starts				
1993	8,237	1,484	91	9,812
1994	8,404	1,450	46	9,900
1995	7,135	1,354	9	8,498
1996	8,512	808	39	9,359
1997	8,650	905	0	9,555
Completions				
1993	8,528	1,230	195	9,953
1994	7,950	1,308	61	9,319
1995	7,635	1,600	44	9,279
1996	8,290	1,045	13	9,348
1997	8,364	768	2	9,134
Cornwall				
Starts				
1993	984	120	12	1,116
1994	504	120	0	624
1995	504	24	0	528
1996	456	180	0	636
1997	996	24	12	1,032
Completions				
1993	924	84	0	1,008
1994	672	396	0	1,068
1995	768	504	0	1,272
1996	1,008	72	0	1,080
1997	672	72	0	744

[1] Figures for 1997 as a whole are not yet available for Scotland.

Housing

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the private finance that would be available for public sector housing if local housing authorities were to transfer their housing to public corporations. [30552]

Mr. Raynsford: No such estimate has been made. We shall be looking at the implications of housing corporations as part of our comprehensive review of housing policy.

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions what advice his Department has issued to local housing authorities regarding the formation of local housing companies. [30553]

Mr. Raynsford: My Department has not issued any guidance specifically on local housing companies (LHCs). Guidance on the formation of LHCs is contained in the Housing Corporation's booklet: *Guidance for applicants seeking to become registered social landlords: general applicants.* A separate version is available for applicants undertaking a stock transfer. My Department has also assisted the Chartered Institute of Housing in preparing their good practice guide on LHCs.

New Drivers

Mrs. May: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to change the qualifying age for taking a driving test; [30526]

(2) what plans he has to restrict the speed limit for newly qualified drivers. [30549]

Ms Glenda Jackson: We have at present no plans to change the qualifying age for taking a driving test, or to restrict the speed limit for newly qualified drivers. However, we are developing a new long term strategy for road safety to achieve further casualty reductions by the year 2010 and in that context will be considering further measures aimed at reducing the current high level of accidents involving novice drivers.

Fluoride

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those areas in the United Kingdom where fluoride in water occurs naturally. [30557]

Mr. Meacher: Fluoride occurs naturally in various parts of England and Wales. A map showing these areas has been placed in the Library.

Information about Scotland and Northern Ireland is the responsibility of my right hon. Friends the Secretary of State for Scotland and the Secretary of State for Northern Ireland respectively.

Maritime Rescue

Mr. Alan Campbell: To ask the Secretary of State for the Environment, Transport and the Regions what is the current staffing level at each of the maritime rescue sub-centres. [30500]

Ms Glenda Jackson: The information requested is as follows:

Sub Centre	*Number of staff*
Belfast	19.5
Brixham	28
Forth	22
Holyhead	25
Humber	25
Liverpool	21
Milford Haven	21.5
Oban	21.5
Pentland	20
Portland	27
Shetland	19
Solent	32
Stornoway	19
Thames	31
Tyne Tees	22

Mr. Alan Campbell: To ask the Secretary of State for the Environment, Transport and the Regions what was the total cost *(a)* including and *(b)* excluding staffing costs of operating each of the maritime rescue sub-centres in 1996–97. [30499]

Ms Glenda Jackson: The information requested is detailed in the table.

Operating costs for each MRSC for 1996–97
Total costs including staff costs

£

MRSC	*Pay costs*	*Non pay costs*	*Accommodation costs*	*Programme costs*	*Capital costs*	*Total costs*
Belfast	456.822.43	153,653.09	133,146.00	24,465.06	27,905.98	795,992.56
Brixham	503,483.33	178,099.21	57,731.00	49,241.92	74,734.02	863,289.48
Forth	421,993.04	122,045.18	30,991.00	28,095.92	20,056.61	623,181.75
Holyhead	454,168.81	139,524.75	42,202.00	27,725.69	51,120.73	714,741.98
Humber	523,351.05	151,810.98	94,818.00	37,829.07	5,924.83	813,733.93
Liverpool	504,759.81	170,545.13	51,974.00	39,630.10	24,776.50	791,685.54
Milford Haven	469,047.42	135,949.79	31,048.00	22,512.77	17,346.50	675,904.48
Oban	433,363.83	144,028.80	51,564.00	22,458.94	1,243.35	652,658.92
Pentland	416,139.41	129,950.31	24,201.00	18,340.44	5,402.32	594,033.48
Portland	502,709.56	152,343.71	69,990.00	33,274.73	41,587.95	799,905.95
Shetland	431,130.36	113,620.89	37,469.00	10,869.21	0.00	593,089.46
Solent	561,300.25	195,049.14	53,379.00	39,473.55	19,937.60	869,139.54
Stornoway	424,153.68	167,040.69	34,492.00	31,268.03	12,404.59	669,358.99
Thames	488,633.97	138,008.21	83,411.00	53,813.64	197,759.95	961,626.77
Tyne Tees	499,744.95	139,698.13	70,061.00	28,989.61	8,997.26	747,490.95

£

MRSC	Non pay costs	Accommodation costs	Programme costs	Capital costs	Total costs
Belfast	153,653.09	133,146.00	24,465.06	27,905.98	339,170.13
Brixham	178,099.21	57,731.00	49,241.92	74,734.02	359,806.15
Forth	122,045.18	30,991.00	28,095.92	20,056.61	201,188.71
Holyhead	139,524.75	42,202.00	27,725.69	51,120.73	260,573.17
Humber	151,810.98	94,818.00	37,829.07	5,924.83	290,382.88
Liverpool	170,545.13	51,974.00	39,630.10	24,776.50	286,925.73
Milford Haven	135,949.79	31,048.00	22,512.77	17,346.50	206,857.06
Oban	144,028.80	51,564.00	22,458.94	1,243.35	219,295.09
Pentland	129,950.31	24,201.00	18,340.44	5,402.32	177,894.07
Portland	152,343.71	69,990.00	33,274.73	41,587.95	297,196.39
Shetland	113,620.89	37,469.00	10,869.21	0.00	161,959.10
Solent	195,049.14	53,379.00	39,473.55	19,937.60	307,839.29
Stornoway	167,040.69	34,492.00	31,268.03	12,404.59	245,205.31
Thames	138,008.21	83,411.00	53,813.64	197,759.95	472,992.80
Tyne Tees	139,698.13	70,061.00	28,989.61	8,997.26	247,746.00

Electricity Pylons

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what powers he has to require the removal of pylons and transmission lines which no longer carry electricity. [30556]

Mr. Raynsford: Planning permission for all but the most minor overhead lines is granted by the Secretary of State for Trade and Industry. It is frequently a condition of such a permission that the apparatus is removed if no longer needed. Where such a condition has not been attached and there is an affect on amenity, a local planning authority has powers to serve a notice under section 215 of the Town and Country Planning Act 1990 requiring removal. Such notices may be enforced by, or appealed against to a Magistrate's Court and do not concern the Secretary of State.

Waste Management

Mr. Sheerman: To ask the Secretary of State for the Environment, Transport and the Regions what role he proposes for the regional Development Agencies in the strategic planning of waste management. [30575]

Mr. Caborn: Regional Development Agencies will not have waste management functions. Waste management will remain the responsibility of local authorities in their areas except that, in London, the Government have proposed that the Greater London Authority should have a role in drawing up a London-wide integrated municipal waste management strategy.

Minerals Conference

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what sum his Department has provided to help fund the Minerals '98 Conference; and on what basis this money was provided. [30604]

Mr. Raynsford *[holding answer 23 February 1998]:* No money has yet been paid by the Department. However, a contribution of £8,000 from the industry sponsorship budget towards the costs developing a manual to be used by quarry operators to strengthen links between individual sites and local communities is under consideration.

Olympic Airways

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the safety of aircraft operated by Olympic Airways; and if the CAA have implemented increased safety oversight checks in response to press reports in the Greek media. [31206]

Ms Glenda Jackson: Safety oversight of Olympic Airways is the responsibility of the Greek Civil Aviation Authority. We are not aware of any reports in the Greek media or elsewhere which suggest that either the Greek CAA or Olympic Airways are not complying with the minimum safety standards set by the International Civil Aviation Organisation.

Toxic Substances

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what reviews are being, or have recently been, conducted governing the adequacy of the safety arrangements for the import and export of dangerous and toxic substances *(a)* by air, *(b)* by ship and *(c)* via the Channel Tunnel. [31023]

Ms Glenda Jackson: *(a)* United Kingdom legislation requires dangerous goods (which include toxic substances) carried by air to be in compliance with the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air. These Instructions are subject to a biennial review and amendment cycle, and the United Kingdom provides a member for the Panel which carries this out. The Civil Aviation Authority is satisfied that there are adequate and up-to-date safety arrangements in place for all dangerous goods carried by air.

(b) The carriage of dangerous goods by sea is governed by the International Maritime Dangerous Goods (IMDG) Code, which like the air regulations applies world wide. Its provisions have proved adequate for the safety of dangerous goods exported and imported to and from the United Kingdom. The Code is revised biennially on the basis of proposals presented at meetings of the International Maritime Organisation in London, and the United Kingdom plays an active role in these proceedings. It is implemented into United Kingdom regulations, the last revision of which came into force on 1 November 1997.

(c) Dangerous goods are carried through the Channel Tunnel in accordance with Eurotunnel's arrangements, which were approved in 1994 by the UK/France Intergovernmental Commission, on the advice of the Channel Tunnel Safety Authority. These apply a number of restrictions additional to those already applicable to road and rail carriage which limit both the types and the quantities of dangerous goods that are permitted. These arrangements were reviewed after the fire in the Channel Tunnel on 18 November 1996 and as a result further restrictions were introduced in June 1997, when the suspended HGV shuttle services resumed.

Strategic Environmental Assessment

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer of 12 February 1998, *Official Report*, column *318*, to the hon. Member for Truro and St. Austell (Mr. Taylor), on strategic environmental assessment, for what reason the Government have decided not to put the proposed Directive to the Council of Ministers. [30804]

Mr. Raynsford: The Government support the principle of strategic environmental assessment, but we are not convinced that the proposed Directive is the best way to ensure that environmental concerns are integrated into Member States' different strategic decision making processes. A number of other Member States share our concerns over the scope and practicality of the proposal, and those whose Presidencies will follow ours have indicated that they would not continue any negotiations which we might begin. We have a full and well balanced environment programme for the Presidency, and we would rather devote our resources to matters where real progress can be achieved.

Wild Bees

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the potential impact on the wild bee population of the introduction of transgenic insect resistant plants; and if he will make a statement. [30803]

Mr. Meacher: The importance of bees in the pollination of crops is taken into consideration in the review of all applications to release genetically modified plants. The risks that crops genetically modified for insect resistance pose to non-target beneficial species such as bees will depend on the crop plant and the genes for insect resistance which are introduced. To affect bees the inserted insect resistance genes must be expressed in the plant's pollen. To date, no applications have been submitted for the release of such plants in the United Kingdom. My Department let a contract to IACR Rothamsted in October 1996 to investigate the effects of insect resistant GM crops on non-target insects. This research is investigating the interactions between insect resistant GM oilseed rape and commonly associated insect species under carefully controlled conditions. The results of this research will be published on completion of the project in 1999.

Council Houses (Chelmsford)

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions how much money will be made available to Chelmsford Borough Council in 1998–99 for the receipts from sale of council houses; and if he will make a statement. [31059]

Mr. Raynsford: Under the Capital Receipts Initiative, we intend to issue to Chelmsford Borough Council a supplementary credit approval of £1.241 million in respect of 1998–99. These additional resources will be used to increase expenditure on housing and housing-related regeneration.

Health and Safety Executive

Mr. Clapham: To ask the Secretary of State for the Environment, Transport and the Regions how many site inspections were made by Health and Safety Executive factory inspectors in *(a)* 1993–94, *(b)* 1994–95, *(c)* 1995–96 and *(d)* 1996–97. [30959]

Mr. Meacher: The number of site inspections carried out by inspectors in HSE's Field Operations Directorate in each of the years specified was:

Year	*Number of site inspections*
1993–94	152,014.00
1994–95	142,132.00
1995–96	120,080.00
1996–97	108,174.00

In 1996–97 another 3,425 inspections were completed by inspectors in HSE's newly-created Chemical and Hazardous Installations Division (CHID). In the years 1993–94 to 1995–96 most of CHID's field inspectors had worked in and contributed to the outputs of the Field Operations Directorate.

Mr. Clapham: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of major injuries were investigated by the Health and Safety Executive in *(a)* 1993–94, *(b)* 1994–95, *(c)* 1995–96 and *(d)* 1996–97. [30962]

Mr. Meacher: The percentage of major injuries investigated by the Health and Safety Executive's Field Operations Directorate is set out in the table.

Year	*Percentage of major injuries investigated*
1993–94	15.40
1994–95	15.30
1995–96	12.20
1996–97[1]	4.30

[1] Provisional.

Changes in the definition of a major injury under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 mean that direct comparisons between 1996–97 and earlier years cannot be made. Many injuries which would have been over-3-day injuries under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1985 are now classed as major injuries.

Mr. Clapham: To ask the Secretary of State for the Environment, Transport and the Regions how many Health and Safety Executive inspectors were employed in *(a)* 1993–94, *(b)* 1994–95, *(c)* 1995–96 and *(d)* 1996–97; and how many are currently employed. [30960]

Mr. Meacher: The following table shows the number of inspectors, employed by the Health and Safety Executive.

Year (1 April)	*Inspectors*
1993	1532.00
1994	1572.50
1995	1477.60
1996	1466.00
1997	1442.20
1 February 1998	1445.50

Figures given are full-time equivalent counts: part-time staff were counted as half units until 1 April 1995; since then they are counted on the basis of the proportion of a full week that they work.

Mr. Clapham: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of notified asbestos removal operations were inspected by the Health and Safety Executive in *(a)* 1993–94, *(b)* 1994–95, *(c)* 1995–96 and *(d)* 1996–97. [30963]

Mr. Meacher: The information requested is not collated and kept centrally by the Health and Safety Executive. However, from 1 April 1995 to 31 March 1996 HSE visited 9 per cent. of all notifications required under the Asbestos (Licensing) Regulations 1983.

The corresponding figures from 1 April 1996 to 31 March 1997 HSE's Regions were:

Scotland: 9 per cent.

Yorkshire and North East: 7 per cent.

North West: approximately 12 per cent.

Midlands: 6 per cent.

Wales and West: approximately 10 per cent.

Home Counties: approximately 10 per cent.

London and South East: 5 per cent.

Asbestos

Mr. Clapham: To ask the Secretary of State for the Environment, Transport and the Regions what steps the Health and Safety Executive is taking to ensure that best practice is applied by local authorities to manage the risk of asbestos to their building and maintenance workers; and what plans he has to make it a duty for owners to survey and identify asbestos in their property. [30964]

Mr. Meacher: The Health and Safety Executive has issued advice and guidance on best practice for all employers, including Local Authorities, who have responsibilities for workplace buildings which may contain asbestos. Its publication 'Managing Asbestos in Workplace Buildings', has featured prominently in publicity and enforcement campaigns.

This Government are firmly committed to ensuring that the risks arising from exposure to asbestos are further controlled. I have asked the Health and Safety Commission to develop proposals of principle to strengthen legislation. These proposals will include duties to manage the risks from asbestos taking all reasonable steps to identify and record its location within the property.

Mr. Clapham: To ask the Secretary of State for the Environment, Transport and the Regions what steps *(a)* the Health and Safety Executive and *(b)* his Department are taking to challenge the decision of the EU Technical Committee on 11 February that white asbestos poses no greater risk than the substitutes replacing it. [30965]

Mr. Meacher: The interim opinion by a European Commission scientific committee on the safety of substitutes for white asbestos raised questions about the strength of evidence presented to it. The Committee has not, however, reached any firm conclusions. It has asked for more or better evidence. The Health and Safety Executive is actively reviewing how such evidence can be put before this Committee. The Government continue to give high priority to pressing for EU action on dealing with the asbestos problem overall.

Health and Safety (Prosecutions)

Mr. Clapham: To ask the Secretary of State for the Environment, Transport and the Regions how many prosecutions resulting from a failure to comply with Health and Safety legislation were made in *(a)* 1993–94, *(b)* 1994–95, *(c)* 1995–96 and *(d)* 1996–97; and what was the average level of the fines imposed. [30961]

Mr. Meacher: The number of health and safety prosecutions (offences prosecuted) by the Health and Safety Executive and local authorities, and the average levels of fine imposed, in the years 1993–94 to 1996–97 were as follows:

Health and Safety Executive prosecutions	*Total offences prosecuted*[1]	*Of which, offences leading to conviction*	*Total fines imposed* £	*Average fine per conviction* £[2]
1993–94	1,793	1,507	4,675,716	3,103
1994–95	1,803	1,499	4,307,170	2,873
1995–96	1,767	1,451	3,731,368	2,572
1996–97[4]	1,256	1,052	5,703,322	5,421

Local authority prosecutions[3]	*Total offences prosecuted*[1]	*Of which, offences leading to conviction*	*Total fines imposed* £	*Average fine per conviction* £[2]
1993–94	601.00	515.00	587,129	1,140
1994–95	494.00	413.00	572,495	1,386
1995–96	475.00	384.00	676,790	1,762
1996–97[4]	356.00	315.00	458,077	1,454

[1] Each offence prosecuted represents one information laid or, in Scotland, charge preferred. Informations laid or charges preferred are the first step in prosecution. They are a statement of the offence that is alleged to have been committed—each information or charge relates to a single offence.

[2] Figures for average penalty are in current price terms and not adjusted for inflation.

[3] Figures are drawn from returns which have been supplied by more than 90 per cent. of local authorities in Great Britain.

[4] Provisional.

Agenda 21

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what monitoring is being undertaken of Local Agenda 21 proposals on sustainability; and what account of these is being taken by his Department in formulating policy. [30769]

Angela Eagle: The Local Government Management Board (LGMB) monitors progress by local authorities in adopting and implementing Local Agenda 21 strategies. In June 1997, the LGMB published "Local Agenda 21 in the UK—the first five years" reviewing progress made by local authorities since the Rio 'Earth Summit' in 1992. This showed that 70 per cent. of local authorities had made a commitment to Local Agenda 21, and that about 55 per cent. were putting strategies in place. At the United Nations General Assembly Special Assembly in June 1997, the Prime Minister called on all UK local authorities to adopt Local Agenda 21 strategies by the year 2000.

On 14 January 1998, the Deputy Prime Minister launched guidance produced jointly by the Department of the Environment, Transport and Regions, the Local Government Association (LGA) and the LGMB, "Sustainable Local Communities for the 21st Century", to encourage the remaining local authorities to make such a commitment. The LGMB and LGA will be supporting all local authorities in their Local Agenda 21 work, and providing further guidance and advice. The LGMB will be surveying all local authorities again in April 1998 to ascertain the progress each has made on Local Agenda 21 and to identify areas where further support is required.

On 4 February 1998, the Government launched their consultation paper "Opportunities for Change" on the review of the UK Sustainable Development Strategy. Local authorities, and the local people involved in their Local Agenda 21 processes, will provide a key input to the consultation process.

Capital Receipts

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what discussions his Department has held with the Borough of Islington concerning housing needs and the disbursement of capital receipts; and if he will make a statement. [30771]

Mr. Raynsford: Officials from the Government Office for London meet those from the Borough's Housing Department throughout the year to discuss priority needs, the Borough's responses to those needs, and to explore ways of contributing through my Department's capital programmes including the Capital Receipts Initiative. The most recent contacts have been as part of the annual Housing Investment Programme round, during which the Borough's housing strategy for the next three years was discussed.

Bull Bars

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his proposals to control the use of bull bars. [30989]

Ms Glenda Jackson: Given the lack of progress of European proposals to control aggressive bull bars, we issued a consultation document in October last year which sought views on a range of possible options for tackling bull bars at a national level. This consultation ended on 31 December and we are now carefully considering the responses received and analysing the arguments prior to formulating our proposals.

Drug Driving Tests

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions if his planned roadside drug driving tests detect the presence of *(a)* Prozac and *(b)* Benyllin. [30957]

Ms Glenda Jackson: Neither of the devices which are being trialled will detect the presence of Prozac or Benyllin. The purpose of the trials is to assess the robustness and practicability of the devices when used at the roadside—not to test drivers for the presence of drugs.

Dial-a-ride

Mr. McDonnell: To ask the Secretary of State for the Environment, Transport and the Regions what financial target has been set for the London Dial-a-ride service. [31450]

Ms Glenda Jackson: I have set a new financial target for the London Dial-a-ride service for achievement for the financial year 1998–99. The new target will be £10.50 per trip at current 1997–98 prices and will replace the previous target set in 1996.

The new target will be to allow the Dial-a-ride companies sufficient flexibility to provide a wider range of trips and ensure that the grant is spent in a way which improves services for users.

Air Operations of Europe

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions when an application was originally received by Air Operations of Europe or its subsidiaries to operate from the United Kingdom; and how many applications have been received over the last 12 months. [31189]

Ms Glenda Jackson: The first application by "Air Operations of Europe" to operate flights out of the UK was on 6 December 1993. No applications have been received since the airline announced its closure on 2 May 1996.

Power Stations

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many disused power stations are currently awaiting demolition. [30555]

Mr. Battle: I have been asked to reply.

The Government do not hold figures for the number of power stations awaiting demolition. Owners of disused power stations do not have to apply to my Department or the Department for the Environment, Transport and the Regions for permission to demolish them.

There are 28 power stations which were in operation in 1990 which are no longer in operation. A further seven stations have been affected by partial station closure.

CULTURE, MEDIA AND SPORT

Victoria and Albert Museum

Mr. Luff: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the total number of visitors to the Victoria and Albert Museum for *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98. [29936]

Mr. Fisher: There were 1.53 million visits to the Victoria and Albert Museum (all branches) in 1995/96, and 1.59 million in 1996/97. The estimated number of visits for 1997/98 is 1.45 million.

Museums and Galleries

Mr. Luff: To ask the Secretary of State for Culture, Media and Sport what measures he is implementing to increase access and availability to the United Kingdom's museums and galleries; and if he will make a statement. [29934]

Mr. Fisher: My Department launched a review of access to the national museums and galleries immediately on taking up office.

My right hon. Friend the Secretary of State made an interim statement about this review on 8 December 1997. He also announced the creation by the Heritage Lottery Fund of a new £5 million Museums and Galleries Access Fund, which will be available for touring exhibitions, transport costs, and other audience development approaches to make our great national and regional museums more accessible to more people. He also published a consultation paper inviting views on a code of good practice on access on which views are welcome.

We are giving further thought to access issues as part of our Departmental Spending Review, which is taking a fundamental look at spending priorities across the whole range of my Department's responsibilities. This will be completed this summer, when a further announcement will be made.

Mr. Luff: To ask the Secretary of State for Culture, Media and Sport what research he is conducting on the effects of admission charges on the overall number of visitors to galleries and museums; and if he will make a statement. [29938]

Mr. Fisher: The effects of admission charges have to some extent already been examined by the recent research carried out for the Museums and Galleries Commission.

The effects of charging on access cannot be viewed in isolation. Other barriers to access such as opening hours, presentation and the cost of travel must be taken into account.

Mr. Luff: To ask the Secretary of State for Culture, Media and Sport when he last met the Director of the National Gallery to discuss Government policy towards free admissions; and if he will make a statement. [29935]

Mr. Fisher: My right hon. Friend the Secretary of State last met Mr. MacGregor on 16 February 1998 and a number of issues, including museum admission charges, were discussed.

I am aware of Mr. MacGregor's views on the desirability of free admission to museums and galleries, and these will be taken into account in our continuing examination of access issues as part of our Departmental Spending Review. This will be completed this summer, when a further announcement will be made.

Mr. Luff: To ask the Secretary of State for Culture, Media and Sport if he will estimate the cost to public expenditure of a free admissions policy to national collections in galleries and museums; and if he will make a statement. [29937]

Mr. Fisher: We estimate very roughly that some £40 million p.a. would be required to secure free access to those national museums and galleries which currently charge for admission, and to preserve free access to those which do not currently charge. This figure includes compensation to charging museums for loss of recovery of VAT and the operating costs of new gallery space provided through major capital developments.

Museums (Macclesfield)

Mr. Nicholas Winterton: To ask the Secretary of State for Culture, Media and Sport what representations he has received on threats to the future of Macclesfield's museums following proposed cuts in local authority funding; and if he will make a statement. [29943]

Mr. Fisher: We have received two representations on the future of Macclesfield's museums; one of them is from the hon. Member.

Although we desire the best possible museum services for all areas, it is not a statutory requirement that local authorities fund museum services. The funding of museums by Cheshire County Council is a matter for them.

Cash Limits

Mrs. Humble: To ask the Secretary of State for Culture, Media and Sport what changes he proposes to make to his Department's cash limits and running costs for 1997–98. [30381]

Mr. Chris Smith: Subject to Parliamentary approval of the necessary Supplementary Estimate, the cash limit for Class X, Vote 1 will be increased by £19,169,000 from £873,953,000 to £893,122,000. This is to increase provision for assets accepted in lieu of tax; a transfer from the Board of Inland Revenue (Class XVI, Vote 4) towards the refurbishment costs of Somerset House for the housing of the Gilbert Collection; to provide for additional appropriations in aid for the Historic Royal Palaces to offset net increases in gross expenditure; and to provide for an increase in provision to meet the costs of the funeral of Diana, Princess of Wales.

The increases will be offset by transfers, savings and charges to the Reserve, and will not therefore add to the planned total of public expenditure.

National Lottery

Mr. Peter Bottomley: To ask the Secretary of State for Culture, Media and Sport (1) what planning totals have been given on what dates to National Lottery fund distributors; [30779]

(2) if he will list the *(a)* dates and *(b)* amounts and estimates of funds and limits to funds given or expected to be given to National Lottery fund distributors; [30778]

(3) if the Government guaranteed that National Lottery fund distributors would have £1.8 billion in total to give out. [30781]

Mr. Chris Smith: In 1994, the good causes were predicted to receive around £9 billion in total over the first licence period until September 2001, that is, £1.8 billion for each of the five good causes. The financial success of the Lottery means that it is now likely to generate at least £10 billion over the life of the licence, allowing the Government to make available £1 billion for the New Opportunities Fund and NESTA while maintaining £1.8 billion for each of the arts, sport, heritage, charities and Millennium good causes. While Lottery funds, by their nature, can never be predicted with absolute certainty, the Government are confident that these forecasts represent a prudent estimate for planning purposes. This position was outlined in the White Paper, *The People's Lottery*, (CM3709) published in July 1997.

On 1 October 1997, I announced the changes in percentage shares for the existing good causes which, on current forecasts, will generate these totals for each good cause. I also confirmed that the Millennium Commission would receive £2 billion during its funding life, which would be extended as necessary beyond 31 December 2000.

I will continue to issue forecasts of Lottery income to the distributors from time to time to enable them to plan their commitments.

Mr. Peter Bottomley: To ask the Secretary of State for Culture, Media and Sport if he will list for each National Lottery fund distributor the *(a)* date, *(b)* nature, *(c)* details and *(d)* initiator of each voluntary agreement to bank up funds for distribution by another distributor. [30780]

Mr. Chris Smith: The National Lottery Bill contains provisions for altering the percentage shares of the existing good causes, and allocating a percentage to the New Opportunities Fund. If the Bill becomes law, these provisions will take effect as from 14 October 1997. Meanwhile, the proceeds for good causes continue to be allocated between existing distributors' accounts in the National Lottery Distribution Fund as provided by the National Lottery etc. Act 1993 and Orders made under it.

The distributors are maintaining shadow accounts for indicative planning purposes, on the basis of the Government's announced policy, to enable the smooth and straightforward implementation of the Bill if it becomes law. No actual funds will pass from existing distributors to the New Opportunities Fund, unless and until the Lottery Bill receives Royal Assent.

These arrangements were agreed between distributors and the Government in discussions over the summer last year.

Mr. Peter Bottomley: To ask the Secretary of State for Culture, Media and Sport if he will list the bodies distributing National Lottery funds to good causes. [30777]

Mr. Chris Smith: There are currently eleven National Lottery distributing bodies: the Arts Council of England, the Scottish Arts Council, the Arts Council of Wales and the Arts Council of Northern Ireland; the English Sports Council, the Scottish Sports Council, the Sports Council for Wales and the Sports Council for Northern Ireland; the National Heritage Memorial Fund; the National Lottery Charities Board; and the Millennium Commission.

Old Vic Theatre

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on future assistance from public funds for the Old Vic Theatre. [30511]

Mr. Chris Smith: Decisions on the allocation of both grant-in-aid and Lottery money to the arts are a matter for the Arts Council of England.

TV Dreams

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what is his Department's responsibility for approving the introduction of the National Lottery instant game, TV Dreams. [31196]

Mr. Chris Smith: Under section 6 of the National Lottery etc. Act 1993 the Director General of the National Lottery is responsible for licensing new National Lottery games. In doing so, he takes account of directions I have given him under section 11 of the Act. The BBC Governors are responsible for ensuring that all programmes broadcast on the BBC are in line with their Producers' Guidelines.

LORD CHANCELLOR'S DEPARTMENT

Office Refurbishment Costs

Mr. Bercow: To ask the Parliamentary Secretary, Lord Chancellor's Department what has been the total cost of the redecoration and refurbishment of the offices of Ministers in his Department since 1 May. [25187]

Mr. Hoon *[holding answer 23 January 1998]:* The Palace of Westminster authorities have spent £11,000 since 1 May to refurbish the Lord Chancellor's office in the House of Lords. This is drawn from the overall budget to refurbish accommodation provided in the Palace for the Lord Chancellor's use. This in turn now forms part of the rolling programme of work initiated by the House of Lords authorities to renovate the House of Lords. No other offices have been redecorated or refurbished for Ministers.

Civil Justice Council

Mr. McNulty: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will make a statement on the Civil Justice Council. [31326]

Mr. Hoon: The Lord Chancellor has appointed the members of the Civil Justice Council. They are:

Chairman: Lord Woolf, Master of the Rolls
Vice-Chairman: Sir Richard Scott, Vice-Chancellor
Vicki Chapman
Stephen Cragg
Carlos Dabezies
Professor Robert Dingwall
District Judge Godfrey Evans
David Gladwell
Hilary Heilbron QC
Lord Justice Henry
Henry Hodge OBE
Ashley Holmes
Peter Jacob
Vicky Ling
Michael Napier
Professor Martin Partington
Judge Sessions
District Judge Monty Trent
Owen Tudor
Tim Wallis
Ashton West
Marlene Winfield.

In accordance with the Civil Procedure Act 1977, the Lord Chancellor has chosen members with a wide range of experience in the civil justice field, including members of the judiciary and the legal professions, civil servants concerned with the administration of the courts, persons with experience in and knowledge of consumer affairs and the lay advice sector, and persons able to represent the interests of particular kinds of litigants. The Council will meet for the first time in March.

County Courts

Mr. Paul Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the average volume of work undertaken by county courts in each year since 1980. [30184]

Mr. Hoon: The information for 1987 to 1997 is set out below. County courts vary considerably in size but the average figures have been calculated by taking the county court workload as a whole and dividing it by the number of county courts open in that year. Figures prior to 1987 will take a little longer to prepare. I will write to my hon. Friend as soon as they are available.

Average per court	*Default and fixed date summons*	*Warrants*	*Company winding-up petitions*	*Bankrupt petitions: creditors*	*Bankrupt petitions: debtors*	*High Court work*	*Divorce petitions filed*	*Mortgage possession actions entered*	*Trials heard*	*Arbitrations heard*
1987	8,927	4,712	8	18	8	515	654	298	87	172
1988	8,521	4,920	9	21	7	542	651	272	83	212
1989	9,639	4,937	10	27	7	681	650	336	91	205
1990	9,445	5,433	16	32	15	925	693	532	91	192
1991	9,177	5,985	23	49	35	915	651	679	94	225
1992	8,320	5,902	27	61	57	687	689	517	97	292
1993	6,626	4,805	26	59	52	574	673	424	92	386
1994	5,643	4,097	30	52	46	463	662	332	91	271
1995	5,436	3,981	28	42	37	481	672	325	95	340
1996	5,210	3,298	28	37	40	455	704	316	78	372
1997	5,148	3,126	28	37	38	419	677	278	64	406

Mr. Paul Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department what volume of work was undertaken in *(a)* Shrewsbury and *(b)* Telford County Courts in each year between 1980 and 1989. [30181]

Mr. Hoon: The information for 1987 to 1989 is as follows. Figures prior to 1987 are only available as a total for England and Wales.

	1987	*1988*	*1989*
Shrewsbury			
Default and fixed date summons	3,282	3,246	3,999
Warrants	1,918	1,687	1,691
Company winding-up petitions	9	9	9
Bankrupt petitions—creditors	41	36	55
Bankrupt petitions—debtors	21	9	14
High Court work	707	559	619
Divorce petitions filed	1,441	1,524	785
Mortgage possession actions entered	101	126	140
Trials heard	26	74	26
Arbitrations heard	88	93	128

	1987	*1988*	*1989*
Telford			
Default and fixed date summons	5,138	4,865	5,597
Warrants	3,306	3,482	3,465
Company winding-up petitions	0	0	0
Bankrupt petitions—creditors	0	0	0
Bankrupt petitions—debtors	0	0	0
High Court work	0	0	0
Divorce petitions filed	0	0	753
Mortgage possession actions entered	300	227	246
Trials heard	30	22	26
Arbitrations heard	97	123	222

Mr. Paul Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will undertake a feasibility study into extending the Shrewsbury Crown and Magistrate's courts to include provision for the County Court. [30182]

Mr. Hoon: We have already looked at the possibility of housing the county court in these two buildings. It is very unlikely that the magistrates' court would have future capacity to accommodate the county court. The Crown Court is located in a building leased from Shropshire

County Council. Discussions about the county court are continuing with the council, which has not yet been able to offer any suitable space.

Mr. Paul Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the factors which are taken into account in consideration of the proposed closure of a county court by the Court Service. [30183]

Mr. Hoon: The criteria, as set out in the Departmental Accommodation Plan, are:

The court's workload;

The condition of the existing accommodation and the availability of facilities;

The frequency of judicial visits and waiting times for hearings;

The capacity of alternative court(s) to cater for additional workload;

The facilities provided by the alternative court; and

The distances involved for court users travelling to an alternative court, and public transport consideration.

The overall aim is to use the resources available to provide a comprehensive service through a network of courts over a given area.

Mr. Paul Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department what unused capacity is available at *(a)* Ludlow and *(b)* Oswestry County Courts. [30185]

Mr. Hoon: At Ludlow, which has no courtroom, the judge's chambers are unused for 85 per cent. of the available time. At Oswestry, the courtroom is unused for 98.5 per cent. of the available time and the judge's chambers are unused for 75 per cent. of the available time.

Mr. Paul Marsden: To ask the Parliamentary Secretary, Lord Chancellor's Department what volume of work was undertaken in *(a)* Ludlow and *(b)* Oswestry County Courts in each year since 1980 [30180]

Mr. Hoon: The information for 1980 to 1997 is as follows. Figures prior to 1987 are only available as a total for England and Wales.

Ludlow

	1987	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
Default and fixed date summons	696	753	858	841	881	780	641	571	538	534	570
Warrants	389	351	384	479	570	687	417	274	312	269	273
Company winding-up petitions	0	0	0	0	0	0	0	0	0	0	0
Bankrupt petitions: creditors	0	0	0	0	0	0	0	0	0	0	0
Bankrupt petitions: debtors	0	0	0	0	0	0	0	0	0	0	0
High court work	0	0	0	0	0	0	0	0	0	0	0
Divorce petitions: filed	0	0	0	0	0	0	0	0	0	0	0
Mortgage possession actions entered	32	13	33	60	48	46	41	39	28	25	34
Trials heard	4	11	7	11	11	5	8	9	1	9	2
Arbitrations heard	30	43	58	35	27	43	94	50	77	83	106

Owestry

	1987	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*
Default and fixed date summons	3,153	2,555	1,073	1,116	1,421	1,708	1,493	1,184	1,159	873	781
Warrants	1,451	1,225	689	728	910	1,031	814	662	649	363	292
Company winding-up petitions	0	0	0	0	0	0	0	0	0	0	0
Bankrupt petitions: creditors	0	0	0	0	0	0	0	0	0	0	0
Bankrupt petitions: debtors	0	0	0	0	0	0	0	0	0	0	0
High court work	0	0	0	0	0	0	0	0	0	0	0
Divorce petitions filed	0	0	0	0	0	0	0	0	0	0	0
Mortgage possession actions entered	39	13	15	62	94	87	68	61	78	64	48
Trials heard	22	25	13	10	13	11	9	3	3	12	6
Arbitrations heard	48	59	48	38	54	76	103	55	68	81	84

Magistrates Courts

Miss McIntosh: To ask the Parliamentary Secretary, Lord Chancellor's Department how many representations he has received on the reorganisation of magistrates' courts in North Yorkshire. [31024]

Mr. Hoon: My Department is currently dealing with two matters relating to the reorganisation of North Yorkshire Magistrates' Courts Committee's area. On the application to reorganise the petty sessional divisions within North Yorkshire's area, we have received 59 representations. In relation to the proposed closure of Ripon Magistrates' Court we have received 275 representations. 30 further representations were made which jointly concerned both these matters.

TRADE AND INDUSTRY

Dietary Supplements

Mr. Tredinnick: To ask the President of the Board of Trade when she was first consulted by the Minister of State, Ministry of Agriculture, Fisheries and Food on his announcement of new restrictions on the retail sale of vitamin B6 supplements. [26360]

Mrs. Roche: The President was consulted in January 1998 and was told of the proposals in July 1997.

Sri Lanka

Mr. Vaz: To ask the President of the Board of Trade what contracts were signed during the visit of the Prince of Wales to Sri Lanka. [28595]

Mrs. Roche: The Prince of Wales visited Sri Lanka at the invitation of President Kumaratunga, to attend the celebrations of the 50th anniversary of Sri Lankan independence. During this visit no contracts were signed but His Royal Highness' programme reflected the wide range of bilateral contacts between the two countries and included commercial elements.

Energy Deregulation

Mr. Drew: To ask the President of the Board of Trade what proposals she has to end the current system of dual registration for customers and generators in advance of full deregulation. [28319]

Mr. Battle: This is a matter for the Electricity Pool. I understand that Pool officials are aware of the issue, and are working to ensure a smooth transition to a single system.

Taiwan (Whisky)

Mrs. Ewing: To ask the President of the Board of Trade what representations she has made to the Government of Taiwan concerning *(a)* their current tax treatment of Scotch whisky and *(b)* their regulations on the definition and labelling of whisky. [27901]

Mrs. Roche *[holding answer 9 February 1998]:* This Government are pressing Taiwan strongly for the early elimination of the current tax discrimination on Scotch whisky and introduction of satisfactory legislation on the definition and labelling. We are fully conscious of the adverse effect which the discriminatory tax treatment and the absence of legal definitions is having on the Scotch whisky industry and on the UK's export earnings. During his visit to Taipei last year, British Overseas Trade Chairman Sir Martin Laing raised this with both the Taiwanese President and the Vice Minister for Finance. My hon. Friend the Minister for Education and Industry, Scottish Office also raised it during his visit in October. In November 1997 the head of the British Trade and Cultural Office in Taipei wrote, with DTI support, a joint letter with his French counterpart urging Taiwan to take immediate action to equalise taxes on all spirits. Following a disappointing response, UK officials in London and Taipei have emphasised to the Taiwanese our concern about the slow progress on these issues. My hon. Friend the Minister for Competition and Consumer Affairs and DTI officials will reinforce our expectation of early progress at the UK/Taiwan trade policy consultations in London on 26–27 February. DTI officials have also written to the European Commission, ahead of the next EU-Taiwan market access negotiations over Taiwan's accession to the World Trade Organisation in Taipei on 23–26 February, to ensure that in its negotiations the Commission continues to reflect the UK's and other Member States' concerns on these issues.

Utility Bills

Mr. Boswell: To ask the President of the Board of Trade if she plans to impose an extra levy on utility bills to cross-subsidise lower income consumers. [29390]

Mrs. Beckett *[holding answer 16 February 1998]:* The inter-departmental review of utility regulation is examining a wide range of issues. A Green Paper setting out the conclusions of the review will be issued in the near future.

Departmental Buildings

Mr. Swinney: To ask the President of the Board of Trade if she will list the location and running costs of each of her Department's buildings. [30144]

Mrs. Beckett *[holding answer 18 February 1998]:* The information has been placed in the Library. Costs relate to the financial year 1996–97 unless otherwise noted. Comparability of cost figures has been attempted but could be verified only at disproportionate cost.

Departmental Employees

Mr. Swinney: To ask the President of the Board of Trade if she will list the number of her Department's employees by UK region, indicating the wage bill *(a)* in total and *(b)* by region in the last year for which figures are available and separately identifying the costs of London allowances and weightings. [30143]

Mrs. Beckett *[holding answer 18 February 1998]:* The distribution of DTI-core staff (i.e. excluding Agencies, staff with the Government Offices and on detached duty outside the Department) on 31 March 1997 was:

London: 3,851
Scotland: 173
Wales: 81
Yorkshire and Humberside: 140
North West: 106
Eastern: 44
East Midlands: 50
North East: 109
South East: 57
South West: 80
West: 145.

DTI-core pay out-turn for financial year 1996–97

	£
Salaries	113,388,000
Overtime	1,444,000
ERNIC	8,906,000
Superannuation	15,580,000
	139,318,000

Local Pay Additions and London weighting were abolished for DTI staff in 1994, but most employees continued to receive them under reserved rights provisions. In August 1997 these payments were consolidated into base pay.

The annual amounts paid in the London area (to staff below the senior civil service) were as follows:

Inner London Weighting: £1,776
Intermediate London Weighting: £1,015
Outer London Weighting: £736.

In addition some junior staff (mostly clerical) were eligible for:

London Local Pay Addition: £800

except for about 100 individuals who retained reserved rights to different amounts.

The cost of providing a regional breakdown of pay and allowances would exceed the disproportionate cost limit. My Department no longer pays regional allowances as a distinct element of pay.

Departmental Expenditure

Mr. Swinney: To ask the President of the Board of Trade if she will give a regional breakdown of her Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel. [30145]

Mrs. Beckett *[holding answer 18 February 1998]:* Disaggregated information in the form requested, which is not held centrally within the Department, could be provided only at disproportionate cost.

Departmental Contracts

Mr. Swinney: To ask the President of the Board of Trade how many contracts of a value greater than £5,000 her Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30146]

Mrs. Beckett *[holding answer 18 February 1998]:* This information is not held centrally and could be made available only at disproportionate cost.

Radioactive Waste

Mr. Baker: To ask the President of the Board of Trade, pursuant to the answer to the hon. Member for Truro and St. Austell (Mr. Taylor) on 10 June 1997, *Official Report*, column *415*, concerning radioactive material, if a date has been set for the return of the material. [29869]

Mr. Battle *[holding answer 17 February 1998]:* The date for the return of the wastes concerned will be set by BNFL and ENEL.

Departmental Child Care

Mr. Barnes: To ask the President of the Board of Trade what provision her Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if she will list the organisations used by her Department for child care; and if child care vouchers are made available to staff. [30013]

Mrs. Beckett *[holding answer 19 February 1998]:* The Department provides a 32-place holiday playscheme which operates from purpose-built accommodation in central London, for a minimum of 54 days each academic year. Departmental staff enjoy a subsidy of 54% towards the cost of daily fees. An annual contribution is also made towards the cost of running an inter-Departmental Easter and Summer playscheme for staff located in the Government Office for the East Midlands.

In September 1997, as a result of an invitation to tender exercise, Kinderquest Ltd. was successful in securing a three-year contract to run the Department's central London playscheme. The previous contractor was Multibase Playcare, which was awarded the first contract in 1990.

The Department does not at present provide or subsidise nursery places, nor does it offer nursery vouchers to its staff.

Scientific Research

Mr. Vaz: To ask the President of the Board of Trade what steps she is taking to promote international co-operation in scientific research. [30474]

Mr. Battle: International co-operation in scientific research is of vital importance for the health of the domestic science base, and is an important component in our export promotion, inward investment, developmental and diplomatic efforts world-wide. For this reason, scientific co-operation is promoted by a wide range of governmental and non-governmental agencies. The Office of Science and Technology plays a key role in bringing a high-level strategic focus to these activities. In Europe, I am particularly keen to see continued vigorous participation by UK researchers in the EU's Framework Programmes for Research and Technological Development. In 1996, 15 per cent. of new partnerships established in the Fourth Framework Programme involved UK teams, more than those of any other country. I am also very pleased that we were able, at the EU Research Council on 12 February, to secure a common position on the structure, content and management of the Fifth Framework Programme. This should provide a good basis for continuing strong UK participation in the future. Beyond Europe, recent DTI initiatives include, for example, the strengthening of science and technology links with the Russian Federation and the negotiation of an agreement with Brazil, the establishment of a joint £600,000 fund to support scientific collaboration with the Republic of Korea, and a £500,000 programme of post-doctoral researcher exchanges with Australia.

Inward Investment

Mr. Redwood: To ask the President of the Board of Trade when she will publish the results of Government discussions about handling inward investment policy between Departments. [30400]

Mrs. Beckett *[holding answer 19 February 1998]:* I refer the right hon. Member to the reply I gave him on 3 December 1997, *Official Report*, column *255*.

Corporation Tax

Mr. Redwood: To ask the President of the Board of Trade what estimate she has made of the impact of the increases in corporation tax on net profits of UK business over the next four years. [30518]

Mrs. Beckett: I refer the right hon. Member to the reply I gave him on 17 December 1997, *Official Report*, column *174*.

Mr. Redwood: To ask the President of the Board of Trade what estimate she has made of the effect on net returns on capital employed from accelerated corporation tax payments in the next four years. [30519]

Mrs. Beckett: I refer the right hon. Member to the reply I gave him on 17 December 1997, *Official Report*, column *174*.

Business Taxation

Mr. Redwood: To ask the President of the Board of Trade what recent representations she has made to the Chancellor concerning the level of business taxation. [30520]

Mrs. Beckett: I maintain regular contact with the Chancellor of the Exchequer to ensure that the effect on business is taken into account in decisions on taxation and other aspects of economic policy.

Advertising Contracts

Mr. Burns: To ask the President of the Board of Trade if she will list the advertising contracts her Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30709]

Mr. Nigel Griffiths *[holding answer 23 February 1998]:* The following contracts for advertising campaigns have been placed through COI since 1 May 1997.

£

Contract	Value to date	Number of companies which tendered
Business Link	750,000	4
Queen's Awards to industry[1]	Nil	3
Firework Safety[2]	85,000	1

[1] The Queen's Award contract has only just been placed. The final value is to be confirmed.
[2] The firework safety contract was awarded under the COI call-off arrangement for contracts of less than £104,000.

Prepayment Meter Scheme

Mr. Jim Cunningham: To ask the President of the Board of Trade what plans she has to exclude the sick, the incapable and those on Fuel Direct from the proposed levy on electricity users for the extension of the Prepayment Meter Scheme. [30924]

Mr. Battle *[holding answer 23 February 1998]:* The review of utility regulation has not yet been completed. Until that time, it would be wrong of me to respond to speculation on issues which fall under its remit. I would, however, encourage my hon. Friend to participate fully in the consultation process which will follow publication of the review's findings.

European Research Council

Mr. Hanson: To ask the President of the Board of Trade if she will make a statement on the outcome of the European Union Research Council on 12 February. [31498]

Mr. Battle: I chaired the meeting of the EU Research Council on 12 February 1998.

After a hard and long negotiation, the UK Presidency was able to secure unanimous agreement on a "common position" on the EC Fifth Framework Programme for Research Technological Development and Demonstration Activities 1998–2002 (FP5). This was particularly welcome as we have identified progress on FP5 as a key priority for our Presidency. We were also able to achieve a political agreement on the Fifth Framework Programme of the European Atomic Energy Community (Euratom) for Research and Training Activities (1998–2002).

The achievement of a common position means that we have secured a firm foundation for bringing FP5 into operation on time thus avoiding a gap in funding for European research. FP5 also represents a significant improvement on FP4 in that it is well focused on a limited number of objectives of clear European importance, complementing the work undertaken at national level. FP5 will deliver real results of value to European competitiveness and society, playing an important part in helping to strengthen the technological edge of European industries and services and in tackling pressing European issues in fields such as health and the environment.

Though it had many very difficult issues to tackle, the Council was able to agree on all areas of FP5 including scientific and technological content, structure and the budget, which was settled at 14 bn ecu (around £10 billion). While my responsibility as President was to reach a compromise all could accept, the outcome very closely reflects the UK's national priorities and objectives.

I also made further announcements on the management of the FP5. In the light of the conclusions of the Council held on 10 November 1997, which committed the Council to consider FP5's management further, I confirmed that the UK presidency would host a Ministerial Colloquium on 28 April in London, to look closely at the management and administration of FP5 and how it can be improved. Its conclusions will provide an important contribution to future work.

Having achieved a common position we can now move onto the next stage in negotiations. We must keep up the pace to achieve agreement on all aspects of FP5, including the more detailed specific programmes to ensure a smooth transition from FP4 to FP5 at the end of the year. I encouraged the Commission to produce drafts of these urgently so that the Research Council on 22 June can reach preliminary conclusions on them.

The Council also received a presentation from the Commission on the rules of participation and dissemination (130j rules) which will again be discussed in more detail at the 22 June Research Council.

I also described work underway to improve co-ordination between the EU and the European Space Agency (ESA), which I had set out as a Presidency objective at the 10 November Research Council. The aim is to bring forward a resolution in similar terms to the Research Council on 22 June and the ESA Ministerial Council which follows it.

Export Sales Lead Service

Mr. Hanson: To ask the President of the Board of Trade if she will announce the outcome of the tender for the new export sales lead service. [31497]

Mrs. Beckett: Yes. I received 71 initial expressions of interest from which 21 organisations sought to pre-qualify. A shortlist of 6 firms were then invited to submit bids and of these 4 organisations actually did so. I am pleased to announce today that the contract to operate the new export sales lead service has been awarded to the Dialog Corporation plc. I expect to make a further announcement shortly giving details about how the new service will operate.

DEFENCE

Bull Point, Plymouth

Mrs. Gilroy: To ask the Secretary of State for Defence what is the estimated cost of the proposed remote ammunition facility at Bull Point, Plymouth. [27056]

Mr. Spellar *[holding answer 6 February 1998]:* The estimated cost of this facility is £12.8M.

Mrs. Gilroy: To ask the Secretary of State for Defence what is the function of the proposed remote ammunition facility at Bull Point, Plymouth; if its design will allow for the other uses; and which other uses would be covered by Crown immunity. [27057]

Mr. Spellar *[holding answer 6 February 1998]:* The proposed development at Bull Point would provide a purpose-built facility for loading and unloading conventional ammunition from surface ships and submarines. We have no plans to use it for any other purpose and it has been designed specifically for ammunitioning. The question of Crown immunity does not, therefore, apply.

EUROFOR

Mr. Hayes: To ask the Secretary of State for Defence what United Kingdom co-operation is planned with EUROFOR; what effect this organisation will have on the operational activity of Gibraltar; what linkage is currently under discussion between this body and the Eurocorps; and if he will make a statement. [29825]

Dr. Reid *[holding answer 17 February 1998]:* The UK is not a member of EUROFOR and has no current plans for co-operation with this force. The establishment of EUROFOR has no effect on the operational activity of Gibraltar. Eurocorps and EUROFOR are declared as potentially available for use in NATO and WEU operations. Although any linkage between these two forces is a matter for the nations involved, the UK is not aware of any plans for such a linkage. France, Italy, Portugal and Spain are members of EUROFOR; and France, Germany, Belgium, Spain and Luxembourg are members of Eurocorps.

Precision-guided Weapons

Mr. Hancock: To ask the Secretary of State for Defence, pursuant to his answer of 9 February 1998, *Official Report*, column *71*, on precision-guided weapons, which countries possess multi-spectral smoke. [30263]

Dr. Reid: Countries which have a pyrotechnics manufacturing industry are most likely to be capable of producing smoke generators which cover different parts of the visible or infra-red spectrum.

WE-177 Bomb

Mr. Matthew Taylor: To ask the Secretary of State for Defence when each variant of the WE-177 bomb was withdrawn from service. [30562]

Dr. Reid: While some WE-177 weapons remain in operational service I am withholding the information under exemption 1 of the Code of Practice on Access to Government Information.

Gibraltar

Mr. Hoyle: To ask the Secretary of State for Defence what assessment he has made of the effect of the closure of NATO headquarters in Gibraltar on Gibraltar's *(a)* air space, *(b)* border controls and *(c)* territorial waters. [30810]

Dr. Reid: The defence and security of Gibraltar, its air space, borders and territorial waters are, and will remain, the direct responsibility of the UK. They will therefore be unaffected by the closure of GIBMED, the NATO headquarters based in Gibraltar.

Arms Exports (Iraq)

Mr. Flynn: To ask the Secretary of State for Defence what assessment he has made of the volumes and nature of equipment and raw materials exported from the United Kingdom to Iraq since 1980 that are likely to have been used in manufacture of nuclear, chemical and biological weapons. [30956]

Mr. George Robertson: The Ministry of Defence receives export licence applications, referred to it for review, and intelligence on Iraq. Assessments are made of Iraq's nuclear, biological and chemical weapons programmes and are continually reviewed by technical experts within my Department.

HEALTH

Primary Care

6. **Mr. Hayes:** To ask the Secretary of State for Health if he will make a statement on the proposals for the constitution and working of the proposed primary care commissioning groups. [29319]

Mr. Milburn: The White Paper "The new NHS" sets out our plans for the core functions and requirements of Primary Care Groups. Their requirements will need to be flexible to reflect local circumstances. The final shape of Primary Care Groups will need to reflect the functions they have to perform.

Hypertension

14. **Mrs. Ann Winterton:** To ask the Secretary of State for Health what representations he has received regarding links between levels of dietary salt consumption and the incidence of hypertension. [29328]

Ms Jowell: We have received a letter from the Salt Manufacturers' Association.

The Department asked the Faculty of Public Health Medicine, with the British Heart Foundation, to host a seminar to bring together a wide spread of scientific opinion to consider whether a reduction in salt consumption for the general population is advisable. A report is expected later this year.

Asthma (East Sussex)

20. **Mr. Baker:** To ask the Secretary of State for Health how many asthma cases there were among children in East Sussex in the latest period for which figures are available. [29334]

Ms Jowell: There are no comprehensive data available on the numbers of children with asthma, but in East Sussex during 1995–96 there were a total of 1,202 finished consultant episodes for young people in the 0–18 age group treated in hospital.

NHS (50th Anniversary)

21. **Ms Christine Russell:** To ask the Secretary of State for Health what events his Department has sponsored to date to celebrate the 50th anniversary of the NHS. [29335]

Mr. Milburn: The main focus of events celebrating the 50th anniversary of the National Health Service is at a local level, and central sponsorship has been restricted to legitimate national activities which support the NHS's aims. To date the Department has sponsored an education resource pack, health promotion material, and a resource pack for use by local NHS organisations.

Diabetes

22. **Mr. David Stewart:** To ask the Secretary of State for Health what assessment he has made of the advice from the UK National Screening Committee on the introduction of a national screening programme for diabetes among high risk groups. [29336]

Ms Jowell: The National Screening Committee has not yet considered national screening for diabetes but will do so as part of its future programme. Any decision on the introduction of a national programme will be made in the light of that consideration.

Birmingham Health Authority

23. **Mr. Burden:** To ask the Secretary of State for Health if he will make a statement on Birmingham health authority's review of services. [29337]

Mr. Milburn: Birmingham Health Authority is currently consulting on its proposals for health service provision and this will conclude in March. Should it then fall to ministers to make the final decision on the future of services in Birmingham we will take into account all the evidence, including the response to public consultation.

Suffolk Health Authority

24. **Mr. Yeo:** To ask the Secretary of State for Health what recent representations he has received regarding the allocation of funds to the Suffolk health authority for 1998–99. [29338]

Mr. Milburn: We have received a number of representations.

Accident and Emergency Units

25. **Dr. Cable:** To ask the Secretary of State for Health what plans he has to ensure patients are seen as quickly as possible in accident and emergency units. [29339]

Mr. Boateng: The first responsibility of the National Health Service is to respond properly to emergency need as and when it arises. National standards require patients to be assessed within 15 minutes of arrival in Accident and Emergency Departments and that patients admitted as inpatients through A&E be given a bed as soon as possible and certainly within two hours. We are keeping these standards under review.

Waiting Lists

26. **Mr. Burstow:** To ask the Secretary of State for Health what plans he has to reduce waiting lists in the next 12 months. [29340]

Mr. Milburn: Our immediate priorities are to manage winter pressures and to eliminate 18 month waits for treatment by the end of March. We are doing this. The national Waiting List Action Team and its regional task forces are working with the National Health Service to ensure that waiting lists will be lower at the end of this Parliament than at the beginning.

Public Health

27. **Mr. Gordon Marsden:** To ask the Secretary of State for Health what plans he has to address regional disparities in ill health as part of the Government's public health strategy. [29341]

Ms Jowell: We are currently consulting on the Green Paper *"Our Healthier Nation"*, which includes our proposals for reducing England's significant social, geographical and ethnic health inequalities. The consultation responses and the findings of the Independent Inquiry into Inequalities in Health will be used to develop a concerted strategy to tackle health inequalities which will reflect a proper balance between targets for national action and local targets reflecting priorities for action in tackling local health inequalities and health improvement.

Dental Services (Swindon)

28. **Ms Drown:** To ask the Secretary of State for Health if he will make a statement on Investing in Dentistry awards in Swindon. [29342]

Mr. Milburn: In January, my right hon. Friend the Secretary of State approved an Investing in Dentistry request from Wiltshire Health Authority for a grant of £50,000 to enable a new dental practice to open in Swindon.

NHS Charter

29. **Mr. Rooney:** To ask the Secretary of State for Health what progress has been made towards developing a new NHS charter. [29343]

Mr. Milburn: We announced on 8 October last year that Mr. Greg Dyke (chief executive and chairman of Pearson Television) had been appointed to advise the Government on developing a National Health Service Charter. He is being supported in this task by a group of advisers drawn from the NHS, patient and other organisations. We expect to publish draft proposals later this year.

Redbridge and Waltham Forest DHA

30. **Mr. Gerrard:** To ask the Secretary of State for Health what representations he has received recently regarding services purchased by Redbridge and Waltham Forest district health authority. [29344]

Mr. Milburn: We have received a number of representations concerning Redbridge and Waltham Forest Health Authority's proposals to achieve financial stability.

Rationing (NHS)

31. **Mr. Tyler:** To ask the Secretary of State for Health what plans he has in respect of rationing in the NHS. [29345]

Mr. Milburn: I refer the hon. Member to the reply I gave to the hon. Member for Cheadle (Mr. Day) on 27 January 1998, *Official Report*, column *198*.

NHS Performance and Efficiency

32. **Mr. McNulty:** To ask the Secretary of State for Health what incentives he intends to introduce for health authorities, NHS trusts and primary care groups to improve performance and efficiency. [29346]

Mr. Milburn: The White Paper "The New NHS" outlines a range of incentives for improved performance and efficiency across the National Health Service, including:

- the introduction of a new broader-based performance framework, with particular emphasis on benchmarking and on the sharing of good practice;
- aligning clinical and financial responsibility in Primary Care Groups, and giving greater devolved budgetary responsibility to clinical teams in NHS trusts;
- the development and publication of a national schedule of "reference costs" to provide a strong lever to tackle NHS trust inefficiency;
- rewarding good performance through modest extra non-recurrent funding for health authorities that make most progress against agreed targets and objectives, allowing NHS trusts to use a share of any savings resulting from longer term service agreements and allowing Primary Care Groups to redeploy savings to meet local needs and promote local developments;
- ensuring a drive for quality, including the introduction of a new system of clinical governance in NHS trusts and primary care, backed up by a new statutory duty for quality in NHS trusts.

The White Paper also sets out a range of clear sanctions for use where performance is not up to standard, including the scope for direct intervention by the NHS Executive to rectify poor performance in any part of the NHS.

NHS Cuts (Cornwall)

33. **Mr. Matthew Taylor:** To ask the Secretary of State for Health if he will make a statement on the proposed NHS cuts in Cornwall. [29347]

Mr. Milburn: Cornwall Community Health Council has rejected the proposals for changes to health services contained in Cornwall and Isles of Scilly Health Authority's Service Strategy 1998–2003. The proposals have now been referred to my right hon. Friend, the Secretary of State for a final decision. He will be considering the proposals carefully and will only allow them to proceed if he is satisfied that they represent the best way forward for the health service in Cornwall.

Bed Blocking

34. **Mr. Laurence Robertson:** To ask the Secretary of State for Health if he will make a statement on the action his Department is taking to reduce the incidence of bed blocking in NHS hospitals. [29348]

Mr. Boateng: I refer the hon. Member to the answer I gave to the hon. Member for Southend, West (Mr. Amess) on 11 November 1997, *Official Report*, column *538*.

Integrated Care

35. **Judy Mallaber:** To ask the Secretary of State for Health if he will make a statement on the differences between the current NHS internal market and the system of integrated care outlined in the NHS White Paper. [29349]

Mr. Milburn: A summary of the differences between the National Health Service internal market and the system of integrated care can be found on page 16 of the White Paper, The New NHS (Cmd 3807), copies of which are available in the Library.

Immunisation

36. **Helen Jones:** To ask the Secretary of State for Health what action he is taking to increase the take-up of immunisation among people from areas of multiple disadvantage. [29350]

Ms Jowell: Annual immunisation rates are now at their highest ever levels, for example the uptake of three doses of diphtheria, tetanus and polio immunisation by age two in 1996–97 was 96 per cent. This has resulted in the reduction of childhood diseases to very low levels and reflects the hard work of doctors, nurses and other health professionals in dedicated immunisation teams across the country.

Immunisation uptake is influenced by many factors including the attitude of health care professionals, social deprivation, available information, ethnicity, the presence of older siblings, religious beliefs and media reporting. These factors interact in different ways and will vary between areas. We have a range of literature about immunisation for both parents and health professionals to assist in strategies to maintain the high uptake levels already achieved and improve those in lower uptake areas.

The national target for immunisation uptake is 95 per cent. A few health authorities (HAs) have significantly lower immunisation rates, achieving 86–89 per cent. uptake rates for diphtheria, tetanus and polio immunisation. Such HAs are targeted through the Department's performance management function, local action plans developed and progress monitored on a regular basis. The detail of these improvement strategies are necessarily decided at a local level as they will depend on the specific circumstances. Local immunisation co-ordinators work with primary care health professionals to achieve immunisation targets.

Primary Care (Nurses' Role)

37. **Mr. Miller:** To ask the Secretary of State for Health what plans he has for boosting the role of nurses in commissioning primary care. [29351]

Mr. Milburn: The National Health Service (Primary Care) Act 1997 Personal Medical Services Pilot scheme has made it possible for nurses to take a leading role in primary care. In addition, the Primary Care Groups we will be establishing will involve nurses, general practitioners and other primary care professionals. The development of the Primary Care Groups will be evolutionary and as part of this process, we shall be issuing guidance on this and other related issues.

St. Vincent's Declaration

38. **Mr. Sanders:** To ask the Secretary of State for Health what assessment he has made of progress towards meeting the objectives of the St. Vincent's Declaration in the United Kingdom; and if he will make a statement. [29352]

Ms Jowell: We are committed to improving health services for people with diabetes, and we have accepted the international St. Vincent's Declaration, to which the previous Government signed up.

In 1992 the Department and the British Diabetic Association set up the St. Vincent Joint Task Force for Diabetes, which reported in 1995 making recommendations about good clinical and management practice in eleven key areas. The Department then set up a diabetes subgroup of the Clinical Outcomes Group to develop service guidance for the National Health Service. The guidance, entitled "Key features of a good diabetes service", was issued in November 1997 as Health Service Guidelines HSG(97)45. The Department has also commissioned clinical guidelines and other clinical effectiveness materials for diabetes.

Private Finance Initiative

19. **Mr. Edward Davey:** To ask the Secretary of State for Health if he will make a statement on the hospital building programme under the private finance initiative scheme. [29333]

Mr. Milburn: I refer the hon. Member to the reply my right hon. Friend the Secretary of State gave my hon. Friend the Member for Derby, North (Mr. Laxton) earlier today.

Suicides

Mr. Peter Bottomley: To ask the Secretary of State for Health what research his Department has *(a)* commissioned and *(b)* evaluated into the linkage between changes in levels of suicide and unemployment among young men. [28825]

Ms Jowell: The Department has not directly commissioned research into the linkage between changes in levels of suicide and unemployment among young men. There are a number of relevant papers which discuss the complexity of this issue. These include studies by Colin Pritchard: *Is there a link between suicide in young men and unemployment? A Comparison of the UK with other European Community Countries* (British Journal of Psychiatry, London, volume 160, June 1992, pages 750–756) and *Suicide, Unemployment and Gender in the British Isles and European Economic Community (1974–1985)—A Hidden Epidemic?* (Social Psychiatry and Psychiatric Epidemiology, Berlin, volume 23, number 2, 1988, pages 85–89).

Recent Life Events, Social Support and Suicide (Heikkinen M; Aro-H; Lonnqvist J, National Public Health Institute, Department of Mental Health, Helsinki, Finland, SO: Acta-Psychiatr-Scand-Suppl, volume 377, 1994, pages 65–72) reports the findings of a national suicide study in Finland.

The Department does fund the National Confidential Inquiry into Suicide and Homicide by People with Mental Illness. A progress report published on 12 December 1997 showed that 58 per cent. of people in contact with psychiatric services who committed suicide were unemployed or long-term sick. A copy of the progress report has been placed in the Library.

NHS White Paper

Mr. Maples: To ask the Secretary of State for Health what estimate he has made of the cost of administering the organisational changes in the NHS outlined in his recent White Paper. [29059]

Mr. Milburn: Our estimates are that savings in bureaucracy and management costs over the lifetime of this Parliament will free up £1 billion for patient care.

Dalton Report

Miss McIntosh: To ask the Secretary of State for Health what evaluation he has made of the Dalton Report. [29363]

Ms Jowell: We have asked our independent scientific and medical experts on the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) to review the toxicity of vitamin B6. As part of this review the COT considered the Dalton and Dalton study. In addition to information supplied by interested parties the Committee also considered over 100 other scientific papers from both national and international journals.

The COT noted some methodological deficiencies in the Dalton and Dalton study, but in the light of other supporting human and animal data, concluded it would be unwise to ignore evidence from this study that daily doses of vitamin B6 of 50mg and above are potentially harmful.

We have every confidence in the rigour with which the COT reviewed the data on vitamin B6 and the robustness of the recommendations it made.

Aricept

Mr. Chope: To ask the Secretary of State for Health in how many district health authority areas the drug Aricept is available on prescription at public expense. [29571]

Mr. Milburn: Data from the Prescription Pricing Authority show that in the vast majority of health authorities (99), some prescriptions for Aricept have been dispensed. However, I understand that many health authorities are at present reluctant to commit resources to the drug because published data currently suggest that it has limited clinical effectiveness and is unlikely to have any effect on the underlying disease progression.

Pharmaceuticals

Mr. Paice: To ask the Secretary of State for Health what proportion of the NHS drugs bill has been taken by the biopharmaceutical sector in each of the last five years. [29852]

Mr. Milburn: The cost of biopharmaceutical medicines is not separately identified in the information reported on National Health Service pharmaceutical expenditure and can be obtained only at disproportionate cost.

Mr. Paice: To ask the Secretary of State for Health what action the Government are taking to promote biotechnology in pharmaceutical development. [29853]

Mr. Milburn: The Department is committed to encouraging a fertile climate in which biotechnology can flourish, and medical treatment can continue to advance. To this end, we support a range of programmes including the Crusade for Biotechnology, the Organisation for Economic Cooperation and Development Working Party on Biotechnology, and the MedLINK programme.

These measures will help to promote biotechnology and human healthcare, not only in pharmaceutical development but as a technology in its own right.

Nursing Homes

Mr. Paterson: To ask the Secretary of State for Health what action he proposes to increase the number of qualified nurses in nursing homes. [29972]

Mr. Milburn: Independent nursing homes are regulated under the Registered Homes Act 1984, and are required to provide adequate numbers of professional and technical staff with regard to the number, age, sex and condition of the residents in any one home. The precise number of qualified nursing staff required for any individual nursing home is for the health authority to determine as the registering authority.

Diabetes

Mr. Wills: To ask the Secretary of State for Health how many admissions to accident and emergency departments of type 1 diabetics in a hypoglycaemic coma occurred in each year since 1987 [29778]

Ms Jowell: The available information is shown in the tables and is based on finished consultant episodes (FCEs), which represent the number of episodes of care under individual consultants. International Classification of Diseases Ninth Revision (ICD9) was used for the period 1989/90 to 1994/95. This was replaced by International Classification of Diseases Tenth Revision (ICD 10) in 1995/96 when many new codes were introduced and others expanded.

Number of FCEs in National Health Service hospitals in England where the primary diagnosis was defined as diabetes with coma and admission to hospital was via accident and emergency services.

Year	*FCEs*
1989–90	579
1990–91	550
1991–92	539
1992–93	492
1993–94	490
1994–95	464

Source:
Department of Health, Hospital Episode Statistics (HES) ICD9 code 250.2.

Number of FCEs in NHS hospitals in England where the primary diagnosis was as defined and admission to hospital was via accident and emergency services

1995–96	*FCEs*
Code E10.0: Insulin dependent diabetes mellitus with coma	819
Code E11.0: Non-insulin dependent diabetes mellitus with coma	309
Code E12.0: Malnutrition-related diabetes mellitus with coma	1
Code E13.0: Other specified diabetes mellitus with coma	5
Code E14.0: Unspecified diabetes mellitus with coma	135
Total	1269

Source:
Department of Health, Hospital Episode Statistics (HES) ICD10.

Hormone Replacement Medication

Ms Walley: To ask the Secretary of State for Health if he will review the policy of a double prescription charge for hormone replacement medication; and if he will make a statement. [30192]

Mr. Milburn: All aspects of prescription charging arrangements are being examined as part of the Comprehensive Spending Review. In the Department of Health, the review is being undertaken in the context of the manifesto commitment:

"if you are ill or injured there will be a national health service there to help; and access to it will be based on need and need alone—not on your ability to pay, or on who your general practitioner happens to be or where you live".

NHS Dentists

Mr. Brady: To ask the Secretary of State for Health what was the average turnover derived solely from the NHS for dental practices undertaking NHS work in the last year for which figures are available. [30238]

Mr. Milburn: The average gross fee earnings of a General Dental Service (GDS) dentist from National Health Service work in the year ending 31 March 1997 was £84,758. The average is for those principal dentists who have a contract with a health authority, who provide some treatment within the GDS throughout the financial year and who have received a payment for treatments carried out in the last six months of the year. As self employed healthcare workers, GDS dentists are able to do as much as or as little NHS treatment as they wish.

Mr. Brady: To ask the Secretary of State for Health what plans he has to increase fee levels for NHS dentistry. [30236]

Mr. Milburn: We have accepted the recommendations of the 27th Report of the Doctors and Dentists Review Body for dentists' remuneration. As a result fees will increase for work begun from 1 April 1998. Officials are calculating the feescale changes and will be consulting the British Dental Association in the near future.

Mr. Brady: To ask the Secretary of State for Health what estimate his Department has made of the average income of dental practitioners undertaking work which is *(a)* solely and *(b)* principally funded by the NHS. [30239]

Mr. Milburn: None.

Mr. Brady: To ask the Secretary of State for Health what estimate he has made of the total NHS expenditure on dentists' fees in the current financial year; and what was the total expenditure in each of the last four years. [30237]

Mr. Milburn: The table sets out gross and net expenditure in the General Dental Service (GDS) in England for the financial years 1993–94 to 1996–97. For 1997–98 the latest estimate is for GDS expenditure of £1,335.7 million gross, £955.7 million net of patient charges. Gross expenditure includes all fees and allowances payable to General Dental Practitioners, which cover both their income and practice expenses, together with supplementary costs such as employers' superannuation contributions and payments for salaried dentists who provide GDS care in certain localities.

General Dental Service: expenditure for the financial years 1993–94 to 1996–97

£ million

Year	*Gross Expenditure*	*Net Expenditure*
England		
1993–94	1,221.7	854.7
1994–95	1,279.4	896.1
1995–96	1,289.5	908.4
1996–97	1,323.1	940.1

Health Authority Deficits

Mr. Brake: To ask the Secretary of State for Health what was the *(a)* non-recurring and *(b)* recurring deficit of (i) Merton and Sutton Health Authority and (ii) Wandsworth Health Authority in the three years up to merger in 1996. [30294]

Mr. Milburn: The financial position of district health authorities was not analysed between recurrent and non-recurrent components.

The details of income and expenditure positions for the relevant years is shown in the table. Merton and Sutton Health Authority and Wandsworth Health Authority and merged on 1 April 1994 to form Merton, Sutton and Wandsworth Health Authority.

	Income and expenditure position
1993–94	
Merton and Sutton District Health Authority	(77,000)
Wandsworth District Health Authority	2,093,000
1994–95	
Merton Sutton and Wandsworth District Health Authority	7,836,000
1995–96	
Merton Sutton and Wandsworth District Health Authority	(8,449,000)

Social Services

Mr. Colman: To ask the Secretary of State for Health what action he is taking to *(a)* identify and *(b)* disseminate good practice within social services departments. [30225]

Mr. Boateng: We both identify and disseminate good practice through national and regional seminars and conferences, local networks of managers and leading professionals and the publication of inspection reports and studies which include examples of best practice. Our work with the Central Council for Education and Training in Social Work to improve the training of social services staff and with the National Institute for Social Work supports this strategy.

Psychologists

Mr. Grogan: To ask the Secretary of State for Health if he will make a statement on the Government's policy on statutory registration of psychologists. [30293]

Mr. Boateng: We have no plans to introduce statutory registration of psychologists. However, we continue to work with the professional body concerned and with health service staff to maintain and develop the existing mechanisms for regulation which are in the public interest.

Cosmetic Surgery

Mr. Gordon Prentice: To ask the Secretary of State for Health how many disciplinary cases have been brought before the General Medical Council since 1984 concerning doctors undertaking cosmetic operations who were *(a)* found to be incompetent and *(b)* not qualified to carry out the surgical procedures. [30386]

Mr. Milburn: The General Medical Council does not make findings of "incompetence" or whether doctors are qualified to carry out surgical procedures. It considers allegations relating to the conduct and performance of doctors. Information about the cases considered by the Council's Professional Conduct Committee and whether or not the doctors were found guilty of serious professional misconduct is published annually. Cases involving treatment are not broken down by specialty. Since the introduction of the professional performance procedures in July 1997, no doctor undertaking cosmetic surgery has been found to be seriously deficient.

Social Care Council

Dr. Cable: To ask the Secretary of State for Health when he expects to publish his White Paper on a General Social Care Council. [30584]

Mr. Boateng: We intend to publish the Social Services White Paper in the summer.

Meningitis

Mr. Willetts: To ask the Secretary of State for Health how many young people in higher education have *(a)* contracted meningitis and *(b)* died as a result of meningitis, in each of the last five years. [30491]

Ms Jowell: The table gives the number of laboratory reports of meningococcal disease and the number of deaths for ages 15–24; it is not possible to say how many of these cases were in higher education. Total figures for all ages and those for children under 5 are also included for comparison.

Public Health Laboratory Service laboratory reports culture positive (meningitis and septicaemia)

Year	All ages		Ages 15–24		Under 5s	
	cases	deaths	cases	deaths	cases	deaths
1993	1,298	173	191	27	674	51
1994	1,129	149	186	23	587	75
1995	1,459	196	300	47	661	81
1996	1,493	235	336	59	645	82
1997[1]	1,595	243	294	60	704	76

[1] Provisional data.

Mr. Willetts: To ask the Secretary of State for Health how much the Government are spending on raising awareness of the risks and symptoms of meningitis among students. [30490]

Ms Jowell: The Chief Medical Officer (CMO) holds an annual press briefing for journalists to raise public, professional and media awareness of meningitis. The CMO also writes to all doctors each year giving advice on the early diagnosis of suspected cases of meningococcal infection and stressing the need for immediate antibiotic treatment and urgent referral to hospital. The Department contributes to the many articles in newspapers and the medical press, and television and radio programmes that appear during the winter increase in cases.

Last year we also revised the Department's information leaflet entitled "Knowing about meningitis and septicaemia" available to the public from general practitioners' surgeries. As meningococcal infections peak with most cases in children under one year, with a second smaller peak in late teenagers we target extra information in these areas. The Health Education Authority (HEA), funded by the Department, produces a leaflet targeted at students, "Look out for your mate", which is distributed to colleges and universities. The Department provides funding to both the National Meningitis Trust and the Meningitis Research Foundation to support their valuable information work.

It is not possible to identify the amount spent on student awareness of meningitis separately, but it is a key theme of the Department's, the HEA's and the meningitis charities' information campaigns. 1.5 million "Look out for your mate" flyers and 35,000 posters were distributed to 765 colleges in England and Wales. 250,000 copies of the Department's "Knowing about meningitis and septicaemia" leaflet were printed last year.

NHS Trust Boards

Helen Jackson: To ask the Secretary of State for Health what progress he has made in ensuring that the boards of NHS trusts are more representative of the communities they serve; and how he intends to extend this principle to the boards of health authorities. [31371]

Mr. Dobson: Substantial progress has been made to meet the Government's election manifesto commitment to make National Health Service trust boards more representative of their local communities.

Working within the parameters for public appointments established by the Commissioner for Public Appointments, Sir Leonard Peach, and following my consultation with him, a number of substantial changes were announced last June to apply to the 1997 round of appointments of chairmen and non-executives to NHS trusts to fill 1005 vacancies out of a total of 2509 places on trust boards:

(a) The person specification for non-executives and chairmen has been changed to encourage more NHS users and carers. Candidates are expected to live in the area served by the trust.

(b) Interview panels have been instructed to ensure that all candidates are personally committed to the NHS and can bring a user's perspective to the board.

(c) Members of Parliament and Local Authorities have been asked to nominate candidates for consideration. These are not for reserved places but to widen the local base from which candidates can be drawn.

(d) The balance of board membership will move in favour of ordinary users and carers and those with a community voice.

(e) The commitment to the goals set for women and ethnic minorities on NHS boards has been reinforced.

Over 1,800 nominations were received from Members of Parliament and Local Authorities. Both these nominated candidates and those responding to public advertisements were considered against the new criteria. All appointments were made on merit under the Nolan rules, candidates having gone through the same selection process, including an interview with a panel including an independent member.

At 23 February, I have made 884 appointments to NHS trusts and a further 121 are currently under consideration. Of those appointed as non-executive directors in this round, 52.3 per cent. are women. Of those appointed as chairs, 35.5 per cent. are women. This is a significant improvement on the position inherited from the previous Government at 1 May.

We have also significantly improved representation of people from ethnic minorities. The previous Government set the target that each NHS trust with 10 per cent. of people from ethnic minorities in their local population should have a board member from an ethnic minority. They failed to achieve this in 19 of the NHS trusts to which appointments had to be made in 1997. I have made appointments of members from ethnic minorities in all but two of these. One was a specialist orthopaedic trust to which I appointed a disabled member. The other is to be merged in the summer of 1998. In total, 9 per cent. of appointments since 1 May have been of people from ethnic minorities, taking the total from 5 per cent. to 7.2 per cent.

Around a third of those appointed were existing board members reappointed for a further term of office after a previous period of satisfactory service.

Of those appointed, 620 have declared no political activity and 264 have declared that they have been politically active within the definition used by the Commissioner for Public Appointments. Twenty-five have been active on behalf of the Liberal Democrats, 29 on behalf of the Conservatives including a former

Cabinet Minister, 206 on behalf of Labour and four Other. Many of these people represent their community as serving councillors; 117 Labour, six Conservative, 16 Liberal Democrats and 3 Other.

The Government are committed to an open and transparent process for NHS appointments. The appointments process which we inherited from the previous Government was not consistent and varied from place to place. This is most unsatisfactory. In consultation with the Regional Chairmen I have produced guidelines which are to be followed in every part of the country. The guidelines also stipulate that there should be a standard procedure for assessing the performance of individual non-Executive directors and chairmen. These guidelines have been cleared with the Commissioner for Public Appointments and we will be placing copies in the Library.

These procedures will be used to identify candidates for the 302 vacancies for the boards of health authorities which will fall due in March. We are committed to ensuring that health authorities, like NHS trusts, have board members who represent the interests of local NHS users and carers. Public advertisements have already been placed and we have asked Members of Parliament and Chief Executives of local authorities to make nominations. Around 3,000 completed applications have already been received. To enable proper consideration to be given to all these candidates, especially as in future health authorities will be required to discharge additional duties, and to enable proper notice to be given to all appointees, I intend to ask the 302 incumbents to serve for an additional three months until 30 June 1998.

Full details of appointments to NHS bodies will be published in the Department of Health's Public Appointments Annual Report in March.

Dissolved NHS Trusts

Mr. Burgon: To ask the Secretary of State for Health what financial arrangements are being made in respect of the eight NHS trusts dissolved on 1 April 1997. [31502]

Mr. Milburn: Pursuant to the dissolution of eight National Health Service trusts on 1 April 1997, and their reconfiguration through the establishment of four new trusts on that date, we propose to create originating debt for the new trusts equal to the net assets transferred to them and therefore to remit the outstanding debt of the dissolved trusts.

These operations involve no overall loss to the Exchequer. Her Majesty's treasury has today presented a minute to the House giving the particulars and circumstances of the proposed remission which it has approved in principle.

Medicinal Drugs (Driving)

Mr. Flynn: To ask the Secretary of State for Health (1) what is the percentage of medicinal drugs which carry advice against driving after consumption; [31028]

(2) what assessment he has made of the *(a)* numbers and *(b)* percentage of prescription and over-the-counter drugs that warn users that they may impair their ability to drive. [30958]

Ms Jowell: The United Kingdom medicines licensing procedure requires any company applying for a marketing authorisation, to detail the effect of the medicine on the user's ability to drive. Advice that driving ability may be impaired is included where necessary. However, retrieval of the number or percentage of marketing authorisations carrying this advice from our records would incur a disproportionate cost.

Community and Acute Hospitals

Mr. Luff: To ask the Secretary of State for Health if he will make a statement on his policy on the role of community hospitals and their relationship to acute hospitals in the same health authority. [29320]

Mr. Boateng: I refer the hon. Member to the reply I gave the hon. Member for North Norfolk (Mr. Prior) earlier today.

Millennium Compliance

Mrs. Gillan: To ask the Secretary of State for Health if he will list the medical equipment currently being used in the Health Service which will need to be checked for millennium compliance. [25660]

Mr. Milburn *[holding answer 27 January 1998]:* The Medical Devices Agency has advised users to ensure that they have complete and accurate inventories of *all* medical devices and associated equipment that could possibly be date aware, and therefore could be adversely affected by such problems.

EL97/59 was issued to all health authorities and trusts in October informing them of their obligations and setting out milestones for achieving them.

HOME DEPARTMENT

Prevention of Terrorism Act

Angela Smith: To ask the Secretary of State for the Home Department when he intends to publish the report from Mr. J. J. Rowe QC on the Operation in 1997 of the Prevention of Terrorism (Temporary Provisions) Act 1989; and if he will make a statement on the future of the Act in the light of Mr. Rowe's report. [31503]

Mr. Straw: I have today arranged for copies of Mr. Rowe's report to be placed in the Library. Mr. Rowe recommends that the legislation should be renewed in its entirety for a further 12 months. A draft Order is being laid before the House today which continues in force most provisions of the Act for a further 12 months. In accordance with the announcement I made on 30 October 1997, *Official Report*, columns 1027–37, I have decided not to renew the exclusion order powers under Part II of the Act. This recognises the limited use which has been made of the powers in recent years. 248 orders were in force in 1982, falling to 74 in 1994. No exclusion order has been in force in Northern Ireland since February 1995. No order was made in 1996 or 1997 against anyone who had not been previously excluded despite the fact that the ceasefire had ended. By May 1997, 22 orders were in force. No orders are in force now. It has long been our view that the powers are of limited value and objectionable on policy grounds.

There is nothing in Mr. Rowe's report which leads me to change that view, nor has it been the practice of this or previous administrations automatically to follow the recommendations of reviewers. In 1987 a recommendation by Viscount Colville as part of his fundamental review of anti-terrorist legislation that exclusion orders were "draconian" and should be removed from the statute book was rejected by the government of the day.

The consultation document which is being prepared on future permanent United Kingdom-wide counter-terrorism legislation will provide an opportunity for discussion on whether the powers should be retained permanently or abolished. Our overall aim will be a framework of laws that are both effective and proportionate to the threat. This Government will never drop their guard in the fight against terrorism.

Laboratory Animals

Mr. Baker: To ask the Secretary of State for the Home Department (1) what steps he takes to examine journey plans and transport conditions for animals imported into the United Kingdom for use in experimentation before issuing licences under the Animals (Scientific Procedures) Act 1986; [31100]

(2) if he will undertake an urgent assessment of the conditions under which animals destined for use in experimentation are imported into the United Kingdom. [31099]

Mr. George Howarth: The Animals (Scientific Procedures) Act 1986 provides only for regulating the importation of species listed in Schedule 2 of the Act.

For animals listed under Schedule 2:

the Home Office must be satisfied that suitable animals cannot be obtained from designated sources;

the place from which the animals are being imported and the animals' provenance must have been established and must be acceptable to the Home Office;

the animals must be delivered to someone with responsibilities under the Act; and

details of any resulting transport related morbidity and mortality must be notified to the Home Office.

Outline travel plans must also be submitted. These must confirm that the arrangements (including travel times, the mode of transport and any special requirements for the type of animals involved) meet domestic and international welfare requirements; and they must identify who is responsible for the welfare of the animals at any point in the journey. The Animals (Scientific Procedures) Inspectorate scrutinises such applications and provides advice on whether and on what terms the animals should be imported.

In all cases, relevant domestic and international transport and welfare regulations must be complied with. These are the responsibility of other Government Departments and of international bodies, such as the International Air Transport Association.

Mr. Baker: To ask the Secretary of State for the Home Department on how many occasions since 1 January 1993 he has required licences applied for under the Animals (Scientific Producers) Act 1986 to be *(a)* refused and *(b)* withheld pending amendment because of concern about the transport conditions for animals imported into the United Kingdom for use in experimentation. [31105]

Mr. George Howarth: Central records which indicate why applications were refused or withdrawn are not kept.

It is rare that licences need to be formally refused. Normally, the Inspectorate will indicate to the applicant that the licence cannot be recommended in its current form and the applicant either amends or withdraws it.

I refer the hon. Member to the reply I gave him on 12 January 1998, *Official Report*, column *61*, where I explained that authority to acquire primates from a particular overseas source had been withdrawn because of problems relating to the transport of animals.

Handguns

Mr. Greenway: To ask the Secretary of State for the Home Department (1) on what date the decision to suspend compensation payments to handgun owners in the South Yorkshire police constabulary area was made; and for what reasons hon. Members and the relevant shooting organisations were not informed of that decision; [30216]

(2) if he will make a statement on the circumstances leading to the suspension of compensation payments to handgun owners in the South Yorkshire police constabulary area; and when he expects payments will be resumed. [30215]

Mr. Michael: Payments to gun dealers and individual claimants in South Yorkshire under the Firearms Compensation Schemes have been suspended as a result of investigations by the South Yorkshire Police. I have written to all hon. Members in South Yorkshire informing them of this development. The South Yorkshire Police are writing to all the claimants concerned and have set up a telephone inquiry line to keep claimants informed of the progress of the investigations. I understand that three police officers and one civilian employee have been suspended from duty. The first notification to Home Office officials of suspected fraudulent practices in relation to firearms compensation claims from some dealers in South Yorkshire was made on 12 November 1997.

Following a meeting between officials and police investigation officers, payments to South Yorkshire dealers were suspended, and the suspected claims were returned to the police for further analysis. On 26 January 1998, as a result of a further approach from the police investigation team, payments to individual claimants in South Yorkshire were also suspended, pending an emergency audit by the police of the claims received against the items actually surrendered.

It is inevitable that re-examination of claims by the police will cause delay and inconvenience to bona fide claimants, but it is essential that any fraudulent claims are identified. We have arranged with South Yorkshire police for claims to be validated by the police audit team in batches, rather than wait until all of the claims have been

rechecked, and the Home Office team will resume processing claims as the batches are received in order to keep delay and inconvenience to a minimum.

Immigration

Mr. Allan: To ask the Secretary of State for the Home Department what assessment he has made of the report of the Consultative Seminar on Standards and Regulation of Immigration Advice undertaken by the Lord Chancellor's Advisory Committee on Legal Education and Conduct and the figures on representation for March 1997 from the Chief Adjudicator of the Immigration Appellate Authority. [30734]

Mr. Mike O'Brien: The report and the figures provided by Judge Pearl identify problems with the standard of immigration advice and representation. Many of these have been addressed in the consultation document on the Control of Unscrupulous Immigration Advisers which was published on 22 January.

Sexual Abuse

Mr. Levitt: To ask the Secretary of State for the Home Department how many cases of sexual abuse of children by other juveniles, in the latest 10 year period available, *(a)* came to trial, *(b)* were sent to (i) a magistrates' court and (ii) a crown court, *(c)* involved more than one child victim giving evidence, *(d)* involved boy victims only, and how many of these were dealt with by magistrates' courts, *(e)* involved girl victims only, and how many of these were dealt with by magistrates' courts and *(f)* resulted in the successful conviction of a juvenile for the offence. [30461]

Mr. Michael: The available information given in the table shows the number of persons aged 10–13 and 14–17 either cautioned or proceeded against and convicted by type of court for certain sexual offences, where the victims were known to be aged under 16 years. It is not possible to identify, from the information held centrally, all sexual offences where the victim is aged under 16 years.

Number of persons aged 14 to under 18 tried and convicted at the Crown Court for sexual offences involving children aged under 16 England and Wales

Offence description		*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*
Buggery with a boy under the age of 16 or with a woman or an animal	Tried	5	12	10	16	10	11	4	9	3	—
	Convicted	5	12	9	14	9	8	3	8	3	—
Attempt to commit buggery with a boy under the age of 16 or with a woman or an animal	Tried	1	1	2	1	3	2	3	1	—	—
	Convicted	1	—	1	1	2	2	2	—	—	—
Buggery by a male of a male under 16[1]	Tried	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	4
	Convicted	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	1
Buggery by a male with a female under 16[1]	Tried	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	1
	Convicted	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	1
Indecent assault on male person under 16 years	Tried	1	3	3	4	6	6	1	1	5	9
	Convicted	1	3	3	3	5	6	1	1	5	9
Gross indecency by a male aged under 18 with another male	Tried	—	—	—	—	—	—	—	—	1	1
	Convicted	—	—	—	—	—	—	—	—	—	1
Rape of a female aged under 16[2]	Tried	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	26	37
	Convicted	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	14	18
Rape of a male aged under 16[2]	Tried	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	2	8
	Convicted	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	1	8
Attempted rape of a female aged under 16[2]	Tried	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	5	13
	Convicted	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	[3]—	5	9
Attempted rape of a male aged under 16[2]	Tried	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	1	—
	Convicted	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	[4]—	1	—
Indecent assault on a female under 16	Tried	27	38	31	34	22	29	19	19	23	55
	Convicted	23	34	26	28	19	26	16	18	19	38
Unlawful sexual intercourse with girl under 13	Tried	3	6	11	12	10	10	6	7	6	5
	Convicted	3	6	11	11	10	10	5	7	5	5
Unlawful sexual intercourse with girl under 16	Tried	4	4	4	6	3	6	8	4	3	17
	Convicted	4	3	4	6	2	6	8	4	3	17
Incest with a girl under 13	Tried	2	3	2	6	2	2	3	3	2	1
	Convicted	2	3	2	4	2	1	2	3	2	—
Inciting girl under 16 to have incestuous sexual intercourse	Tried	1	—	—	—	—	1	—	—	1	—
	Convicted	1	—	—	—	—	1	—	—	1	—
Abduction of unmarried girl under 16	Tried	1	—	1	—	1	—	—	1	—	—
	Convicted	1	—	—	—	1	—	—	1	—	—
Gross indecency with boys	Tried	—	2	1	1	—	2	—	—	—	1
	Convicted	—	2	1	1	—	1	—	—	—	1
Gross indecency with girls	Tried	3	1	1	1	2	1	1	—	—	2
	Convicted	2	1	1	1	2	—	—	—	—	2

[1] Buggery and attempted buggery offences under the Sexual Offences Act 1956 Section 12 as amended by the Criminal Justice and Public Order Act 1994, Section 143. Those between 1989 and 1994 inclusive are counted under the first offence in the table.

[2] Rape and attempted rape offences under the Sexual Offences Act 1956 Section 1 as amended by the Criminal Justice and Public Order Act 1994, Section 142. Prior to 1995 there was no age-specific offence of female rape or attempted rape.

[3] Not available.

[4] Not applicable.

Source:

Crime and Criminal Justice Unit, Home Office.

Police Surgeons

Helen Jones: To ask the Secretary of State for the Home Department, pursuant to his answer of 30 January 1998, *Official Report*, column *398*, what estimate he has made of the number of police surgeons who are refusing to carry out intimate body searches *(a)* in Cheshire and *(b)* nationally. [29275]

Mr. Michael *[holding answer 16 February 1998]:* I am informed that in Cheshire none of the 17 retained police surgeons will carry out an intimate body search without the consent of the suspect. The Association of Chief Police Officers (ACPO) Drugs Sub-Committee has recently conducted a national survey of police forces to assess how widespread this situation is. I do not have statistics but I am told that a significant number of forces replied stating that they are experiencing problems of this nature. I am inviting the ACPO Drugs Sub-Committee and the British Medical Association, which has issued guidelines on the subject, to meet Home Office representatives in an attempt to find a solution.

I am glad to say that not all police surgeons take the same view. The latest statistics available show that, of a total of 132 intimate searches carried out in 1996, 128 were carried out by, or in the presence of, a registered medical practitioner or a registered nurse.

When a police surgeon declines to conduct an intimate search, the options are to use any registered medical practitioner or a registered nurse.

AGRICULTURE, FISHERIES AND FOOD

Departmental Removal Costs

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food what was the cost of his Department's recent move from Whitehall Place West to Smith Square; and if he will make a statement. [27150]

Dr. John Cunningham *[holding answer 3 February 1998]:* The outturn removal costs for Ministers' offices and those of officials from Whitehall Place to the Department's accommodation at Nobel House, Smith Square, was £38,000.

Additionally alterations to Nobel House to prepare it for Ministers and senior officials cost £240,000, and £54,000 was spent on furniture and carpets for Ministerial offices. The move was completed on 24 November 1997.

Associated with this move, some staff from Nobel House were relocated to temporary accommodation at St. Christopher House, Southwark to create space for those moving from Whitehall Place. £253,000 was spent in preparing two floors at St. Christopher House for the Department's occupation. The building was already on the Government estate so there are no additional rental costs to the Exchequer. However, the Department will pay an occupancy charge (rent, rates and service costs) of £367,000 for the year to the Property Advisers to the Civil Estate, an executive agency of the Office of Public Service.

Slaughter Proposals

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food if he will propose to the Council of Agriculture Ministers the adoption of the European Commission's proposals to strengthen Council Directive 93/119EC by laying down legally binding minimum stunning currents and requiring the severing of both carotid arteries; and if he will make a statement. [30743]

Mr. Morley: My right hon. Friend would certainly wish to give priority to advancing negotiations on these matters in the Council of Ministers. However, the European Commission has yet to submit its proposals to the Council. We are continuing to press the Commission to bring forward its overdue proposals on welfare at slaughter.

Beef on the Bone

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food under what statutory authority he has taken steps to ban the display of beef on the bone on a butcher's counter. [27334]

Dr. John Cunningham *[holding answer 5 February 1998]:* Display of beef on the bone on a butcher's counter is not prohibited under the Beef Bones Regulations 1997. However, unless accompanied by an indication that it would be deboned before being sold, display could be construed as evidence that it was intended for sale. The sale of bone-in beef to the ultimate consumer is an offence under Regulation 3 of the Beef Bones Regulations 1997.

Countryside Protection

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what percentage of agricultural support has been allocated to countryside protection in each of the last five years. [29254]

Mr. Morley: Expenditure on agri-environment and other measures which have as their primary aim the protection of the rural environment is shown in the table. The table also shows this expenditure as a percentage of total agricultural support.

Year	*£ million*	*Percentage*
1992–93	73.6	3.6
1993–94	93.8	3.2
1994–95	99.2	3.9
1995–96	117.5	4.1
1996–97[1]	127.2	[2]2.9

[1] Forecast at time of publication of "Agriculture in the United Kingdom 1996".

[2] Total agricultural support increased substantially in 1996–97, largely because of BSE-related expenditure. This is reflected in a lower percentage figure for expenditure on agri-environment and similar measures.

A number of other measures also benefit the rural environment as part of their overall objectives. These include programmes to increase awareness of the environment among the farming community, and measures in support of upland areas.

Further details can be found in table 9.1 of "Agriculture in the United Kingdom 1996", a copy of which is available in the Library of the House.

Sheep Dip

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food what discussions his Department has held with *(a)* statutory agencies and *(b)* non-governmental organisations concerning synthetic pyrethroid sheep dips. [29725]

Dr. John Cunningham *[holding answer 16 February 1998]:* Officials of the Veterinary Medicines Directorate are in regular contact with statutory agencies and non-governmental organisations on a variety of issues relating to veterinary medicinal products, including synthetic pyrethroid sheep dips.

Farm Values

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 17 February 1998, *Official Report*, column *606*, what evidence he has evaluated to suggest that support for agriculture has been capitalised into the value of land. [30736]

Mr. Morley: There have been several studies providing evidence that agricultural support affects the value of land. A recent study on "The Social Economic Value of Agricultural Land" commissioned by the Department from Professors D. R. Harvey and K. Willis of Newcastle University summarises the theory and available evidence. Copies of this report have been placed in the Library of the House.

Fishing Vessels

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food how many beam trawlers are based at each English fishing port. [30529]

Mr. Morley: The most recent definitive information relates to end-1996 when the numbers of fishing vessels in the beam trawl segment administered from English ports were as follows:

Administrative port	*Number of vessels in the beam trawl segment*
Grimsby	17
Lowestoft	65
Hastings	11
Poole	10
Plymouth	10
Newlyn	38
Brixham	26
Fleetwood	3
Total English ports	180

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food how many British-registered foreign-owned fishing vessels there are at each English fishing port. [30528]

Mr. Morley: There are 56 British-registered fishing vessels which are regarded as being wholly or partly owned or controlled by foreign interests and which are licensed by the Department's port offices in England, although many operate predominantly out of foreign ports. The numbers and administrative port offices are set out.

Port office	*Number of vessels*
Grimsby	21
Brixham	1
Plymouth	15
Newlyn	19

Fishing (EU Finance)

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food if he will list the amount of EU finance for fishing in the form of *(a)* decommissioning grants and *(b)* support for construction and rebuilding grants given to (i) the United Kingdom, (ii) Spain and (iii) the Netherlands for each year since 1990, together with the amount of nationally funded support known to him. [30486]

Mr. Morley: The amount of financing for the United Kingdom is as follows:

£ million

Year	*Decommissioning*		*Construction and modernisation, including safety improvements*	
	EU	*National*	*EU*	*National*
1989–90	—	—	4.21	5.69
1990–91	—	—	2.23	3.10
1991–92	—	—	1.49	2.28
1992–93	—	—	1.41	1.28
1993–94	5.40	2.38	0.36	1.73
1994–95	3.02	5.75	—	2.27
1995–96	3.18	6.44	0.36	2.42
1996–97	5.68	4.55	1.05	0.90

Only limited information is held on support in other Member States. That most readily available relates to total EU expenditure in 1986–93 as published by the European Commission[1].

£ million

	Decommissioning	*Construction*	*Modernisation*
Spain	182.64	105.96	58.05
Netherlands	53.46	—	1.62

No figures are available for actual expenditure in these countries from 1994 onwards. Planned expenditure under the financial instrument for fisheries guidance as set out in sectoral plans for the period 1994–99[1] adopted by the European Commission is as follows:

£ million

	Decommissioning		*Construction and Modernisation*	
	EU	*Nat*	*EU*	*Nat*
Spain	422.6	215.5	435.5	160.7
Netherlands	12.5	12.5	2.9	1.2

[1] Converted from ecus at the rate £1 = 1.319 ecu.

Fishery Quotas

Mr. Townend: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 12 February 1998, *Official Report*, column *374*, on the system of national quotas, what type of derogation the system of national quotas constitutes. [30692]

Mr. Morley: The system of national quotas under the Common Fisheries Policy derogates without time limit from the principle of equal access.

Genetically Modified Rapeseed

Mr. Alan Simpson: To ask the Minister of Agriculture, Fisheries and Food if the application for national seed listings submitted to his Department by Plant Genetic Systems, for genetically engineered varieties of oilseed rape, known as Socrates and Archimedes (PHY31 and PHY35), has been stopped. [31088]

Mr. Morley: No, the applications have not been stopped. However, no decision about whether to place these varieties on the National List will be taken until the appropriate marketing consents have been issued by the French authorities in accordance with Council Directive 90/220/EEC on the release of genetically modified organisms to the environment. In December 1996, Member States voted in favour of this genetically modified oilseed rape being placed on the market and the decision was published in the Official Journal. However, the French Competent Authority, who have responsibility for giving these consents to Plant Genetic Systems, have not yet implemented the decision.

Integrated Administration and Control System

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 17 February 1998, *Official Report*, column *608*, concerning IACS forms, if he will establish systems to *(a)* monitor the effectiveness of the use of IACS and similar forms and to *(b)* improve the accuracy of information supplied on the forms and the efficiency of its processing. [30684]

Mr. Rooker *[holding answer 23 February 1998]:* These issues are being considered as part of a study currently underway into the processes used by the Department to deliver CAP scheme payments. The results of the study, which is being carried out by Coopers & Lybrand Management Consultants working with the Department and the Efficiency Unit of the Cabinet Office, will be considered by Ministers as part of the Comprehensive Spending Review, the outcome of which will be made public later this year.

Poultrymeat

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will publish the poultrymeat residue testing programmes of Thailand and Brazil together with the test results. [30943]

Mr. Rooker *[holding answer 23 February 1998]:* Under EC Directive 96/23/EC, any third country wishing to export fresh meat to the European Union (EU) must submit residue testing plans to the EU Commission, as the Commission has competence in this area. The Commission does not publish the residue testing programmes of third countries or the test results that derive from them.

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food what is the estimated annual cost of the residue testing programme for the United Kingdom poultrymeat sector as required by Directive 96/23/EC; and what estimate he has made of the total cost to the sector of the EU fixed standard charges. [31101]

Mr. Rooker: The Charges for Inspections and Controls Regulations 1997 implement in GB the provisions of Directive 96/43/EC. This Directive requires member states to recover the actual costs of surveillance arising from the requirements of Directive 96/23/EC from the industry affected and lays down minimum charges in respect of redmeat, poultrymeat, farmed fish, game and milk. In the case of poultry, the income raised by setting the charge at the EU minimum will exceed the cost of the surveillance programmes and in this situation the Veterinary Medicines Directorate (VMD) is obliged by Directive 96/43/EC to levy the EU minimum charge.

The VMD currently estimates the cost of the surveillance programme in Great Britain to be £0.811 million and the cost to the industry, based on a charge of £1,0461 per tonne of poultrymeat produced, to be £1.3 million.

The Department of Agriculture, Northern Ireland is responsible for the implementation of Directives 96/23 and 96/43 in Northern Ireland.

Milk

Dr. Moonie: To ask the Minister of Agriculture, Fisheries and Food what plans he has to extend the pasteurisation of milk; what species will be included; and if he will make a statement. [30729]

Mr. Rooker: We have no definite plans. We are consulting on a proposal to ban sales of raw cows' drinking milk throughout the UK, and will consider the issues in the light of the consultation responses and the scientific advice.

Beef Imports

Mr. Menzies Campbell: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 29 January 1998, *Official Report*, column *350*, on beef imports, when he will be able to provide figures for January 1998. [30452]

Mr. Rooker: Overseas Trade Statistics for January 1998 will be available towards the end of April 1998.

Animal Experiments

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will list his Department's power to control the conditions under which animals destined for use in experimentation are imported into the United Kingdom; and if he will make a statement. [31098]

Mr. Morley: All animals imported into the UK are subject to the new animal transport rules that were introduced last year. Importers are required to give a written undertaking that arrangements have been made to comply with the terms of EU Directive 91/628 on the

protection of animals during transport. The animals must not be transported in a way that causes or could cause injury or unnecessary suffering, and strict rules covering the construction and maintenance of the receptacles and means of transport used must be complied with. In addition, under the Rabies (Importation of Dogs, Cats, and Other Mammals) Order 1974 (as amended), rabies susceptible mammals imported into the UK must be licensed and must undergo 6 months quarantine on arrival at an authorised quarantine premises, with the exception of certain traded animals from other EC Member States that comply with the requirements of Council Directive 92/65/EEC.

Fishing Industry

Ms Osborne: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of discussions with the fishing industry on arrangements to implement United Kingdom obligations under MAGP IV, with particular reference to the introduction of effort controls in the pelagic and beam trawl segments; and if he will make a statement. [31038]

Mr. Morley: As I explained to the House on 17 December 1997, *Official Report*, columns *227–29*, the progress made during negotiations with the European Commission on the UK's detailed plans for implementing MAGP IV, together with the results of the 1997 Decommissioning Scheme, mean that, provided fishing effort in other fleet segments does not increase, immediate further action in 1998 can be limited to the introduction of effort controls in the pelagic and beam trawl segments.

I also explained that the Government's preference was for such controls to be managed by the industry itself and that detailed discussions with the fishermen concerned would be held without delay. As a result of those meetings, it has been possible for the fishing effort available in 1998 to be allocated between the various Producer Organisations (POs) or groups of fishermen concerned. The allocations are, however, provisional and will need to be reviewed as definitive information about activity in 1997 becomes available.

All POs and groups have been invited to manage their uptake of effort to stay within these allocations on whatever basis they and their members consider appropriate within their constitutions. The Government are not seeking to impose any particular formula for this and are not making any allocations of effort to individual vessels. POs and groups will therefore have the flexibility to respond to local circumstances and, within their allocations, to take account of any special factors affecting particular members. I would expect them to do this in a fair and responsible way in accordance with their rules. These arrangements are expected to cover virtually all vessels definitively assigned to both segments this year. There may, however, be a few vessels which remain outside PO or other membership, for which a separate non-sector effort allocation will operate.

Where POs or groups remain within their effort allocations no further action by Government will be needed. But in cases where monitoring shows risks that allocations will be exceeded, POs or groups will be warned and fishing by their members suspended, through the licensing mechanism, if no appropriate response is made.

Guidance on the arrangements for measuring and monitoring fishing effort is being issued to all fishermen concerned and copies will be placed in the Library of the House shortly, together with details of the provisional effort allocations.

In addition to the above, certain limited changes are being introduced for distant water vessels, which were the subject of a separate consultation exercise with those concerned. These are designed to reflect the possibility of effort outside EU waters being varied in line with fishing opportunities, as provided for in Article 8 of Council Decision 97/413/EC. But any such requests need also to be cleared with the European Commission and will be subject to examination on a case by case basis.

All the above changes are without prejudice to the further consultations on the operation of the licensing system, which I announced on 17 December, and to the review of the current moratorium on the issue of distant water licences, which will be taking place shortly.

The Government recognise that the introduction of these effort management measures represents a new development in fisheries policy. We are alive to the concerns of the industry and will be seeking to ensure that the details of implementation are as practically devised as possible. The arrangements will be kept under review and, in particular, we shall want to consider the possible need for changes at the time of the Commission's interim review of MAGP IV in the first quarter of 1999.

BSE

Ms Shipley: To ask the Minister of Agriculture, Fisheries and Food what action he has taken to implement the recommendations in the SEAC Review. [31499]

Dr. John Cunningham: The review recommended a number of additional appointments to the Committee including an expert from the Institute for Animal Health and a representative of the public interest. My right hon. Friends the Secretaries of State for Health, for Scotland, for Wales and for Northern Ireland and I have made the following appointments to the Committee:

Professor Adriano Aguzzi;

Professor Roy Anderson FRS;

Professor Anne Ferguson;

Dr. Peter Goodfellow FRS;

Mrs. Harriet Kimbell, Representative of the public interest;

Dr. Christopher Bostock, Representative of the Institute for Animal Health.

The review recommended that members not on fixed-term appointments who had served fewer than three or six years should be formally appointed up to the end of the 3rd and 6th year respectively; and that those who had served more than 6 years should be put on a fixed appointment for one year, all with the possibility of extension in individual cases. The following additional terms on the Committee commencing on 1 January 1998 have been offered to, and accepted by, members:

Professor Sir. John Pattison (Chairman) and Dr. Robert Will, Director of the CJD Surveillance Unit, (Deputy Chairman), a further 3 years;

Professor Fred Brown FRS, Dr. Richard Kimberlin, Mr. David Pepper and Dr. William Watson, who have served on SEAC for more than 6 years, a further one year;

Professor William Hueston, who has served on SEAC for more than 4 years, a further two years.

The review also recommended that SEAC meetings should be attended by;

a technical adviser from the Central Veterinary Laboratory of the Department's Veterinary Laboratory Agency;

an observer from the Health and Safety Executive; and

an observer from the Transmissible Spongiform Encephalopathy (TSE) Research and Development Funders' Co-ordination Group, which represents the major funders of TSE research.

All other recommendations of the review have been implemented. An Annual Report will be published later this year and we will announce proposals for the participation of the Food Standards Agency in the Secretariat in due course.

FOREIGN AND COMMONWEALTH AFFAIRS

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26662]

Mr. Tony Lloyd *[holding answer 5 February 1998]:* Statistics about sick absence in the FCO will be available later this year and could not be provided now except at disproportionate cost. While the FCO has always collected data on sick absence for individual monitoring and pay purposes, the system has been computerised only since the beginning of 1997. Since then we have been keying in back data from January 1994 which will allow us to make comparisons with previous years, to identify any patterns and to benchmark against other organisations. Software to generate statistical reports of staff absences during a specified period (including the lengths of absences and the number of staff who have taken sick absence, broken down by grade and post) will be developed and tested this year.

My noble Friend the Under-Secretary of State, Baroness Symons, will send the hon. Member sick absence statistics for the FCO as soon as they are available.

Correspondence

Mrs. Ewing: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese languages. [28057]

Mr. Tony Lloyd *[holding answer 10 February 1998]:* We respond to any letters received no matter in what language. We normally reply in English to letters dealt with in the UK and, where appropriate, in a local language to letters dealt with by our Posts overseas.

NATO Headquarters, Gibraltar

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the withdrawal of NATO headquarters from Gibraltar. [30808]

Mr. Tony Lloyd: I refer my hon. Friend to the answer given to him by my hon. Friend the Minister for the Armed Forces on 12 February 1998, *Official Report*, column 298.

Iraq

Mr. Key: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the cost to the United Kingdom in terms of *(a)* manpower and *(b)* finance for each year of operation of the UN Special Commission on Iraq. [30932]

Mr. Tony Lloyd: We support UNSCOM by providing expert personnel on a cost-free basis. The breakdown of costs for each year of our support is:

Year	*£ million to date*
1997–98	1.2
1996–97	0.9
1995–96	1.1
1994–95	1.0
1993–94	0.6
1992–93	0.9
1991–92	0.5

Defence Exports

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government has taken, other than seeking intergovernmental assurances, to ensure that military equipment sold abroad by British companies is not used for *(a)* internal repression and *(b)* acts of extra-border military aggression. [30831]

Mr. Tony Lloyd: I refer to the answer given by my right hon. Friend the Foreign Secretary to my hon. Friend the Member for East Ham (Mr. Timms) on 28 July 1997, *Official Report*, columns *26–29*, in which he announced criteria to be used in considering licence applications for conventional arms exports. These specified inter alia that an export licence would not be issued if the proposed export might be used for internal repression or aggressively against another country. All applications since then have been considered against these criteria.

Israel

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps his Department has taken to ensure Israel implements United Nations Security Council resolutions passed in respect of Israel and her neighbouring states. [30832]

Mr. Fatchett: We will continue to give our firm support to the Middle East peace process to bring about a comprehensive settlement based on clearly stated positions of principle and international legality with regard to Israel. We have made clear to Israel that the implementation of existing agreements, based on UN Security Resolutions 242, 338, and 425 and the principle of 'land for peace' is fundamental to a just and lasting peace with her neighbours.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the size of Israel's *(a)* nuclear and *(b)* chemical weapon arsenal. [30833]

Mr. Fatchett: We remain concerned about reports that Israel may have a nuclear weapons programme and chemical weapons. We continue to urge Israel to allay international suspicions on both fronts: by, acceding to the Non-Proliferation Treaty as a non-nuclear weapon State and concluding a full-scope safeguards agreement with the International Atomic Energy Agency; and by ratifying the Chemical Weapons Convention which Israel signed in 1993.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will take steps to secure the release of Mordechai Vanunu. [30834]

Mr. Fatchett: We have no formal standing to intervene in this case as there is no evidence of any illegality prior to Mr. Vanunu's departure from the United Kingdom. However, we do take opportunities to raise with the Israeli authorities the matter of Mr. Vanunu's solitary confinement. I did so during my visit to Israel last month.

Caribbean (Nuclear Waste)

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he received during his recent visit to the Bahamas from his Bahamian counterpart on the risks of nuclear waste and materials shipments through the Caribbean. [30835]

Mr. Fatchett: Shipments of vitrified nuclear waste and spent fuel through the Caribbean were discussed fully at the UK/Caribbean forum in Nassau on 13 February. Many Caribbean countries were represented at ministerial level. My right hon. Friend the Foreign Secretary reassured countries in the region about concerns over safety and liability.

International Criminal Court

Mr. Olner: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy towards the proposed International Criminal Court. [31448]

Mr. Tony Lloyd: We fully support the creation of an effective International Criminal Court to try those accused of the most serious crimes of international concern. We are continuing to play an active part in the negotiations which aim to agree the establishment of such a Court at the Diplomatic Conference in Rome this summer. To assist the negotiating process we are convening, as the EU Presidency, a group of EU experts on the subject at the Foreign and Commonwealth Office on 25–26 February. We are also contributing $100,000 to a UN Trust Fund to assist representatives of the 48 Least Developed Countries to attend the Diplomatic Conference and the remaining meeting of the Preparatory Committee. I have today placed in the Libraries of the House a paper setting out our policy on the Court in greater detail.

Diego Garcia

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what examination he has made of the application of UN General Assembly Resolution No. 1514 to the former residents of Diego Garcia; and if he will make a statement. [30966]

Mr. Tony Lloyd: The islands of the British Indian Ocean Territory are British, and have been since 1814 when ceded by France. We do not accept that they were ever an integral part of Mauritius. We do not therefore consider that General Assembly Resolution 1514, which was concerned with the partial or total disruption of the national unity and territorial integrity of a country, has any application to the Territory.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the situation of former residents of Diego Garcia in Mauritius; if he will take steps to enable them to return to Diego Garcia; and if he will make a statement. [30794]

Mr. Tony Lloyd: Successive British Governments have given generous financial assistance to help with the resettlement of the Ilois in Mauritius. It is possible for the Ilois to apply for contract work at the defence facility on Diego Garcia. But given the absence of infrastructure needed to sustain inhabitation, a wider return by them to the other islands of the British Indian Ocean Territory is not a realistic prospect.

Kuwait

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Kuwait concerning *(a)* democratic rights and *(b)* the rights of non-Kuwaitis legally resident; and if he will make a statement. [30767]

Mr. Fatchett: During my visit to Kuwait in June 1997 and in meetings with senior Kuwaiti visitors since, I have discussed democratic development and commended the role of the directly elected National Assembly. We raise other issues, including the rights of non-Kuwaiti nationals, as appropriate.

Bosnia

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations relating to human rights were made to his Department's Ministers during visits to Bosnia; and if he will make a statement. [30768]

Mr. Tony Lloyd: We regularly discuss human rights issues in Bosnia with the Bosnian authorities and others concerned with this aspect of implementation of the Dayton Agreement. The issue figured prominently in discussions during my right hon. Friend the Foreign Secretary's visit to Bosnia in July 1997 and my own in October. The human rights agenda in Bosnia is moving forward but much remains to be done, especially on refugee return to all parts of Bosnia, a free media and transfer of war crimes indictees to the International Criminal Tribunal in the Hague. Respect for human rights is crucial to full implementation of the Dayton Agreement, a fact which was underlined strongly at the Peace Implementation Conference in Bonn (December 1997). Together with our partners and Allies, we are keeping up the pressure on all the parties in Bosnia to meet their obligations in this regard.

St. Helena

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the powers the Governor of St. Helena has relating to planning permission and the erection of buildings independently of any resolution passed or act done by the Legislative Council of the island. [30991]

Mr. Tony Lloyd: The Governor, St. Helena, has no powers relating to planning permission and the erection of buildings outside any resolution passed or act done by the Legislative Council of the island.

INTERNATIONAL DEVELOPMENT

East Africa

Mr. Vaz: To ask the Secretary of State for International Development if she will make a statement on the level of aid to East African countries in 1997. [30475]

Clare Short: The figures for calendar year 1997 are not yet available. However, it is expected that in the 1997–98 financial year the total amount of UK bilateral development assistance to the East African countries of Kenya, Tanzania and Uganda will be over £100 million. This figure does not include the UK's share of multilateral development assistance to the region.

Mr. Vaz: To ask the Secretary of State for International Development what proportion of aid to East Africa is being used to finance Government-sponsored *(a)* public health projects and *(b)* education projects. [30476]

Clare Short: Calendar year figures for 1997 are not yet available. However, it is estimated that in 1997–98 financial year the proportion of UK bilateral development assistance to the East African countries of Kenya, Tanzania and Uganda used to finance health and education improvements will be between 23 per cent. and 26 per cent. for each sector.

NORTHERN IRELAND

RUC Officers

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland, pursuant to her answer of 14 January 1998, *Official Report*, column 333, if she will list the perceived religion of *(a)* sergeants and *(b)* inspectors in the RUC in percentage terms. [24106]

Mr. Ingram *[holding answer 20 January 1998]:* The perceived religion of sergeants in the RUC as at 2 February 1998 was 90.4 per cent. Protestant, 7.81 per cent. Roman Catholic and 1.79 per cent. undetermined. For inspectors, at the same date, the figures were 86.78 per cent., 9.92 per cent. and 3.3 per cent. respectively.

Bombings

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what assessment she has made of which terrorist organisation planted the recent bombs at Market Hill, Banbridge and Enniskillen; and if she will make a statement on each incident. [26742]

Mr. Ingram: The police believe at this time that the Continuity IRA were responsible for these bombing attacks.

Queen's Counsel

Mr. Gordon Prentice: To ask the Secretary of State for Northern Ireland how many and what percentage of members of the judiciary and other consultees who were asked for an opinion on the suitability of applicants for silk, declined to express an opinion in the last year for which figures are available. [30384]

Mr. Ingram: Records are not maintained in a form that would permit this question to be answered.

RUC, Antrim Road

Mr. McNamara: To ask the Secretary of State for Northern Ireland when and who signed the contract on behalf of the Police Authority for Northern Ireland for the purchase of land at Antrim Road, Belfast, where RUC Antrim Road now stands; if the Common Seal was applied; and if the transaction was numbered and recorded in the book provided. [29220]

Mr. Ingram *[holding answer 23 February 1998]:* The purchase of land at Antrim Road, Belfast, for the RUC Antrim Road complex was acquired in two parts. The first part consisting of 10 properties was acquired by way of a Vesting Order, signed by the Secretary of State on 14 October 1974.

The second part consisting of two properties was acquired by Private Treaty in 1979. The contracts for both properties were signed by Senior Officials of the Police Authority. The Common Seal was not applied as there was no provision nor requirement to do so for this type of transaction. Transactions are numbered and recorded only where the Common Seal has been applied.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will place in the Library copies of the *(a)* correspondence, *(b)* surveys, *(c)* contracts, *(d)* minutes of the Police Authority and *(e)* other relevant material concerning the purchase of land at Antrim Road, Belfast, for the building of a police station. [29221]

Mr. Ingram *[holding answer 23 February 1998]:* The correspondence, surveys, contracts, minutes and other relevant material requested contain information which should not be disclosed for security reasons. Therefore the information requested will not be placed in the Library.

Mr. McNamara: To ask the Secretary of State for Northern Ireland which members of the Police Authority declared a pecuniary or other interest in the purchase of land at Antrim Road, Belfast, for the building of a police station. [29222]

Mr. Ingram *[holding answer 23 February 1998]:* The late Sir Myles Humphreys, the then Chairman of the Police Authority for Northern Ireland, declared an interest in No. 11 Cavehill Road, a property the purchase of which was under consideration by the Police Authority.

Mr. McNamara: To ask the Secretary of State for Northern Ireland who were the vendors of land at Antrim Road, Belfast, purchased for the building of RUC Antrim Road, Belfast; and what was the purchase price paid by the Police Authority. [29223]

Mr. Ingram *[holding answer 23 February 1998]:* The following properties 274, 276, 278, 280, 282, 286 and 288 Antrim Road and 9 and 35 Cavehill Road—were vested by the Secretary of State in 1974. Two further properties—11 and 13 Cavehill Road—were purchased by the Authority in 1979. The names of the vendors cannot be released for security reasons. Records for prices paid for the properties are incomplete. However prices paid for eight of the twelve properties totalled £61,750.

Police (Personal Equipment Purchases)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will list by item and amount the personal fitness equipment purchased since June 1989 by *(a)* the Police Authority and *(b)* the RUC from public funds for the use of chief officers at RUC Headquarters Brooklyn; and what is the present location and value of the equipment. [29224]

Mr. Ingram *[holding answer 23 February 1998]:* Since July 1989 two items of personal fitness equipment have been purchased by the Police Authority for use by Chief Officers at RUC Headquarters, Brooklyn. No items have been purchased by the RUC. The individual items comprised a ski machine costing £699 and a rowing machine costing £600.

The ski machine has since been disposed of due to its dilapidated condition. The rowing machine is now located within a police station fitness room and has an estimated residual value of £300.

Seapark Complex

Mr. McNamara: To ask the Secretary of State for Northern Ireland which estate agents and surveyors were involved in the identification and sale of the Seapark Complex at any stage; to whom commissions were paid; and what was the amount. [29964]

Mr. Ingram *[holding answer 23 February 1998]:* No estate agents or surveyors were involved in the identification and sale of the Seapark Complex. The Valuation and Lands Agency act for and on behalf of the Police Authority in such matters and it is not possible to segregate the fee paid as the charge levied by the Valuation and Lands Agency was part of an annual fee.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will place in the Library copies of the *(a)* correspondence, *(b)* surveys, *(c)* contracts, *(d)* minutes of the Police Authority and *(e)* other relevant material concerning the purchase, development and subsequent asbestos problems at the Seapark Complex. [29216]

Mr. Ingram *[holding answer 23 February 1998]:* The correspondence, surveys, contracts, minutes and other relevant material requested contain information which should not be disclosed for security reasons. Therefore the information requested will not be placed in the Library.

Mr. McNamara: To ask the Secretary of State for Northern Ireland who signed the contract on 4 March 1988 on behalf of the Police Authority for Northern Ireland for the purchase of the Seapark Complex, Carrickfergus; if the Common Seal was applied; and if the transaction was numbered and recorded in the book provided. [29215]

Mr. Ingram *[holding answer 23 February 1998]:* A Senior Official of the Police Authority for Northern Ireland signed the contract for the purchase of the Seapark Complex. The Common Seal was not applied as there was no provision nor requirement to do so for this type of transaction. Transactions are numbered and recorded only where the Common Seal has been applied.

Mr. McNamara: To ask the Secretary of State for Northern Ireland which members of the Police Authority declared a pecuniary or other interest in the purchase of the Seapark Complex between 1986 and 1989. [29217]

Mr. Ingram *[holding answer 23 February 1998]:* Mr. T. Rainey, the then Chairman of the Police Authority for Northern Ireland (and former Managing Director of Rothmans International Tobacco (UK) Ltd.) declared an interest in the Authority's considerations relating to the purchase of Seapark.

Mr. McNamara: To ask the Secretary of State for Northern Ireland for what reasons professional surveys carried out at the Seapark Complex before purchase by the Police Authority failed to reveal the presence of an asbestos problem. [29218]

Mr. Ingram *[holding answer 23 February 1998]:* Professional surveys carried out at Seapark prior to its purchase by the Police Authority indicated the presence of asbestos based materials in a number of areas within the complex. The survey concluded that in the majority of cases the material did not constitute a hazard to health and could remain until such times as planned building works required its removal. In those cases where the material was considered to constitute a hazard to health, it was removed.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will list the cost and remit of each of the professional, architectural, structural, mechanical and electrical surveys carried out before the purchase of the Seapark Complex; and what steps are being taken to establish the reasons for the failure to identify the subsequent problems with asbestos material. [29219]

Mr. Ingram *[holding answer 23 February 1998]:* In February 1987 the Police Authority commissioned the Department of the Environment to carry out an urgent property condition report on the Rothmans Carreras Factory at Seapark. The Police Authority indicated that it would be content to receive a report based on preliminary findings relating to the condition of the property, both architecturally and structurally, and on the standard of mechanical and electrical services.

The presence of asbestos material was recorded in the initial condition survey and all subsequent decisions took this into account.

SCOTLAND

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for Scotland if he will list all visits made within the United Kingdom since 1 May on which *(a)* he and *(b)* other Ministers within his Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23755]

Mr. Dewar *[holding answer 19 January 1998]:* None.

Private Water Supplies

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what assessment he has made of the potential environmental implications in respect of private water supplies associated with the withdrawal of the rendering industry support scheme; what discussions he has had with SEPA on the issue; and if he will make a statement. [30548]

Mr. Macdonald: The withdrawal of Government support to the rendering industry should have no implications for the water supply, either public or private, provided existing guidelines on the disposal of animal carcases are observed by the agricultural community. My officials are monitoring the situation and are in regular contact with SEPA and other enforcement interests.

Children's Hearings

Mr. Ernie Ross: To ask the Secretary of State for Scotland if he will make a statement on what measures he is taking to speed up the throughput of cases entering the children's hearing system. [31501]

Mr. Galbraith: Last July I invited Mrs. Sally Kuenssberg, Chairman of the Scottish Children's Reporter Administration, to form a working group to investigate what could be done to reduce the time interval between a case being referred to the children's reporter and disposal by a children's hearing. The group has now reported and I have today placed a copy of the report "Just in Time" in the House Library.

The report is a valuable analysis of the delays experienced in the hearings system and puts forward many constructive suggestions for overcoming them. I have endorsed the general approach in the report and have written to the key agencies concerned to encourage inter-agency co-operation wherever possible.

The report makes 74 recommendations, some of which can be implemented immediately through the Administration. For the remainder, I have asked Mrs. Kuenssberg's group to take forward this work in consultation with the agencies concerned and to consider what practical measures might be taken to implement these in the medium and long term. The group will initially have one year to undertake this work and I have asked for an interim report by September.

Land Reform Policy Group

Mr. Ernie Ross: To ask the Secretary of State for Scotland when his Land Reform Policy Group plans to consult on its work. [30916]

Mr. Dewar: I am pleased to announce that tomorrow the Land Reform Policy Group is issuing its first consultation paper.

The Group, chaired by my noble Friend the Minister for Agriculture, the Environment and Fisheries, is undertaking an assessment of proposals for land reform in rural Scotland. Excellent progress has been made since the Group was established last October, and its first consultation paper seeks views on what are the most significant problems and issues in relation to land reform. In the summer, the Group will consult again on what are the best solutions. I know that these are issues that raise great interest and concern in Scotland and I hope that as many people as possible will take the opportunity to respond.

EDUCATION AND EMPLOYMENT

Teacher Training

Mr. Faber: To ask the Secretary of State for Education and Employment how many new entrants into teacher training have been recorded since the launch of the publicity campaign, No-one Forgets a Good Teacher; and what proportion of those new entrants had expressed an interest in the profession prior to the launch. [30986]

Ms Estelle Morris: The response to the Teacher Training Agency's (TTA) advertising campaign has been very positive. Between October 1997 and January 1998 the TTA's Teaching Information Line received 25,418 inquiries, a 76 per cent. increase above the same period in the previous year. And in January 1998 there were on average 53,000 hits per week to the TTA's website, compared to around 13,500 hits per week in September 1997. We will not know how many new entrants have entered teacher training until the autumn, which will be the first intake following the publicity campaign and we have no information on the proportion of such entrants who may have expressed an interest in teaching prior to the launch of the campaign.

Grammar Schools

Mr. Dorrell: To ask the Secretary of State for Education and Employment how many applications for places were received by grammar schools for 1997–98; and how many places were available. [30731]

Mr. Byers: This information is not held centrally.

Higher Education

Mr. Welsh: To ask the Secretary of State for Education and Employment if he will implement the National Committee of Inquiry into Higher Education recommendations for additional funding for the higher education sector in 1998–99 and 1999–2000. [31246]

Dr. Howells: We have announced a package of measure which will allow the higher education sector to spend an extra £165 million in 1998–99. This includes an additional £125 million for universities and colleges in England to maintain and improve quality and standards, and to make a start on the backlog of maintenance and equipment replacement. The package meets the Dearing Committee's first priority of limiting the real terms reduction in funding per student to 1 per cent.

Decisions for 1999–2000 and beyond will be taken in the context of the Government's Comprehensive Spending Review. But we have made clear that savings from the new funding arrangements for higher education would be used to improve quality, standards and opportunities for all in further and higher education.

Mr. Dorrell: To ask the Secretary of State for Education and Employment what proportion of pupils from *(a)* grammar schools, *(b)* independent schools, *(c)* grant-maintained schools and *(d)* comprehensive schools went into higher education in 1997–98. [30732]

Dr. Howells: The information is not available in the form requested. The following table gives the prior educational establishment of students who accepted

full-time and sandwich undergraduate places through the Universities & Colleges Admissions Service (UCAS) in Autumn 1997.

Numbers of students accepting[1] places in higher education in autumn 1997 by prior educational establishment

	UCAS acceptances	
	Number	*Per cent.*
Total maintained, *of which:*	100,226	40
Grammar schools	18,643	7
Comprehensive schools	77,241	31
Other maintained	4,342	2
Independent schools	31,342	12
Further education colleges	103,894	41
Other	16,959	7
Total[2]	252,421	100

[1] Universities and Colleges Admissions Service (UCAS) data cover students of all ages accepting places on full-time and sandwich undergraduate courses throughout the UK.

[2] The total excludes 51 thousand students whose prior education establishments are not known.

Welfare to Work

Mr. Keetch: To ask the Secretary of State for Education and Employment if he will reassess the budget allocation to Welfare to Work schemes for (i) unemployed *(a)* disabled people, *(b)* lone parents, *(c)* young people and (ii) long-term unemployed people to take account of changes in unemployment levels over the last six months. [31057]

Mr. Andrew Smith: We are keeping the budgets of our Welfare to Work programmes under review in the light of the numbers of eligible people, the effectiveness of the programmes and any further policy developments.

Mr. Keetch: To ask the Secretary of State for Education and Employment what estimate he has made of the number of disabled people who will benefit from the Welfare to Work scheme for disabled people in its first year of operation. [31096]

Mr. Alan Howarth: Many people on sickness and disability benefits wish to work but lack the necessary support or encouragement to do so. Through the New Deal for Disabled People we will be exploring the forms of practical help that are effective in helping disabled people to work. Until we see the results of the first year pilots it would not be sensible to predict the likely numbers of those who will secure work through this approach.

WALES

Empty Properties

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what is his estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) his Department, (ii) his agencies and (iii) other public bodies for which he has responsibility, in (A) 1995–96, (B) 1996–97, (C) 1997–98 to date and (D) 1997–98 full year. [26614]

Mr. Ron Davies *[holding answer 5 February 1998]:* There have been no empty Welsh Office properties in the years 1995–96 to date. Information is not held centrally for agencies and public bodies.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what is his current estimate of the expenditure of his Department, its agencies and non-departmental public bodies on hospitality since 1 May 1997. [27740]

Mr. Ron Davies *[holding answer 5 February 1998]:* The available figures are as follows:

£

	Welsh Office	*Cadw*
May 1997 to date	9,734	147

Records for expenditure by NDPBs are not held centrally.

St. David's and Glan Hafren Secondary Schools

Mr. Flynn: To ask the Secretary of State for Wales how much funding St. David's and Glan Hafren secondary schools are receiving in the current year; and what these amounts are per pupil. [30798]

Mr. Hain: St. David's RC Sixth Form College and Coleg Glan Hafren are further education institutions.

In the current academic year, the Further Education Funding Council for Wales has allocated £1,925,152 to St. David's RC Sixth Form College and £9,386,568 to Coleg Glan Hafren. The amounts per students, based on full-time equivalents, are £2,137 and £2,617 respectively.

Bill Boards (Schools)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what regulations govern the raising of revenue by schools through the erection of bill boards on their premises. [30949]

Mr. Hain: None. The right of a LEA maintained school to raise and retain income from fees and charges is controlled by the terms and conditions contained in the Local Management of Schools scheme of the relevant authority.

Inward Investment (LG)

Mr. Flynn: To ask the Secretary of State for Wales what estimate he has made of the financial assistance offered to LG to invest in Wales; and if he will make a statement. [31014]

Mr. Hain: The total value of the assistance package offered to LG is estimated to be £247 million.

The LG project is an exceptional one promising over 6,000 direct new jobs and is likely to generate thousands more indirect jobs.

Flax

Mr. Flynn: To ask the Secretary of State for Wales what proposals he has to encourage the planting of flax; and if he will make a statement. [30955]

Mr. Win Griffiths: Flax is a useful alternative crop grown to produce renewable raw materials. Provided it is planted on suitable land, its cultivation is environmentally friendly. It receives support under a specific CAP regime of which farmers are aware.

MINISTER WITHOUT PORTFOLIO

Junior Board

Mr. Spring: To ask the Minister without Portfolio (1) when the first meeting of the junior board for the Millennium Experience is scheduled; and if he will publish the agenda; [29557]

(2) pursuant to his answer of 22 December 1997, *Official Report*, column *399*, when he expects to make a statement on the membership and terms of reference for the junior board of the Millennium Experience. [29783]

Mr. Mandelson: I refer the hon. Gentleman to the answer I gave to the hon. Member for Kingston and Surbiton (Mr. Davey) on 16 February 1998, *Official Report*, column *517*.

Millennium Experience

Ms Oona King: To ask the Minister without Portfolio if he will make a statement on the ways in which the Millennium Experience project at Greenwich will reflect the Government's environmental priorities. [27922]

Mr. Mandelson: There will be a number of zones with an environmental theme. In "Living Island" visitors will be able to see what they can do to make a difference to our environment in the future through everyday choices. The "Atmosphere" zone will allow visitors to experience the natural wonders of our planet. The National Programme of events associated with the Millennium Experience will offer further opportunities for making a difference on the local environment, through understanding, maintaining and protecting our environment and natural treasures.

A multi-modal integrated public transport system will provide a variety of means of reaching the Experience, including the Jubilee line extension and river boat services. The New Millennium Experience Company (NMEC) is also working in partnership with the Environment Agency and English Partnerships (the Government's urban regeneration agency) to regenerate the Greenwich Peninsula site. As my right hon. Friend the Deputy Prime Minister announced on 18 February, the Millennium Village on the southern end of the site will be a flagship urban development scheme, designed to be a showpiece of environmental sustainability.

Ministerial Meetings

Mr. Baker: To ask the Minister without Portfolio if he will list the occasions since 1 May 1997 when he has met *(a)* Mr. John Birt and *(b)* Ms Elisabeth Murdoch; and what was the (i) purpose and (ii) outcome of each meeting. [30609]

Mr. Mandelson: I have met Mr. Birt in my official capacity on 5 December 1997, and Ms Murdoch on 20 February 1998, to discuss issues relating to the Millennium Experience.

Sponsorship

Yvette Cooper: To ask the Minister without Portfolio what level of sponsorship has to date been achieved in respect of the Millennium Experience at Greenwich. [31195]

Mr. Mandelson: The New Millennium Experience Company (NMEC) is today announcing its first four Founding Partners: BT, Manpower, Sky and Tesco. These four companies are each committing a minimum of £12 million value to the overall Millennium Experience. The Company is also announcing signed confirmation of the commitments of British Airways and BAA. Together, those six companies are making a direct private sector contribution of nearly £59 million.

The New Millennium Experience Company also has commitments coming up for detailed negotiation which would add a further £16 million, taking the overall level of support to £75 million; and the Company is in serious negotiation with 40 other potential sponsors.

The NMEC is also announcing today that it has reached agreement in principle with Camelot to be the official distributor of tickets for the Millennium Experience at Greenwich. This will mean that there is a ticket outlet within 3 miles of 95% of the population of the United Kingdom.

DUCHY OF LANCASTER

Freedom of Information

Mr. Matthew Taylor: To ask the Chancellor of the Duchy of Lancaster if the National Audit Office is subject to the Code of Practice on Access to Government Information; and if it will be subject to the proposed Freedom of Information Act. [30467]

Dr. David Clark: The National Audit Office is not within the jurisdiction of the Parliamentary Commissioner for Administration and is therefore not subject to the *Code of Practice on Access to Government Information*. The position of the National Audit Office with regard to the proposed FOI Act is still under consideration.

SOCIAL SECURITY

State Pension

Mr. Webb: To ask the Secretary of State for Social Security if she will estimate the effect on gross expenditure on the basic state pension in each of the five financial years from 1999–2000 onwards if, with effect from April 1998, employees who paid national insurance contributions on earnings above the national average over the course of a given year after April 1998 were regarded as having satisfied the contribution conditions for half a year instead of a full year in respect of that year. [24982]

Mr. Denham: The effects on gross expenditure in the fist five years would be negligible[1].

[1] Less than £50 million gross expenditure on the basic State pension in 1999–2000 is estimated at over £31 billion.

Mr. O'Hara: To ask the Secretary of State for Social Security what *(a)* number and *(b)* proportion of pensioners did not claim their state pension at age 60 years for women or age 65 years for men in 1997 because they (i) deferred claiming it or (ii) failed to make their claim. [24809]

Mr. Denham: The information requested is not available. People are not required to inform the Department that they wish to defer claiming their pension, although some 6,000 people in 1995/96 did let the Department know that they were doing so. Increments are earned in all cases where someone puts off receiving their pension for at least seven weeks during the five years starting on the day they reach pensionable age.

Pensioner Incomes

Mr. O'Hara: To ask the Secretary of State for Social Security if she will publish an analysis for each quintile of pensioner income for single pensioners, pensioner couples and all pensioner households on the same basis as that given in the answer of 3 March 1997, *Official Report*, columns *525–56*, for the latest year for which figures are available. [25125]

Mr. Denham: The information has been placed in the Library.

Lone Parents

Mr. Burns: To ask the Secretary of State for Social Security how many of the 433 lone parents who she announced in October had gained employment through the New Deal for Lone Parents are *(a)* in the same employment as they were then, *(b)* have changed to other employment or *(c)* are no longer in employment. [24591]

Mr. Keith Bradley *[holding answer 22 January 1998]:* Information is not available in the form requested.

Of the first 433 lone parents who gained employment through the New Deal for Lone Parents 49 are now in receipt of Income Support and have no earnings.

The evaluation report on the New Deal for Lone Parents, which will published in 1999, will contain information on these three issues.

Mr. Cousins: To ask the Secretary of State for Social Security what powers she has after April 1998 to make supplementary payments of premiums to lone parents presently with maintenance from absent parents where variations or cessations of such maintenance cause the income of the lone parent with care to fall below income support entitlement levels. [22982]

Mr. Keith Bradley: All lone parents making a new claim for Income Support on or after 6 April 1998 will receive the same level of family premium as couples with children. Existing recipients will continue to receive the higher rate. There will be no cash losers.

We are looking closely at all aspects of the Child Support Agency to ensure that it provides a modern, efficient and effective service. The receipt of regular maintenance is a key part of the Government's strategy for helping lone mothers into work and one of our key objectives for the Child Support Agency in the coming year is that it chases up fathers who avoid paying maintenance.

Appeals

Mr. Hancock: To ask the Secretary of State for Social Security what have been the costs to her Department in each of the last five years in respect of appeals against *(a)* Benefits Agency benefit determinations, *(b)* War Pension Agency determinations and *(c)* Child Support Agency determinations; and what elements are taken into account in those figures. [22864]

Mr. Keith Bradley: The information is not available in the format requested and could be provided only at disproportionate cost. Such information as is available is set out in the tables.

Financial allocations made for processing appeals work within the Benefits Agency (BA) for the four financial years from 1994–95 onwards

Year	*£ million*
1994–95	3.5
1995–96	9.0
1996–97	13.3
1997–98	9.7

Note:

The figures take into account the whole cost of administering appeals including non-staff costs. The rising costs during the first three years are attributable to a large increase in the number of appeals and an increase in salaries. The basis upon which the cost estimates have been provided may not be consistent across the years. The reduction in the figures for 1997–98 is accounted for by increased Information Technology usage, which has reduced the unit cost of appeals, and a forecasted reduction in volumes.

The Independent Tribunal Service (ITS) has provided the following cost data in respect of BA appeals it has cleared:

Year	*£ million*
1994–95	34.2
1995–96	39.8
1996–97	50.6
1997–98	51.8

Note:

The figures quoted have been calculated by dividing the total annual cost figures for ITS by the total number of appeals cleared, and then multiplying by the number of BA and Child Support Agency (CSA) appeals. ITS are unable to split the costs accurately between BA and CSA appeals and the figures quoted do not take account of the differing cost of each type of tribunal.

Direct costs in respect of appeals against war pensions agency (WPA) determinations since April 1994

Year	*£ million*
1994–95	3.5
1995–96	2.8
1996–97	3.0
1997–98	2.9

Notes:

1. The above figures are made up of staff cost and associated non-staff expenditure.

2. WPA appeals are heard by the Pensions Appeal Tribunal which is funded by the Lord Chancellor's Department.

Financial allocations made to the CSA's central appeals unit for appeals processing for the three financial years from 1995–96 onwards

Year	£ million
1995–96	3.1
1996–97	3.6
1997–98	3.4

Note:

The above figures are made up of staff cost and associated non-staff expenditure.

The Independent Tribunal Service has provided the following cost data in respect of CSA appeals it has cleared:

Year	£ million
1995–96	2.7
1996–97	3.4
1997–98 (forecast)	3.5

Note:

The figures quoted have been calculated by dividing the total annual cost figures for ITS by the total number of appeals cleared, and then multiplying by the number of BA and CSA appeals. As stated in above, ITS are unable to split the costs accurately between BA and CSA appeals and, again, the figures quoted do not take account of the differing cost of each type of tribunal.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the cost of Ministerial overseas travel in her Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26618]

Mr. Denham *[holding answer 5 February 1998]:* I refer the hon. Member to the reply my right hon. Friend the Prime Minister gave to my hon. Friend the Member for Rotherham (Mr. MacShane) on 9 February 1998, *Official Report*, columns *16–17*.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis, in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27746]

Mr. Field *[holding answer 5 February 1998]:* The information is not available in the format requested. Such information as is available is set out in the table.

The estimated costs for the use of ministerial cars and drivers

Year	£
1995–96	254,072
1996–97	262,652
1997–98 to 31 January	221,301
1997–98 full year	268,826

The information requested on the Departmental use of taxis cannot be separately identified.

Brain Injuries

Mr. Hancock: To ask the Secretary of State for Social Security what assessment she has made of the impact of the Welfare to Work policies on people suffering from brain injuries. [27952]

Mr. Denham: The Government believe that work is the best form of welfare for people of working age. We have set aside up to £195 under the New Deal for people with a disability or long-term illness to fund a programme improving opportunities for those who want to work. Participation in the New Deal, which will be voluntary, will not be restricted to people suffering from any particular disability or long-term illness. People suffering from disabilities arising from brain injuries will be eligible, along with other groups. The impact of our Welfare to Work programme will be evaluated in due course.

Mr. Hancock: To ask the Secretary of State for Social Security what research she has commissioned into the employment prospects of people suffering from brain injuries. [27950]

Mr. Denham: The Department has funded a substantial programme of research into people with disabilities, including information on their employment prospects, but none of the recent studies focuses specifically on people suffering from brain injuries.

State Pensions (Women)

Mr. Green: To ask the Secretary of State for Social Security how many women over the age of 60 years are solely reliant on half state pensions. [27251]

Mr. Denham: The information is not available in the format requested. Such information as is available is as follows.

Of those women receiving the basic State pension at 30 September 1997, 0.7 million received £31.23 or less per week (that is half the basic State pension of £62.45 per week). A further 2.2 million women received a basic Retirement Pension of £37.35 (equivalent to the married women's rate) or less per week.

Incapacity Benefit

Mr. Wigley: To ask the Secretary of State for Social Security what estimate she has made of the number of people formerly receiving incapacity benefit whose cases have been evaluated under the Benefit Integrity Scheme and who are *(a)* continuing to receive incapacity benefit, *(b)* in full-time employment, *(c)* in part-time employment and *(d)* receiving some benefit other than incapacity benefit which they were not receiving at the time of the evaluation. [27165]

Mr. Denham: The Benefit Integrity Project does not include Incapacity Benefit.

Working Mothers

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to her answer of 21 January 1998, *Official Report*, column *566* what is the average age of lone mothers included in each survey used for the table on Lone Mother Labour Participation. [27114]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out. The original data source for the written answer on 21 January 1998 "The employment of lone parents: a comparison of policy in 20 countries" by J. Bradshaw, S. Kennedy, M. Kilkey, S. Hutton, A. Corden, T. Eardley, H. Holmes and J. Neale also gives figures for the percentage of lone parents under the age of 25 in paid employment for some EC countries.

Spain: 78 per cent.

Portugal: 68 per cent.

Italy: 67 per cent.

Germany: 53 per cent.

Netherlands: 22 per cent.

UK: 19 per cent.

Norway: 17 per cent.

Welfare Reform (Wales)

Mr. Wigley: To ask the Secretary of State for Social Security who will represent the interests of Wales on the Cabinet Committee on Welfare Reform. [27149]

Mr. Field: The Secretary of State has responsibility for the Social Security system in Wales as in the rest of the United Kingdom. It falls to her therefore to represent interests across the UK within the Ministerial Group.

Benefits Take-up

Mr. Gordon Prentice: To ask the Secretary of State for Social Security what is the percentage take up for each benefit; and what would be the additional cost, by each benefit, if there were full take up. [28560]

Mr. Keith Bradley: Estimates of the percentage take-up and the additional cost of 100 per cent. take-up for each of the income related benefits in 1995–96 is set out in the table.

Information is not available for other benefits.

Benefit	*Take-up by expenditure (percentage)*	*Take-up by caseload (percentage)*	*Additional cost of 100 per cent. Take-up (£m)*
Housing Benefit	93–96	89–94	410–760
Council Tax Benefit	76–84	74–82	370–620
Income Support	88–92	76–82	1,210–1,870
Family Credit	83	70	300

Note:
The single point estimates for Family Credit should not be regarded as any more accurate than the range estimates presented for other benefits. Ideally range estimates would be produced for Family Credit as well but this is not possible.

Jobseeker's Allowance

Audrey Wise: To ask the Secretary of State for Social Security, pursuant to her answer to the hon. Member for Gravesham (Mr. Pond) of 6 February 1998, *Official Report*, columns *813–14*, on the jobseeker's allowance, if she will revoke the Jobseeker's Allowance (Amendment) Regulations 1998 (S.I. 1998 No. 71) made on 15 January 1998. [29018]

Mr. Keith Bradley: I refer my hon. Friend to the written answer I gave to the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) on 13 February 1998, *Official Report*, column *431–32*.

Tribunals

Mr. Denis Murphy: To ask the Secretary of State for Social Security what was the total cost of social security appeal tribunals in each of the last five years in *(a)* the Northern Region and *(b)* the United Kingdom. [29402]

Mr. Keith Bradley: The operation of the appeals system is a matter for the Independent Tribunal Service (ITS) who report that the information is not available in the format requested. Such information as is available from the ITS is set out in the table.

Total cost of social security appeal tribunals

£

Year	*North Eastern Region*[1]	*United Kingdom*[2]
1994–95	4,141,637	24,197,747
1995–96	4,477,534	28,121,816
1996–97	6,712,655	36,218,705

[1] Figures relate to the Independent Tribunal Service's North Eastern Region (appeals processed by the Leeds and Newcastle-upon-Tyne centres).

[2] There are separate ITS administrations for Great Britain and Northern Ireland. The figures shown are a combination from both sources.

Mr. Denis Murphy: To ask the Secretary of State for Social Security what was the total cost of medical appeal tribunals in each of the last five years in *(a)* the Northern Region and *(b)* the United Kingdom. [29400]

Mr. Keith Bradley: The operation of the appeals system is a matter for the Independent Tribunal Service (ITS) who report that the information is not available in the format requested. Such information as is available from the ITS is set out in the table.

Total cost of medical appeals tribunals

£

Year	*North Eastern Region*[1]	*United Kingdom*[2]
1994–95	1,086,726	5,015,195
1995–96	1,137,123	5,352,189
1996–97	1,534,184	7,725,790

[1] Figure relate to the Independent Tribunal Service's North Eastern Region (appeals processed by the Leeds and Newcastle-upon-Tyne centres).

[2] These are separate ITS administrations for Great Britain and Northern Ireland. The figures shown are a combination from both sources.

Mr. Denis Murphy: To ask the Secretary of State for Social Security how many *(a)* medical appeal and *(b)* social security appeal tribunals have been held in each of the last five years (i) in the Northern Region and (ii) in total; and if he will give a breakdown of their outcomes. [29482]

Mr. Keith Bradley: Information is not available in the format requested. Such information as is available is in the tables. These contain figures relating to the North Eastern Region and Great Britain.

Medical Appeals

Year	Total appeals heard and decided	Number decided in appellant's favour	Percentage decided in appellant's favour
North Eastern Region			
1992	5,160	2,616	50.7
1993	5,479	2,471	45.1
1994	5,109	1,787	35.0
1995	4,858	1,451	29.9
1996	5,642	1,486	26.3
Great Britain			
1992	18,607	9,204	49.5
1993	18,059	8,577	47.5
1994	16,937	7,049	41.6
1995	15,794	6,246	39.5
1996	15,485	5,871	37.9

Social Security Appeals

Year	Total appeals heard and decided	Number decided in appellant's favour	Percentage decided in appellant's favour
North Eastern Region			
1992	13,242	4,293	32.4
1993	11,929	4,705	39.4
1994	13,398	5,788	43.2
1995	14,424	6,243	43.3
1996	19,735	6,948	35.2
Great Britain			
1992	7,325	27,635	36.7
1993	77,895	31,172	40.0
1994	73,976	33,038	44.7
1995	83,441	35,764	42.9
1996	111,738	41,993	37.6

Sources:

1. The figures were provided by Analytical Services Division (ASD) from 100 per cent. counts of Independent Tribunal Service quarterly data.
2. The figures relate to the North Eastern Region and Great Britain.
3. ASD's regional split does not include a Northern Region.

Social Workers

Dr. Kumar: To ask the Secretary of State for Social Security if she will make a statement on the policy of the Government in respect of sections 111 and 112 of the Social Security Administration Act 1992 as amended by sections 13 and 14 of the Social Security Administration (Fraud) Act 1997 with particular reference to the duties of local authority social workers. [29246]

Mr. Denham: Sections 13 and 14 of the Social Security Administration (Fraud) Act 1997 introduced new offences of dishonest representation and failure to report a change of circumstance. The measures are aimed at people who set out to defraud the benefit system, including those who intentionally collude with claimants to commit Social Security fraud. Third parties, such as social workers and welfare advisers, who act in good faith, have nothing to fear.

Benefit Registration Period

Mr. Öpik: To ask the Secretary of State for Social Security what percentage of those registering for social security benefits did so within one month of being eligible in the last year for which figures are available; and if she will make a statement. [30177]

Mr. Keith Bradley: The information is not available.

Mr. Öpik: To ask the Secretary of State for Social Security what are the forecast financial savings from reducing the registration period for benefits claims; and if she will make a statement. [30178]

Mr. Keith Bradley: The estimated savings for the proposed measure in the Social Security Bill to align the maximum backdating period for benefit claims at one month are £42 million in 1998–99 and £58 million in subsequent years. The estimate is based on a start date of June 1998 for all benefits except Housing Benefit/Council Tax Benefit which will be October 1998.

Income Support

Ms Julie Morgan: To ask the Secretary of State for Social Security how much was spent on income support for lone parents and their children in Wales in the year to 31 December 1997 or the nearest date for which figures are available. [28894]

Mr. Keith Bradley: Expenditure on Income Support for lone parents and their children in Wales for the financial year 1996–97 is estimated to be £235 million.

Note:

This figure is based on the estimated expenditure on lone parents for 1996–97 for Great Britain consistent with the 1997 Departmental Report (£4,205 million) multiplied by an estimate of the proportion of expenditure on lone parents going to lone parents in Wales. This is derived from the Quarterly Statistical Inquiries for the period May 1996 to February 1997.

Correspondence

Mr. Steinberg: To ask the Secretary of State for Social Security if she will make it her policy that she and her Ministers personally read the letters sent to them by hon. Members on constituency matters. [27676]

Mr. Denham: Ministers read correspondence received from hon. Members on constituency matters and sign all responses issued.

Mr. Gordon Prentice: To ask the Secretary of State for Social Security when she plans to reply to questions from the hon. Member for Pendle on statutory maternity pay tabled on 26 January. [30383]

Mr. Denham: I refer the hon. Member to my written answer on 17 February 1998, *Official Report*, column *633*.

Adoption

Jacqui Smith: To ask the Secretary of State for Social Security what assistance is provided by the Contributions Agency to adopted people and those separated at an early age in searching for their natural parents; and if she will make a statement. [28678]

Mr. Denham: Social Security records are confidential and the circumstances in which personal information can be disclosed to a third party are limited. The Department

will release information where legislation allows for it, where a court order has been obtained or where the individual concerned has consented to the disclosure.

There are no special arrangements in place to assist adopted people and those separated at an early age in searching for their natural parents.

Disabled Cars

Mr. Duncan: To ask the Secretary of State for Social Security (1) what is the cost of the provision or subsidy of cars for the disabled provided by her Department in each of the last five years for which figures are available; [28713]

(2) what are the criteria for the provision or subsidy of cars for the disabled provided by her Department; [28712]

(3) how many individuals in the United Kingdom benefited from the provision or subsidy of a car for the disabled in each of the last five years for which figures are available. [28714]

Mr. Denham: The Department makes no direct provision of cars for disabled people. However, recipients of the higher rate mobility component (HRM) of Disability Living Allowance (DLA), and of War Pensions Mobility Supplement (WPMS), are eligible for the provision of a car, on contract lease or hire purchase terms, under the Motability scheme if the period of their benefit award covers at least the period of the prospective agreement. They pay for the car, provided on beneficial terms, by assigning all or part of the benefit to that scheme.

There is no direct cost to the Department of the provision of cars under Motability, although the Department pays most of the administration costs of Motability Ltd. by grant. Motability Ltd. is a registered charity. Grants are also made to the Mobility Equipment Fund (MEF), incorporating the Drivers Fund (DF), for adaptations to vehicles to allow the most severely disabled to drive or be driven. These funds are administered on behalf of the Government by Motability Ltd. The amounts of the grants paid by the Department are shown in the table. Grants made to Motability Ltd. in respect of the business carried on in Northern Ireland are the responsibility of my right hon. Friend the Secretary of State for Northern Ireland.

Exemptions from Vehicle Excise Duty is available to recipients of the HRM component of DLA, and WPMS. Certain groups in receipt of Attendance Allowance prior to 12 October 1993 have preserved rights to exemption under the Disabled Passenger Scheme.

The number of cars provided under the Motability scheme, the number of MEF/DF grants and the number of VED exemptions granted are shown in the table.

In addition to the above there is the Invalid Vehicles Scheme run by the Department of Health but administered on their behalf by the Benefits Agency. Drivers of invalid three-wheelers provided under the scheme have underlying title to the HRM component of DLA but may not receive the benefit in addition to their three-wheeler.

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Motability: Administration grant (£ million)	2.085	3.260	4.256	4.694	4.646
MEF/DF grant (£ million)	2.000	1.885	3.000	3.000	3.320
Value of VED[1] exemptions (£ million)	68.456	86.703	101.186	118.080	125.243
Motability: number[2] of cars provided	77,239	90,125	105,025	125,529	137,509
Number of MEF/DF grants made	937	700	393	490	484
Number of VED[1] exemptions granted	547,649	642,250	722,759	814,342	863,747[3]

[1] Calendar years from 1 January 1993.
[2] Calendar years from 1 January 1993. Figures are for Great Britain and Northern Ireland which cannot be disaggregated.
[3] January-September 1997 represents the latest figures available.
[4] All figures are for Great Britain except for 2.

Disability Living Allowance

Ms Walley: To ask the Secretary of State for Social Security how many claimants of disability living allowance in the Stoke-on-Trent area are currently in work. [27661]

Mr. Denham: This information is not available because the sample sizes would be too small to yield trustworthy figures for an area such as Stoke-on-Trent, therefore there is no regional breakdown of recipients in work.

The following gives the National proportions of those customers who have earnings, split by components:

7 per cent. of all DLA recipients received earnings;

of this 7 per cent:

30 per cent. receive DLA care only (ie 2 per cent. of all DLA recipients);

37 per cent. receive DLA mobility only (ie 3 per cent. of all DLA recipients); and

33 per cent. receive both components (ie 2 per cent. of all DLA recipients).

The figures are based on the 1995–96 Family Resources Survey (FRS) which is the latest available. Estimates are subject to sampling error and to variability in non response.

Mr. Steen: To ask the Secretary of State for Social Security what was the outcome of the review of the decision to withdraw disability living allowance from Mrs. C. J. Archer of Queen's Road, Brixham, Devon. [30791]

Mr. Denham: The administration of the Benefits Integrity Project is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Anthony Steen, dated 23 February 23 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what was the outcome of the review of the decision to withdraw Disability Living Allowance (DLA) from Mrs. Archer of Brixham, Devon.

The outcome of the review to withdraw DLA was notified to Mrs. Archer in the revised decision of 4 February. This informed Mrs. Archer that the DLA mobility component has been reinstated at the higher rate for life. However, the Adjudication Officer maintained the decision relating to the care component, in that there was no entitlement. Details of Mrs. Archer's right to appeal against the decision not to reinstate her care component were notified and included in this decision.

Arrears of benefit, amounting to £830.40, were authorised on 4 February. These covered the period from 27 August 1997 to 10 February 1998.

I hope you find this reply helpful.

Dr. Marek: To ask the Secretary of State for Social Security if she will publish the number of people in the Wrexham area who, during the latest six months for which figures are available, have had their award of disability living allowance *(a)* stopped, *(b)* decreased and *(c)* increased; and within the categories *(a)* and *(b)* how many people have requested a review and (i) had their awards reinstated, (ii) had partial reinstatement and (iii) been refused reinstatement. [30857]

Mr. Denham: The information is not available in the format requested. Such information as is available is as follows:

Disability Living Allowance (DLA) awards decreased and increased in Great Britain during six months ending 30 November 1997

	Number
Awards decreased	16,400
Awards increased	54,300

Note:
The sample sizes would be too small to yield trustworthy figures for an area such as Wrexham.
Source:
Analytical Services Division (5 per cent. data).

Welfare Reform

Mr. Fitzpatrick: To ask the Secretary of State for Social Security what representations her Department has received since 1 May concerning the proposal to replace state-funded welfare with a birthright portfolio; and what assessment of these proposals has been made by the welfare review team. [28643]

Mr. Field: The Department has received representations from one person proposing a birthright portfolio scheme. We have not yet examined the proposal in detail but will be considering it within the context of the current programme of welfare reform.

Reduced Benefit Directions

Mr. Kirkwood: To ask the Secretary of State for Social Security how many reduced benefit directions are currently in force; how many of these directions have been issued since the increase of the benefit penalty on 7 October 1996; what are the estimated resulting benefit savings; and what amount of child support maintenance is received by *(a)* family credit claimants and *(b)* former income support claimants which is not offset by benefit reductions. [30134]

Mr. Keith Bradley *[holding answer 18 February 1998]:* We think it right that lone mothers should co-operate wherever possible in requesting maintenance for their children from the father.

As of May 1997[1] there were around 6,000 reduced benefit directions in force on Income Support recipients. Figures for reduced benefit directions in force on parents with care in receipt of Family Credit or Disability Working Allowance are not available.

The number of reduced benefit directions implemented between 1 October 1996 and 31 January 1998 was 42,694. The estimated benefit savings of the increased 40 per cent. rate was £1.5 million up to May 1997.

It is estimated that in 1997–98 around £120 million in child maintenance will be received by parents with care on Family Credit. Information is not available on the amount received by former Income Support recipients.

Note:

This is the latest information available.

Sources:

May 1997 Income Support 5 per cent. Quarterly Statistical Enquiry.

August 1997 Family Credit 5 per cent. Quarterly Statistical Enquiry.

Fishermen (Redundancy Fund)

Mr. Mitchell: To ask the Secretary of State for Social Security what estimate she has made of the amount contributed annually to the redundancy fund by fishermen made redundant as a result of the loss of Icelandic fishing in 1976. [30231]

Mr. Denham: The information is not available.

Women's Issues

Mr. Gibb: To ask the Secretary of State for Social Security if she will estimate the annual cost of the proposed citizens juries to evaluate public opinion on issues related to women. [31094]

Ms Ruddock: As Minister for Women I am exploring ways of strengthening our dialogue with women, and in particular how we might extend that dialogue to reach women who are not part of a women's organisation. I am currently talking to women and to women's organisations about how we might best achieve this, and we are considering a range of options to identify the most effective means of reaching some of the women whose voices are not usually heard. I expect to be able to make an announcement shortly.

Habitual Residence Test

Mr. Faber: To ask the Secretary of State for Social Security when she intends to publish the results of her review of the habitual residence test. [30987]

Mr. Keith Bradley: We are currently considering all aspects of the habitual residence test. We expect to bring forward proposals before the Summer.

Mr. Faber: To ask the Secretary of State for Social Security what arrangements are made for payment of benefit to claimants pending appeal following failure under the habitual residence test. [30988]

Mr. Keith Bradley: Benefits, including interim payments of benefit, are not paid to claimants who are appealing against a decision to refuse the award of that benefit. This applies to claimants who have failed the habitual residence test.

Social Security Expenditure

Mr. Webb: To ask the Secretary of State for Social Security what has been the total level of social security expenditure in each year since 1978–79; and how much of the total in each year would fall under the current classification of cyclical social security expenditure. [31103]

Mr. Field: The information is set out in the table.

£ million

Year	*Total Social Security*	*Cyclical Social Security*
1978–79	16,605	1,632
1979–80	19,614	1,704
1980–81	23,731	2,716
1981–82	28,972	4,023
1982–83	33,008	5,171
1983–84	36,880	6,104
1984–85	39,949	6,859
1985–86	43,488	7,664
1986–87	46,859	8,241
1987–88	49,145	7,850
1988–89	49,966	6,835
1989–90	53,099	6,358
1990–91	59,274	7,460
1991–92	69,441	10,491
1992–93	78,753	12,822
1993–94	86,135	13,822
1994–95	88,446	13,718
1995–96	92,354	13,906
1996–97[1]	96,716	13,736

[1] The figures for 1996–97 are estimates of expenditure in that year. Revised figures will be included in the 1998 Social Security Departmental Report.

Note:

Figures have been taken from the 1997 Social Security Departmental Report as well as earlier equivalent publications. The figures shown include the cost of administration as well as additional local authority expenditure on Housing, Community Charge and Council Tax Benefits.

Women's National Commission

Mr. Woolas: To ask the Secretary of State for Social Security if she will make a statement on her plans for the Women's National Commission. [31324]

Ms Harman: One of my priorities as Minister for Women is to establish a new dialogue with women. I presented a framework of principles and goals for a renewed Women's National Commission to their members earlier today.

Our statement on the framework of principles and goals is as follows:

Government Review of the WNC

Statement from the Ministers for Women

1. The Government review was launched in September 1997. Its aims are:

to examine the objectives, membership and funding of the WNC in the light of the Government's need to ensure that there is an effective, efficient, independent channel of communication between women's organisations and Government for the 21st century; to assess costs and benefits; and to develop, if appropriate, options for change.

2. This statement sets out a framework of principles and goals which have been agreed by the Government team reviewing the WNC for consideration by the WNC at its plenary session on 24 February 1998. Draft specific terms of reference for the WNC, incorporating the principles and goals set out in this paper, will be available in May for discussion at the next available plenary session of the WNC.

3. The WNC provides a channel for the views and experience of women's organisations to be conveyed to Government. However, far greater precision and clarity is needed about the role of the WNC and the terms of its relationship with Government. To be an effective and efficient channel for communication between Government and women's organisations, the renewed WNC must be:

modern and dynamic—geared to meet the needs of women's organisations and Government in the 21st century, both at home and abroad;

strong and influential—capable of adapting and maximising the opportunities presented by rapidly changing circumstances;

broadly based and widely known—representing a wider range of organisations and with a high profile among organised women;

fully accountable for its use of public resources—entering into mutual agreements with Government which specify tasks, objectives and timetables, and reporting on an annual basis, so that performance can be monitored and outcomes evaluated;

able to speak with a genuinely independent voice—steps will be taken to increase independence by evolving into a non-government organisation and relocating outside Government;

free to grow and change in directions of its own choosing—functions specified under agreement with Government will be publicly funded; the WNC will be given practical encouragement to generate funds to support other activities;

given clear and settled funding arrangements—protected against risks commonly faced by similar voluntary and/or umbrella organisations.

Written Answers to Questions

Wednesday 25 February 1998

MINISTER WITHOUT PORTFOLIO

Millennium Experience

Mr. Maude: To ask the Minister without Portfolio how much money has been confirmed in commercial sponsorship for the Millennium Experience. [31247]

Mr. Mandelson *[holding answer 24 February 1998]:* I refer the right hon. Gentleman to the answer I gave to my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper) yesterday.

LORD CHANCELLOR'S DEPARTMENT

Judges' Lodgings (Furniture)

Mrs. Virginia Bottomley: To ask the Parliamentary Secretary, Lord Chancellor's Department what guidance exists for the purchase of furniture for judges' lodgings; whether price ranges are included; and whether there is specific advice on the purchase of beds. [30234]

Mr. Hoon: No central guidance exists for either furniture standards or prices and there is no specific advice on the purchase of beds. Generally furniture requirement for judges' lodgings are identified and purchased locally. The furniture is usually provided to match the existing style and decor of the building.

Queen's Counsel

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 12 February 1998, *Official Report*, column *500*, on Queen's Counsel, what steps he plans to take to ensure that all consultees reply. [30394]

Mr. Hoon: My noble and learned Friend the Lord Chancellor has no plans to take steps to ensure that all consultees reply. In making his decisions on silk applicants, he relies only on the views of those consultees who know the applicants well enough to make the necessary assessment of their abilities.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Countryside Access

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions when the Government will publish their consultation paper on Access to the Open Countryside. [31325]

Mr. Meacher: I am pleased to announce that the Government are issuing today their consultation paper setting out proposals for giving people greater access to the open countryside in England and Wales. Copies have been placed in the Library of both Houses.

The consultation paper reflects the Government's determination to fulfil their manifesto commitment to give greater freedom for people to explore our open countryside.

Our proposals have the potential to benefit the millions of people who already enjoy, or who will in future enjoy, walking in the countryside. Current arrangements for access to areas of open countryside, rather than rights of way, have not been used extensively and are not generally well understood. In many cases, people are understandably confused about the areas of land on which they are entitled to walk or the circumstances under which they may do so. We need to secure more and better quality access with greater clarity and certainty for all concerned.

Our proposals are about giving greater access to open countryside, not to developed or cultivated land. Our first priority is to increase access to mountain, moor, heath, down and registered common land. In total, these cover no more than 12 per cent. of the land in England and Wales. We also wish to see more access to other areas of open country such as woodland, cliffs and foreshore, and will introduce measures to encourage this if necessary.

In developing our proposals, we intend to ensure that a proper balance is struck between the rights and responsibilities of those who will benefit from greater access and of others affected by it. We are determined that those who will enjoy greater access should be responsible: the countryside and people's property and livelihoods must continue to be respected and properly protected. The Government recognise the need for sensible restrictions on the freedom of access to take account of the genuine needs of owners and other users of the land. Similarly, we recognise that access to some areas or at some times needs to be limited for reasons of health or safety, nature conservation, or archaeology.

We are prepared to consider all options, including voluntary arrangements, for achieving our objective of substantially greater access, and will consider carefully all responses to the consultation paper before reaching a decision on the best way forward. Assessment of the costs and benefits of different options will be a key part of our consideration. Costs to Government (central and local), to owners and occupiers, and to the relevant statutory agencies will certainly be taken into account in considering how best to proceed. We do not expect that management of greater access will have major financial implications as, in most places, no changes will need to be made to accommodate walkers. We shall be making an environmental assessment and regulatory appraisal of our proposals, as necessary.

We are keen to ensure that the consultation process provides a genuine opportunity for all those interested to put forward their own ideas and views. We shall be allowing three months for consultation, ending on Friday 5 June. As well as considering written responses to the paper, we plan to hold meetings with organisations representing walkers, farmers and other owners and

occupiers, and others with an interest. We shall also be drawing on the experience and expertise of the relevant statutory agencies and local authorities in firming up our ideas, and may need to consult further on some issues before announcing our conclusions, which we hope to do later this year.

Official Cars

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 26 January 1998, *Official Report*, column *15*, what was the make, model and cost of the new official car acquired since 1 May; and for which Minister it has been acquired. [27702]

Angela Eagle *[holding answer 5 February 1998]:* The car is a Jaguar 4.0i LWB, which has been provided for the use of the Deputy Prime Minister. The capital cost of the car was met by the Cabinet Office.

Sewerage System (Fats)

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to reduce the amount of fats from catering outlets entering the sewerage system. [30468]

Mr. Meacher: Under the Water Industry Act 1991, the water companies are responsible for management of their sewerage systems and discharges to them. It is an offence under the Act to interfere with the free flow of a sewer.

I understand that water companies undertake a number of initiatives to control the amount of fats entering the sewerage system. These range from educational initiatives to prevent careless disposal of fats, encouragement of installation of fat traps to prevent entry into the sewerage system and development of technology to break down fats once they have entered the system.

A49

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the feasibility studies undertaken to improve the A49 between Shrewsbury and Ludlow. [30784]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to my hon. Friend.

Letter from Lawrie Haynes to Mr. Paul Marsden, dated 25 February 1998:

The Transport Minister, Glenda Jackson has asked me to reply to your recent question about feasibility studies undertaken to improve the A49 between Shrewsbury and Ludlow.

In 1994 a study of accidents was carried out on the A49 south of Shrewsbury. This identified the need for a number of safety improvements which were subsequently put in place.

Currently we have two feasibility studies under way in your constituency, one examining options for traffic calming at Leebotwood and the other into the possible provision of a pedestrian crossing at Dorrington. Reports on both of these studies are expected next month.

We are also carrying out feasibility studies at Craven Arms, Church Stretton and Ashford Bowdler. Reports on all of these studies are expected by the end of March.

If you would like more details on any of these proposals Tom Barry, the Area Manager for the A49, would be pleased to provide them. Tom can be contacted on 0121–678–8366.

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* road traffic accidents, *(b)* resultant fatalities and *(c)* resultant injuries were recorded on the A49 between Shrewsbury and Ludlow for each year since 1977. [30783]

Ms Glenda Jackson: The information requested is available from 1979 and is shown in the table.

Accidents and casualties on the A49 between Shrewsbury and Ludlow: 1979–1996

		Severity of casualty		
	All accidents	*Fatal*	*Injured*	*All casualties*
1979	96	4	129	133
1980	73	11	103	114
1981	57	4	82	86
1982	62	2	83	85
1983	50	1	87	88
1984	66	1	99	100
1985	76	11	111	122
1986	61	3	80	83
1987	69	4	100	104
1988	73	0	126	126
1989	73	3	101	104
1990	90	6	136	142
1991	54	2	73	75
1992	65	7	101	108
1993	48	4	72	76
1994	53	8	84	92
1995	44	3	91	94
1996	45	3	58	61
Total	1,155	77	1,716	1,793

Kyoto Protocol

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to sign the Kyoto Protocol. [30744]

Mr. Meacher: It is our intention that the UK will sign the Kyoto Protocol at an early date. We are in discussion with our EU colleagues with the aim of maximising the participation of Member States and the Community in signing the Protocol at the same time, before the end of the UK Presidency of the EU at the end of June.

Millennium Dome

Mr. Maude: To ask the Secretary of State for the Environment, Transport and the Regions to what depth the site of the Millennium Dome has been cleared of contaminants. [30516]

Mr. Caborn: The depth of contamination on the site to be occupied by the Millennium Dome varied widely. The majority of contamination was contained within the surface layer, which varied between 2 and 4 metres in depth. In isolated instances the contamination extended up to a maximum of 14 metres. The treatment applied to each part of the site depended on the type and depth of the contamination. No part of the site was treated to a depth of less than 2 metres and in places the treatment extended to 14 metres.

Mr. Maude: To ask the Secretary of State for the Environment, Transport and the Regions what contaminants were present on the Millennium Dome site. [30515]

Mr. Caborn: A large proportion of the Millennium Dome site has been chemically contaminated to varying degrees as a result of former industrial activities, principally the generation of coal, gas and associated by-products. By-products include the manufacture of sulphuric acid and ammonium sulphate fertiliser in a dedicated chemical works as well as the production of coal tar and a range of organic chemicals such as benzene and naphtha in a separate tar works.

As a result, the principal contaminants found on the site were:

Wastes from tar production and distillation including coal tar and a variety of derivatives;

Materials from gas purification including foul lime, clinker waste and spent oxide;

Carboniferous materials including coal, coke and clinker.

The contaminants were identified during a comprehensive site investigation undertaken both by the original site owners (British Gas) and by the current owners, English Partnerships.

The approach to the treatment of the site has been approved by both the Environment Agency and the London Borough of Greenwich and is consistent with Government policy on the treatment of contaminated land.

Contaminated Land Register

Mr. Baldry: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many acres of land are covered by the Contaminated Land Register; [30946]

(2) if he will make a statement on the future of the Contaminated Land Register. [30948]

Mr. Meacher: There is at present no contaminated land register. Part IIA of the Environmental Protection Act 1990 (inserted by section 57 of the Environment Act 1995) will place a duty on enforcing authorities to maintain registers containing prescribed particulars of enforcement action taken with respect to contamination and of remediation works carried out on that land. I would also refer the hon. Member to my answer to my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) of 22 December 1997, *Official Report*, column *439*.

Derelict Land Grant

Mr. Baldry: To ask the Secretary of State for the Environment, Transport and the Regions what has been the total amount spent on derelict land grant in the last five years. [30947]

Mr. Caborn: My Department ceased to accept further applications for Derelict Land Grant (DLG) in March 1994 when the programme ended. Since April 1994, transitional arrangements have been in place whereby English Partnerships make payments to local authorities on behalf of the Secretary of State for all DLG projects which had been approved at that time. Annual payments have, inevitably, decreased, with an annual breakdown as follows:

1993–94 £103.780 million (paid by former DOE)

1994–95: £84.633 million

1995–96: £65.402 million

1996–97: £25.000 million

1997–98: £18.000 million (estimated outturn).

Since April 1994 all DLG applications from local authorities have been handled within the framework provided by English Partnerships' overall development programme (Investment Fund), largely as part of its Land Reclamation and Partnership Investment Programmes. The operation of this Fund places greater emphasis on flexible partnerships and funding mechanisms and on maximising private investment.

Channel Tunnel Rail Link

Mr. Baldry: To ask the Secretary of State for the Environment, Transport and the Regions what is the extent of public liability in the Channel Tunnel Rail Link. [30937]

Ms Glenda Jackson: The Government are committed to grant payments worth £1.8 billion NPV overall. If London and Continental Railways are unable to fulfil their obligations under the CTRL Development Agreement awarded to them by the previous Government, Eurostar (UK) Limited, its assets and liabilities, would revert to the Government. This would include accumulated debt worth in the region of £400 million, which would be met from future Eurostar revenues.

Mr. Rowe: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library the development agreement signed between the Government and London and Continental Railways. [31031]

Ms Glenda Jackson: Reasons of commercial confidentiality prevent copies of the Channel Tunnel Rail Link Development Agreement with London & Continental Railways (LCR) being placed in the Library. The previous Government issued a memorandum about the Development Agreement and other contracts with LCR in March 1996. Copies were placed in the Library at that time.

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the reduction of road freight transport from the North West and West Midlands Regions to mainland Europe that would be achieved by *(a)* the completion of the high speed rail link from the Channel Tunnel to central London, connecting to the West Coast main line and *(b)* a scheme between the Channel Tunnel and Ebbsfleet; and if he will make a statement. [31192]

Ms Glenda Jackson: No such assessment has been made. The Channel Tunnel Rail Link is primarily intended to provide for passenger services, though it would also facilitate rail freight both directly and through freeing capacity on existing lines.

Code of Practice on Conservation, Access and Recreation

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions (1) on what date the Standing Committee on the Code of Practice on Conservation, Access and Recreation last met; how many times it has met; and what reports it has made on the operation of the code; [31005]

(2) what plans he has to standardise the process of independent validation of conservation, access and recreation reports produced by the water industry; [31006]

(3) what plans he has to review the Code of Practice on Conservation, Access and Recreation to take account of the Environment Act 1995. [31007]

Mr. Meacher: The Standing Committee has so far met seven times, the latest meeting being in November 1995. A report by the Standing Committee on the effectiveness of the Code of Practice was published in July 1993. Annual reports by the water companies on their conservation, access and recreation activities are considered by the Standing Committee, which includes representatives from the main conservation and sports bodies. There are no plans at present to change this process. The Code of Practice is currently being reviewed, with a view to producing a revised Code later this year.

National Air Traffic Services

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the annual salary of each member of the Board of the National Air Traffic Services. [31186]

Ms Glenda Jackson: National Air Traffic Services Ltd. formed its own Board, separate from that of the Civil Aviation Authority, in April 1996. My Department holds information on salaries only for those members of the NATS Board who are also members of the CAA Board. These members are the following:

Mr. Malcolm Argent: (2 days per week)

Mr. Derek McLauchlan: (Full time until June 1997, when he was replaced by Mr. Semple)

Mr. William Semple: (Full time—appointed 1 July 1997)

Mr. Anthony Herron: (2 days per week)

Mr Roderick Lynch: (2 days per month).

I have listed Mr. McLauchlan's salary for the last five years of his appointment in a separate reply. The salaries of the other NATS Board Members for which my Department holds information, since the Board was set up in April 1996, are as follows:

£

Member	*Salary 1996–1997*	*Salary 1997–1998*
Mr. M. Argent	45,441	46,804
Mr. W. Semple	100,000	103,000
Mr. A. Herron	46,575	47,972
Mr. R. Lynch	7,886	8,122

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the annual salary paid to Derek McLauchlan for each of the last five years of his employment as Chief Executive of National Air Traffic Services. [31185]

Ms Glenda Jackson: Mr. McLauchlan was the Chief Executive of National Air Traffic Services Ltd until June 1997. His annual salary for each of the five years leading up to his departure from NATS Ltd was as follows:

1992–1993: £83,200

1993–1994: £84,450

1994–1995: £86,140

1995–1996: £87,000

1996–1997: £87,870.

Full details of the emoluments of Board Members of the Civil Aviation Authority are set out in the CAA's Annual Report and Accounts. These documents are available in the House Library.

Japanese Cars

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the emission levels of cars manufactured in Japan to run on low sulphur fuels imported into the United Kingdom for sale as second-hand cars relative to cars manufactured in the EU; and if he will make a statement. [30721]

Ms Glenda Jackson *[holding answer 23 February 1998]:* None. The proportion of such second-hand cars compared with cars manufactured directly for the EU market is very small. Any disparity between emissions levels will decline markedly from the year 2000, when new EU fuel standards are due to be introduced.

Mornington Crescent

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions when Mornington Crescent London Underground station will be reopened. [30953]

Ms Glenda Jackson: This is an operational matter for London Underground Ltd, but I understand that they are aiming to re-open Mornington Crescent station towards the end of next month.

Conferences

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31177]

Ms Glenda Jackson: These data are not held centrally and cannot be provided except at disproportionate cost. Officials attend and speak at conferences as appropriate to fulfil their duties.

Rolling Stock Leasing Companies

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to investigate the profits levels of train rolling stock leasing companies. [31008]

Ms Glenda Jackson: My right hon. Friend the Deputy Prime Minister announced on 21 January that he had asked the Rail Regulator to conduct an urgent and

wide-ranging inquiry into the operation of the rolling stock market. The Regulator has been asked specifically to examine the scope for the rolling stock companies to abuse their market power either through excessive pricing, through inadequate investment in new or refurbished rolling stock or more generally through their response to the requirements of train operators to secure improvements in performance. The Regulator has been asked to report by the middle of April. The Government will then consider, in the light of the Regulator's recommendations, whether further action should be taken.

Health and Safety

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what steps have been taken by his Department in conjunction with the trades unions and Employers' Federation to promote improved health and safety practice at work. [30829]

Mr. Meacher: I am kept regularly informed by the Health and Safety Commission (HSC), whose members include representatives of both employees and employers organisations, of measures and action taken to promote improved health and safety practice in the workplace. Much of HSC's work is done in consultation with their industry advisory committees which encourage the joint participation of all representative organisations in the improvement of health and safety at work and draw on the expertise and advice available on both sides of industry. These committees give the problems of particular industries close and more detailed attention.

I have recently allocated to the HSC/E an extra £4.5 million and I look forward to receiving their Plan of Work for 1998/99 which sets out detailed proposals of how resources will be used to achieve their aims and key priorities for the coming year. One of the HSC's key priorities will be to improve health and safety at work by promoting the full participation of key intermediaries and principal stakeholders, namely employers, employees and their representatives.

Energy Efficiency Bill

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from Abbey National Plc on the subject of the current Energy Efficiency Bill. [31010]

Mr. Meacher: The Under-Secretary, my hon. Friend the Member for Wallasey (Angela Eagle) will shortly reply to a letter about the Energy Efficiency Bill which Abbey National Plc sent to my hon. Friend the Minister for Competition and Consumer Affairs.

Carbon Dioxide Emissions

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what will be the *(a)* timetable and *(b)* scope of the national debate on the achievement of the Government's (i) legally binding target set at the Kyoto conference and (ii) own target for reductions in CO2 emissions by 2010; who will be consulted; and when and how the Government will report on it. [31011]

Mr. Meacher: The Government plan to publish a consultation paper on delivering their climate change targets in the summer. This will focus on our legally binding target under the Kyoto Protocol, but will also discuss policies that could help to go beyond that target and deliver our domestic aim. We have already started to consider a range of options for reducing greenhouse gas emissions with key players. We will continue this debate in the run up to publication of the consultation paper and afterwards, as we develop our national programme.

Road Signs

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will amend the Traffic Signs Regulations and General Directions Order 1994 (SI 1519) to add the words "Except Cycles" to No Entry signs. [29588]

Ms Glenda Jackson: No. We do not believe it is generally safe or desirable to allow or encourage cyclists to ride past No Entry signs. We recommend that, wherever possible, a segregated cycle facility should be provided at the entry to a contraflow cycle lane. The Traffic Signs Regulations (which are made by Ministers in England, Wales and Scotland acting jointly) already contain positive signs to indicate that pedal cycles only may use particular routes, as well as signs to indicate that motor vehicles are prohibited from certain routes.

Highway Code

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions how many responses have been received so far to the consultation on the revised Highway Code. [29589]

Ms Glenda Jackson: We have received some 420 responses to date.

Air Safety

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of airline passengers and flight crew aboard *(a)* United Kingdom aircraft and *(b)* aircraft flying to and from the United Kingdom injured by turbulence while not wearing their seatbelts in each of the last five years. [31255]

Ms Glenda Jackson: The Civil Aviation Authority does not hold information on injuries occurring on foreign registered aircraft. The number of injuries to passengers and flight crew on United Kingdom registered aircraft resulting from turbulence in each of the last five years is listed in the table. None of these injuries were serious. It is not known whether or not those injured were wearing seat belts.

	Passengers	*Cabin crew*
1993	0	10
1994	2	5
1995	2	13
1996	4	9
1997	18	29

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of incidents in each of the last five years where turbulence has affected United Kingdom air carriers. [31256]

Ms Glenda Jackson: The Civil Aviation Authority require reports of turbulence encounters by UK registered aircraft when they result in an injury to an occupant of the aircraft or if the commander of the aircraft deems a "turbulence check" of the aircraft to be necessary. The number of reports of turbulence encounters involving UK registered passenger aircraft received by the CAA in each of the last five years is as follows:

Year	
1993	46
1994	84
1995	74
1996	49
1997	86

Trust Ports

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to privatise the remaining trust ports. [31252]

Ms Glenda Jackson: We have no proposals to compel the privatisation of any of the remaining trust ports. We will consider on their merits any applications for voluntary privatisation put forward by individual trust ports under the Ports Act 1991.

Railways Pension Scheme

Mrs. Ewing: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from members of the Railways Pension Scheme 1994 concerning errors made in the computation of their pension rights; and if he will make a statement. [31027]

Ms Glenda Jackson: Since the General Election, we have received 3 queries from members of railway pension schemes about their pension entitlements.

The administration of the Railways Pension Scheme, including the computation of members' pension entitlements, is a matter for the Scheme's independent trustee, the Railways Pension Trustee Company Limited. The Scheme has a formal procedure for settling any disagreements in accordance with statute. Members wishing to use it should write to the Scheme's managers, Pensions Management. My right hon. Friend the Secretary of State has no locus to intervene.

Drainage Area Plan (Bingley)

Mr. Leslie: To ask the Secretary of State for the Environment, Transport and the Regions if he will arrange for the full drainage area plan for the Eldwick/Gilstead area of Bingley, West Yorkshire to be *(a)* published, *(b)* placed in the Library and *(c)* made available to the City of Bradford Metropolitan District Council Planning Authority. [30617]

Mr. Meacher: The information requested is not available centrally.

Under section 199 of the Water Industry Act 1991, sewerage companies are required to keep records of the location of every sewer vested in the company. Section 200 of the 1991 Act places a duty on sewerage companies to provide local authorities with copies of those records and any modifications to them. They are also required to make sewer records available for public inspection free of charge.

Highway drainage records are kept by the relevant Highway Authorities and can be inspected at the local offices during normal working hours. With regard to the A650 trunk road which passes through Bingley, highway drainage records can be inspected at the City of Bradford Metropolitan District Council offices in Keighley, West Yorkshire.

The Environment Agency collects information on the risk of flooding from rivers or the sea under the provisions of Section 105(2) of the Water Resources Act 1991. Information on design flood levels can be obtained from the Agency's regional office. Such flood plain surveys are principally to provide guidance on flood risk to inform decisions by the local planning authority on development in flood plains. Internal Drainage Boards may hold similar information about their districts, and this would normally be made available on request.

Watercourse Pollution

Mr. Leslie: To ask the Secretary of State for the Environment, Transport and the Regions how many planning applications were considered by the Environment Agency in their role as statutory consultee in the last full year for which records are available; and on how many occasions the Environment Agency registered formal advice to local planning authorities to reject applications on the grounds of potential watercourse pollution. [30795]

Mr. Raynsford: In 1996–97, the Environment Agency was consulted on 104,847 planning applications by English and Welsh local planning authorities on both a statutory and non-statutory basis. The Agency advised local planning authorities to reject the application on the grounds of potential watercourse pollution in an estimated 250 cases. The Agency does not collect separate figures on statutory as opposed to non-statutory consultations nor are applications affecting watercourses always recorded separately.

Departmental Headquarters

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions when his Department's headquarters at Marsham Street are to be *(a)* vacated and *(b)* demolished. [31259]

Ms Glenda Jackson: My Department plans to vacate 2 Marsham Street by the end of May 1998. It will be handed back to Property Advisers to the Civil Estate, who will decide its future.

TREASURY

Inland Revenue

Mr. Gibb: To ask the Chancellor of the Exchequer how many Inland Revenue SA330 forms were issued between 1 and 19 February. [31097]

Dawn Primarolo *[holding answer 24 February 1998]:* SA330 forms were sent to around 150,000 tax agents in respect of around 4 million taxpayers. The forms provided summary details of whether taxpayers had settled their 1996–97 tax liability for agents to check against clients' records.

Tax Allowances

Mr. MacShane: To ask the Chancellor of the Exchequer how many taxpayers are currently entitled to *(a)* the basic personal allowance, *(b)* the married couple's allowance, *(c)* the non-aged married couple's allowance and *(d)* the additional personal allowance. [31248]

Dawn Primarolo *[holding answer 24 February 1998]:* It is estimated that, in 1998–99, some 26.2 million income taxpayers will receive the personal allowance. In addition to this, many more individuals will be kept out of tax by their personal allowance. Around 10.8 million individual taxpayers will benefit from the married couple's allowance, of which 9.6 million people will get the non-aged married couple's allowance. About 840,000 will receive the additional personal allowance.

Poorest Nations (Debts)

Sir Sydney Chapman: To ask the Chancellor of the Exchequer if he will make a statement about the Government's policy on tackling the debts of the poorest nations. [29632]

Mrs. Liddell: The Government are firmly committed to supporting debt relief for the poorest countries, including the relief offered under the Heavily Indebted Poor Countries (HIPC) initiative. In the IMF and World Bank Executive Boards, we have actively supported granting HIPC relief to Uganda, Bolivia, Burkina Faso and Guyana. We have also pressed for movement on other potential beneficiaries, including Mozambique. We have offered to provide up to $10 million to help Mozambique achieve debt sustainability on top of debt relief and assistance the UK has already committed.

Last September, the Chancellor of the Exchequer, in his Mauritius Mandate statement, called on the international community to commit itself to dealing with the problem of unsustainable debt burdens faced by some poor countries once and for all. This represents a challenge for both creditors and debtors. Creditors should ensure that relief mechanisms are sufficiently flexible to deal with all cases. Debtors should show a commitment to sound economic policies, with a focus on productive expenditures such as basic healthcare and primary education, and demonstrate transparent and accountable decisionmaking. Debt relief is necessary to allow such countries to continue to implement such policies, which are aimed at increasing the pro-poor economic growth that is needed for lasting poverty reduction.

Ministerial Visits

Mr. Wilshire: To ask the Chancellor of the Exchequer if he will list those visits made within the United Kingdom since 1 May on which *(a)* he and *(b)* other Ministers within his Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23752]

Mr. Gordon Brown *[holding answer 19 February 1998]:* None.

Consultants

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the expenditure of his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies on external consultants in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year; and if he will also estimate the cost savings resulting from the employment of such consultants for each of the above years. [26572]

Mrs. Liddell *[holding answer 5 February 1998]:* Figures for expenditure are as in the table:

£000

	1995–96	*1996–97*	*1997–98 (to date)*	*1997–98 (full year)*
Customs & Excise	18,700	18,200	13,200	17,500
Inland Revenue	29,500	6,655	3,585	5,100
National Savings	858	1,564	2,700	4,200
Office for National Statistics	n/a	2,100	1,200	2,300
Treasury	611	924	997	1,100

The Office for National Statistics was created on 1 April 1996. The Royal Mint has spent a total of £0.3 million on external consultants over 1995–98.

Consultants are employed not only to reduce costs but also to increase Departments' effectiveness; or to carry out specialised tasks for which Departments neither have nor need the staff to carry them out themselves. They have therefore contributed in several ways to Departments' output; and to the cash reductions in the spending of the Chancellor's Departments in recent years.

Official Hospitality

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his current estimate of the expenditure of his Department, its agencies and non-departmental public bodies on hospitality since 1 May 1997. [27730]

Mrs. Liddell *[holding answer 5 February 1998]:* The current estimate of expenditure on hospitality is:

	£000
Inland Revenue (including Valuation Office Agency)	198
Customs & Excise	298
HM Treasury	94
National Savings	11
Office for National Statistics	58
Royal Mint	33

Empty Properties

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) his Department, (ii) his agencies and (iii) other public bodies for which he has responsibility, in (A) 1995–96, (B) 1996–97, (C) 1997–98 to date and (D) 1997–98 full year. [26574]

Mr. Geoffrey Robinson *[holding answer 5 February 1998]:* Empty properties has been taken to mean fully vacant buildings.

£ million

Department	1995–96[1]	1996–97 Annual cost	1996–97 Total value	1997–98[2] Annual cost	1997–98[2] Total value
Inland Revenue	—	0.2	1.0	1.9	2.0
Customs and Excise	—	0.8	1.0	0.8	0.9

[1] Prior to 1.4.96 responsibility for the disposal of vacant space fell to Property Holdings for the Common User Estate.
[2] No distinction has been made between the current year to date and the full year.

HM Treasury, National Savings, the Office for National Statistics or the Royal Mint do not have any empty property.

Contingency Reserve

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what allocations from the contingency reserve for 1998–99 to departments have been approved over the last two months and for what purpose; what is the current amount of the contingency reserve for 1998–99; and if he will make a statement. [30507]

Mr. Darling *[holding answer 23 February 1998]:* I have nothing to add to my reply to the hon. Member of 10 December 1997, *Official Report*, columns *562–64*. The next forecast of the Reserve for 1998–99 will be published in the Financial Statement and Budget Report in March.

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26576]

Mrs. Liddell *[holding answer 5 February 1998]:* No building refurbishment has been carried out by the Treasury in the years 1995–96 to 1997–98 other than an essential electrical wiring replacement programme in the headquarters building at a cost of £80,000 to date during 1997–98.

Overseas Travel

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the cost of Ministerial overseas travel in his Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26577]

Mrs. Liddell *[holding answer 5 February 1998]:* The cost of Ministerial overseas travel for the Treasury for the years requested is as listed.

1995–96: £59,150

1996–97: £52,641

1997–98 (to date): £34,846.

VAT

Dr. Marek: To ask the Chancellor of the Exchequer if he will make a statement on the European Commission review of the scope of reduced VAT rates. [30687]

Dawn Primarolo *[holding answer 23 February 1998]:* The European Commission's recent analysis of the present VAT rates structure and application of reduced VAT rates within the Community concludes that there is no significant distortion of competition brought about by the disparities in VAT rates between Member States. The report makes no formal proposals for revision of the current list of supplies of goods and services which may be subject to reduced rates.

Dr. Marek: To ask the Chancellor of the Exchequer if he will list occasions when he has raised the issue of a wider relief of VAT on energy saving materials with other member states of the EU. [30689]

Dawn Primarolo *[holding answer 23 February 1998]:* We have advised the Commission that we intend to explore the possibility of a reduced rate of VAT for energy saving measures carried out under certain Government-funded schemes and to explore the possibility of a reduced rate with wider application than European law presently allows.

City of London Corporation

Mr. Redwood: To ask the Chancellor of the Exchequer what discussions the Financial Secretary's office has had with the City of London Corporation since 1 January. [30930]

Dawn Primarolo *[holding answer 23 February 1998]:* My office has had no discussions with the City of London Corporation since 1 January.

Pension Contributions

Mr. Redwood: To ask the Chancellor of the Exchequer if he will estimate the increase in pension contributions British business will need to make to replace the extra tax levied on funds in the last Budget in a full year. [30613]

Dawn Primarolo *[holding answer 23 February 1998]:* It is for companies and their pension funds to decide the level of their contributions.

Mozambique

Mr. Reed: To ask the Chancellor of the Exchequer what progress he has made towards cancelling the debt burden of Mozambique as part of Britain's contribution to the Heavily Indebted Poor Countries Initiative. [30926]

Mrs. Liddell *[holding answer 23 February 1998]:* The UK has consistently supported a full and final exit for Mozambique from its debt burden under the HIPC initiative. On 17 February, the Chancellor and the Secretary of State for International Development pledged to provide a bilateral contribution of up to $10 million to help Mozambique to this end. This money is in addition to the debt relief agreed through the Paris Club of Government Creditors and other assistance that the UK has already committed.

A final agreement is currently being negotiated at the IMF and World Bank in Washington.

Third World Debt

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer if he will make a statement on the proposals the Government is making on writing off Third World debt. [30267]

Mrs. Liddell *[holding answer 23 February 1998]:* The Government are fully committed to the Heavily Indebted Poor Countries (HIPC) initiative that was launched by the IMF and World Bank in September 1996. In his speech to Commonwealth Finance Ministers in Mauritius last year, the Chancellor called on the international community to commit itself to dealing with the problem of unsustainable debt burdens faced by the world's poorest countries once and for all. He urged creditors and debtors to undertake concrete action in order to ensure that at least three-quarters of the twenty countries, initially identified by the World Bank and IMF as probably needing debt relief under HIPC initiative, have had decisions on the size and timing of their relief by the year 2000. The Government propose to continue their efforts to ensure that this target is met.

In the IMF and World Bank Executive Boards, we have actively supported debt relief under the HIPC initiative for the four countries that have so far had decisions—Uganda, Bolivia, Burkina Faso and Guyana. The Government have also taken a lead in pressing for action to help another indebted country, Mozambique. We have offered to provide up to $10 million to help Mozambique achieve debt sustainability on top of the debt relief and assistance that the UK has already committed.

Windfall Tax

Dr. Cable: To ask the Chancellor of the Exchequer what is his estimate of windfall tax receipts in *(a)* 1997–98 and *(b)* in total. [31263]

Mr. Geoffrey Robinson: I refer the hon. Gentleman to the answer I gave to my hon. Friend the Member for Carmarthen, West and Pembrokeshire, South (Mr. Ainger) on 12 February 1998, *Official Report*, column *378*.

HOME DEPARTMENT

Drug Treatment and Testing Order

Mr. Sawford: To ask the Secretary of State for the Home Department if he will make a statement on the areas that he has chosen to pilot the proposal in the Crime and Disorder Bill [*Lords*] to introduce a drug treatment and testing order. [31738]

Mr. George Howarth: My hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) announced in a speech to a conference in York organised by Her Majesty's Inspectorate of Probation this afternoon that the pilots will take place under the management of Merseyside, South-East London and Gloucestershire Probation Services.

Thirty six probation areas expressed an interest in managing the pilot of the drug treatment and testing order. All the proposals were well thought out and enthusiastic and the choice was therefore far from clear-cut.

Public Opinion Research

Mr. Duncan: To ask the Secretary of State for the Home Department how many contracts for public opinion research his Department has awarded since 1 May; if he will indicate the *(a)* purpose, *(b)* cost, *(c)* value and *(d)* duration of each contract; and which companies (i) bid for and (ii) were awarded each contract. [28872]

Mr. Michael *[holding answer 10 February 1998]:* None. However, the British Crime Survey, which is not "public opinion research" and is primarily used to measure crime against households through interviews with the general public, does include questions about attitudes. The current sweep asks respondents about their attitudes to punishment, the police and victim support.

Police and Judicial Co-operation

Mr. Mitchell: To ask the Secretary of State for the Home Department (1) if he will make a statement on the implications of Articles 29 to 42 of the Treaty on European Union as amended by the Amsterdam Treaty for police and judicial co-operation in criminal matters; and what information he has made available to Parliament and the public on this subject; [30523]

(2) what consultations he has had with police authorities on the consequences for their operations and duties of Articles 29 to 42 of the Treaty on European Union as amended by the Amsterdam Treaty; and if he will place in the Library the records of those consultations; [30524]

(3) what assessment he has made of the implications of articles 29 to 42 of the Treaty on European Union; and what plans he has to publish information on their impact on police operations and on the judicial system in the United Kingdom. [31080]

Ms Quin: Articles 29 to 42 of the Treaty on European Union (TEU), as amended by the Treaty of Amsterdam, will replace Title VI of the TEU by new provisions concerned with developing common action between member states in the fields of police and judicial co-operation in criminal matters and preventing and combating racism and xenophobia. The new provisions introduce changes, in particular as regards the scope of the common action to be developed, the legal instruments to be used and the role of the European Commission, the European Parliament and the European Court of Justice. There are also provisions enabling member states to establish closer co-operation between themselves, and on the future role of Europol. Subject to Parliamentary approval of the European Communities (Amendment) Bill, and ratification by all member states of the new Treaty, the Government will seek to participate fully in all aspects of work under the new provisions, consistently with United Kingdom national interests.

The Treaty of Amsterdam was published as a Command paper (Cm 3780) in October 1997. Detailed written statements which cover all aspects of the Treaty have been provided to Committees of both Houses, made available to hon. Members and placed in the Library. Additionally, similar information has been provided to members of the public on request. The Treaty of Amsterdam has, of course, been debated at length in this House.

The police are routinely consulted, through a wide range of contacts which will not necessarily be recorded, on aspects of European Union business which have consequences for them. In particular, the Association of Chief Police Officers are closely involved in relevant discussions and negotiations with our European partners, and often attend meetings to provide advice and support.

Articles 29-42 will not impact directly on police operations and the judicial system in the United Kingdom. They call for closer co-operation between the competent authorities of the member states in these fields, but any further practical arrangements will only be put into place following further negotiation and agreement. For example, the provision in Article 32 for the regulation of the operation of competent authorities in the territory of another member state will require a separate, detailed discussion and agreement by the Council. Information regarding these negotiations shall of course be made available to Parliament in line with scrutiny arrangements for work undertaken in the Third Pillar.

South East Regional Crime Squad

Mr. Flynn: To ask the Secretary of State for the Home Department when he expects reports to be made on the investigations into the conduct of the South East Regional Crime Squad. [30449]

Mr. Michael *[holding answer 23 February 1998]:* There is no current investigation into the conduct of the South East Regional Crime Squad (SERCS) as a whole. Individual SERCS officers may become the subject of complaint, allegation or report. In such circumstances, the Co-ordinator of SERCS would normally invite an appropriate police force within his region to conduct an investigation.

I have been advised that there are currently seven such inquiries being undertaken by the Metropolitan Police. These investigations are at different stages and their completion dates will depend on the particular circumstances of each case. Three of the seven were instigated by SERCS management. The inquiry which has received most publicity was set in motion after surveillance logs were found to be missing during a trial at Snaresbrook Crown Court. SERCS was inspected by Her Majesty's Inspectorate of Constabulary during February 1997.

FOREIGN AND COMMONWEALTH AFFAIRS

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his current estimate of the expenditure of his Department, its agencies and non-departmental public bodies on hospitality since 1 May 1997. [27800]

Mr. Fatchett *[holding answer 5 February 1998]:* Expenditure on official hospitality by the FCO, its agencies and non-departmental public bodies for the period 1 May 1997 to 31 December 1997 was as follows:

FCO (£000)	*Agencies (£)*	*NDPBs (£000)*
6,533	619	690

Consultants

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the expenditure of his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies on external consultants in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year; and if he will also estimate the cost savings resulting from the employment of such consultants for each of the above years. [26661]

Mr. Tony Lloyd *[holding answer 5 February 1998]:* Spending on external consultants[1] by the FCO, its executive agency and non-departmental public bodies (NDPBs):

£ million

	1995–96	*1996–97*	*1997–98 to date*	*1997–98*
FCO	17.65	11.80	10.80	15.36
Agency	—	0.06	—	—
NDPBs[2]	0.05	0.03	0.06	0.08

[1] As defined in the 1994 Efficiency Unit Scrutiny.
[2] Excludes the British Council, for whom figures could be provided only at disproportionate cost.

The bulk of FCO consultancy spending is for technical expertise on capital projects and information technology, often for infrastructure projects, designed to promote overall efficiency. Where savings are achieved, the work of external consultants is only one factor to be taken into account. Quantified annual cost savings for such work are therefore not available.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the cost of Ministerial overseas travel in his Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26666]

Mr. Fatchett *[holding answer 5 February 1998]:* The total cost of FCO Ministerial overseas travel, including attendance at international conferences, in 1995–96 and 1996–97 was as follows:

1995–96: £1,496,109

1996–97: £2,145,345.

1997–98 expenditure, as at 31 December 1997, stood at £1,185,507.

Holiday Insurance

Mr. Alasdair Morgan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the need for travellers to purchase holiday insurance, with particular reference to activity holidays; what assessment he has made of the adequacy of holiday insurance packages sold with activity holidays; and if he will issue guidance to holidaymakers with regard to insurance packages for activity holidays. [28139]

Mr. Fatchett *[holding answer 9 February 1998]:* We have made no assessment of holiday insurance packages but strongly recommend in our consular publicity material that all travellers abroad take out adequate comprehensive insurance. It is essential that the cover includes medical evacuation, especially for activity holidays.

Overseas Visits (Advisers)

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 11 February 1998, *Official Report*, columns *248–49*, if he will list the dates and destinations of the overseas visits undertaken by special advisers at public expense. [30286]

Mr. Robin Cook: Since 1 May 1997, a Special Adviser has accompanied me and other FCO Ministers on the following overseas visits:

Date	*Destination*
1997	
7 May	France, Germany
18–19 May	USA
19–20 May	Netherlands
5–6 June	Sweden
16–17 June	Netherlands
20–23 June	USA
27 June-1 July	Hong Kong
7–9 July	Spain
28–30 July	Bosnia, Croatia
28 July-3 August	Egypt, Occupied Territories, Israel
21–25 September	USA
7–8 October	Gibraltar
20–21 November	Luxembourg, Switzerland
25–28 November	Hungary, Czech Republic, Poland
1998	
13–16 January	Israel, Occupied Territories
14 January	France
10–13 February	Oman, UAE, Egypt

Iraq

Mr. Amess: To ask the Secretary of State for Foreign and Commonwealth Affairs what action Her Majesty's Government have taken to secure reparations from Iraq for Kuwait under United Nations Resolution 687. [30979]

Mr. Fatchett: The Government of Kuwait have made their own claims for reparations through the UN Compensation Commission in Geneva.

Mr. Amess: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Her Majesty's Government have taken in the last year in pressing for Saddam Hussein to be indicted as a war criminal. [30980]

Mr. Fatchett: We have on several occasions made clear our support for the INDICT campaign which calls for Saddam Hussein to be brought to account in an appropriate court.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of *(a)* the volume of oil sold by Iraq since the introduction of UN sanctions, *(b)* the net price paid to Iraq and *(c)* the comparative free market price for oil. [30762]

Mr. Fatchett *[holding answer 23 February 1998]:* On 19 February, the UN estimated that, under UNSCR 986, 119.5 million barrels of oil had been sold, under UNSCR 111, 126.9 million barrels and under UNSCR 143, 38.9 million barrels.

The UN estimates the revenue from these sales at US$2.15 billion, US$2.125 billion and US$0.48 billion respectively.

Prices implied by these revenue figures are US$17.99, US$16.75 and US$12.34 respectively. The fall in prices is in line with the fall in oil prices generally over the period in question.

Mr. Duncan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the work the Government have commissioned on opinion research or focus groups concerning people's views on Iraq; what were the terms of reference; to whom each contract was awarded; what was the cost of each contract; and if he will publish in full the transcripts and conclusions of each piece of research. [30945]

Mr. Fatchett *[holding answer 23 February 1998]:* We have not commissioned any survey concerning views on Iraq. We have, however, taken careful note of the results of opinion polls published in the UK press.

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what reasons other members of the *(a)* United Nations Security Council and *(b)* European Union Council of Ministers, who oppose a military attack on Iraq, have given to Her Majesty's Government for their opposition to such action. [30982]

Mr. Fatchett: The agreement reached by the UN Secretary-General, Kofi Annan, was the culmination of intensive diplomatic efforts to resolve the crisis with Iraq. But as the Secretary General himself stated at his press conference in Baghdad, progress was achieved only because diplomatic efforts were backed up by the credible threat of military force.

The vast majority of EU Member States and most Security Council members have said publicly that they would not rule out the use of force against Iraq if efforts to secure a diplomatic solution failed.

Schengen Agreement

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit in the Library a copy of the response by the United Kingdom representative to the letter of 16 July 1997 of the Dutch permanent representative in connection with the Schengen Agreement and the Amsterdam Treaty. [31048]

Mr. Doug Henderson: It would not be appropriate to publish this piece of diplomatic correspondence between Her Majesty's Government and another Government.

Roma People

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his policy regarding *(a)* human rights and *(b)* the treatment of Roma people in those European countries likely to be in the next group to join the European Union. [31073]

Mr. Doug Henderson: We have made clear our commitment to place human rights at the centre of foreign policy. We will be strict in ensuring that EU applicants comply with the Copenhagen political criteria, including the

"respect for and protection of minorities".

This is why we support strongly all efforts to address shortcomings in the treatment of minorities in EU applicant countries, both through bilateral Know How Fund projects and our contributions to the Phare Programme. We have also been working bilaterally with

several Central European Governments to help them implement measures to improve the position of the Roma and other minorities.

Conferences

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31176]

Mr. Tony Lloyd: The information sought is not readily available and could be obtained only at disproportionate cost.

Burma-Thailand Gas Pipeline

Mr. Rowe: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the board of Premier Oil Ltd, in relation to their participation in the Burma-Thailand gas pipeline. [31076]

Mr. Fatchett: We do not encourage UK companies to trade with Burma and urge them to think carefully before doing so, pointing out the political and human rights situation in Burma. I made this policy clear to Charles Jamieson, Chief Executive of Premier Oil, when we met on 17 December.

Burma

Mr. Rowe: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the proportion of Burma's GNP being spent on armaments and instruments of repression. [31077]

Mr. Fatchett: The Burmese Government do not release any detailed figures on expenditure on arms, but we estimate that at least 30% of Burma's GNP is spent on general defence expenditure. The EU's Common Position on Burma includes a full-scale arms embargo, the suspension of all defence links and the suspension of non-humanitarian aid.

Defence Exports

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 16 February 1998, *Official Report*, column *489*, for what reasons it is not his policy to list the British manufacturers of equipment found by inspectors in Iraq. [31273]

Mr. Tony Lloyd: It is not our practice to reveal the identity of British manufacturers whose equipment has been found by UNSCOM in Iraq, because it is UNSCOM's practice to disclose such information to Governments on a confidential basis when it considers this may assist its investigations. That confidentiality must be maintained if UNSCOM is to be able to follow up information on Iraq's weapons of mass destruction programmes effectively.

Saudi Arabia

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he held on human rights issues during his visit to Saudi Arabia; and what was the response of the Saudi authorities. [30772]

Mr. Fatchett *[holding answer 24 February 1998]:* My right hon. Friend the Foreign Secretary held talks with Prince Saud Al Faisal, the Saudi Arabian Foreign Minister, during his visit to Saudi Arabia on 5 February. The purpose of his visit was to discuss the current crisis in the Gulf.

War Crimes

Mr. Caton: To ask the Secretary of State for Foreign and Commonwealth Affairs what factors underlay the policy of the United Kingdom Government to oppose the inclusion of the use of nuclear weapons as a war crime under the jurisdiction of the proposed International Criminal Court. [31032]

Mr. Tony Lloyd: I refer my hon. Friend to the answer given by the Minister of State, my hon. Friend the Member for Newcastle-upon-Tyne, North (Mr. Henderson), to my hon. Friend the Member for Birmingham, Hall Green (Mr. McCabe) on 10 February 1998, *Official Report*, columns *139–40*.

NORTHERN IRELAND

Civil Service

Mr. Mallon: To ask the Secretary of State for Northern Ireland if she will list for each Government Department the total number of *(a)* posts, *(b)* non-industrial posts and *(c)* Grade 6 and above posts (i) outside the Greater Belfast area and (ii) more than 30 miles from Belfast on 1 April of each year since 1995. [30840]

Mr. Paul Murphy: Information in the form requested is readily available only in respect of Northern Ireland Civil Servants at 1 September each year and is as follows:

Staff located outside Greater Belfast area

Department	*Total*			*Non-industrial only*			*Grade 6 and above*		
	1995	*1996*	*1997*	*1995*	*1996*	*1997*	*1995*	*1996*	*1997*
DANI	2,000	1,836	1,839	1,239	1,123	1,165	4	4	2
DED	785	786	740	735	737	701	2	2	2
DENI	562	585	579	560	583	577	70	70	71
DFP	291	271	261	291	271	261	6	6	6
DHSS	2,046	1,966	1,864	2,046	1,966	1,864	—	—	—
DOE	3,422	3,328	3,149	2,417	2,311	2,257	14	15	14
NIO	1,161	1,184	1,156	1,039	1,057	1,034	3	3	3
Total	10,267	9,956	9,588	8,327	8,048	7,859	99	100	98

Staff located 30 miles outside Belfast

Department	Total			Non-industrial only			Grade 6 and above		
	1995	1996	1997	1995	1996	1997	1995	1996	1997
DANI	1,585	1,409	1,377	920	785	791	3	3	2
DED	428	427	396	398	396	375	—	—	—
DENI	104	108	102	104	108	102	—	—	—
DFP	159	144	141	159	144	141	2	2	2
DHSS	1,461	1,390	1,326	1,461	1,390	1,326	—	—	—
DOE	2,019	1,856	1,784	1,349	1,212	1,186	6	7	7
NIO	657	616	618	603	560	564	—	—	—
Total	6,413	5,950	5,744	4,994	4,595	4,485	11	12	11

Mr. Mallon: To ask the Secretary of State for Northern Ireland if she will list for 1 April 1995 the total number of Grade 6, and above, Civil Service posts located *(a)* outside the Greater Belfast area and *(b)* more than 30 miles from Belfast, stating in each case the percentage of the total number of Grade 6 posts represented. [30841]

Mr. Paul Murphy: Information in the form requested is readily available only in respect of Northern Ireland Civil Servants at Grade 6 level and above at 1 September 1995 and is as follows:

	Number (%)
Number located outside Greater Belfast area (percentage of Grade 6 posts and above in NICS)	99 (19)
Number located more than 30 miles from Belfast (percentage of Grade 6 posts and above in NICS)	11 (2)

Mr. Mallon: To ask the Secretary of State for Northern Ireland what was the *(a)* total number and *(b)* percentage of Civil Service jobs located (i) inside and (ii) outside the Greater Belfast area at 1 April in each year since 1995. [30859]

Mr. Paul Murphy: Information in the form requested is readily available only in respect of Northern Ireland Civil Servants at 1 September each year and is as follows:

	Number located inside Greater Belfast area (percentage of NICS)	*Number located outside Greater Belfast area (percentage of NICS)*
1 September 1995	17,003 (62%)	10,267 (38%)
1 September 1996	16,852 (63%)	9,956 (37%)
1 September 1997	16,629 (63%)	9,588 (37%)

Mr. Mallon: To ask the Secretary of State for Northern Ireland what was the *(a)* total number and *(b)* percentage, of non-manual Civil Service jobs located outside the Greater Belfast area at 1 April in each year since 1995. [30860]

Mr. Paul Murphy: Information in the form requested is readily available only in respect of non-industrial Northern Ireland Civil Servants at 1 September each year and is as follows:

	Number located outside Greater Belfast area	*Percentage of NICS total*
1 September 1995	8,327	35
1 September 1996	8,048	34
1 September 1997	7,859	34

Mr. Mallon: To ask the Secretary of State for Northern Ireland what was the *(a)* total number and *(b)* percentage, of Civil Service jobs located more than 30 miles from Belfast at 1 April in each year since 1995. [30861]

Mr. Paul Murphy: Information in the form requested is readily available only in respect of Northern Ireland Civil Servants at 1 September each year and is as follows:

	Number located more than 30 miles from Belfast	*Percentage of NICS total*
1 September 1995	6,413	24
1 September 1996	5,950	22
1 September 1997	5,744	22

Mr. Mallon: To ask the Secretary of State for Northern Ireland what was the *(a)* total number and *(b)* percentage, of non-manual jobs located more than 30 miles from Belfast at 1 April in each year since 1995. [30862]

Mr. Paul Murphy: Information in the form requested is readily available only in respect of non-industrial Northern Ireland Civil Servants at 1 September each year and is as follows:

	Number located more than 30 miles from Belfast	*Percentage of NICS total*
1 September 1995	4,994	21
1 September 1996	4,595	20
1 September 1997	4,485	19

TRADE AND INDUSTRY

Gas and Electricity Industries

Mr. Boswell: To ask the President of the Board of Trade how she will secure equity of treatment between regional electricity companies seeking access to the

domestic gas supply market and gas companies seeking to take advantage of competition for domestic electricity supply. [24325]

Mr. Battle *[holding answer 21 January 1998]:* I understand that OFFER and OFGAS have issued proposals which the companies are considering.

Photocopier Industry

Mr. Redwood: To ask the President of the Board of Trade, pursuant to the answers of 3 February 1998, *Official Report*, column *611* and 9 February 1998, *Official Report*, column *95*, if her Department will withdraw the statement that the BEUA are advisers to the right hon. Member for Wokingham. [29604]

Mrs. Beckett *[holding answer 16 February 1998]:* No. I have already written to the right hon. Gentleman.

Sulphur Dioxide Emissions

Mr. Bill O'Brien: To ask the President of the Board of Trade what assessment she has made of the impact on the levels of imports of foreign coal if the 1.2 per cent. sulphur dioxide emissions target is to be met. [30494]

Mr. Battle: The Environment Agency has issued a Consultation Document setting out proposals for the new sulphur dioxide targets. My Department is currently considering these.

Broadcasting

Mr. Gale: To ask the President of the Board of Trade when she expects to bring forward proposals for the regulation and development of broadcasting telecommunications and data. [30403]

Mrs. Roche *[holding answer 19 February 1998]:* The Government are currently considering these issues and expect to initiate a consultation process shortly.

Multilateral Agreement on Investment

Ms Drown: To ask the President of the Board of Trade what assessment her Department has made of the legal opinion given to the Canadian Government on reservations under the Multilateral Agreement on Investment. [29958]

Mrs. Roche: The Government will make their own assessment of the MAI, taking legal advice where necessary.

Ms Drown: To ask the President of the Board of Trade what forms of social protest will be prohibited under the Protection from Strife clause of the Multilateral Agreement on Investment. [30582]

Mrs. Roche: None.

Ms Drown: To ask the President of the Board of Trade what assessment the Government have made of the impact on civil liberties of the provisions of the Protection from Strife clause of the Multilateral Agreement on Investment. [30581]

Mrs. Roche: The Protection from Strife clause concerns compensation to be given to investors whose investments are damaged during strife. It will have no impact on civil liberties.

Mr. Dafis: To ask the President of the Board of Trade what research her Department has undertaken to investigate the means whereby *(a)* workers, *(b)* consumers and *(c)* others affected by the activities of foreign investors can bring disputes to the Multilateral Agreement on Investment dispute settlement mechanism. [30590]

Mrs. Roche: Investors, like others, are subject to the national laws of the countries in which they operate. Therefore, there is no need for workers, consumers or others to use the Multilateral Agreements on Investment's (MAI) dispute settlement mechanism for disputes against investors.

Mr. Dafis: To ask the President of the Board of Trade if she will seek to delay the finalisation of the Multilateral Agreement on Investment negotiations until the Department for International Development's assessment of the Multilateral Agreement on Investment's impact on poor countries has been completed. [30587]

Mrs. Roche: The Department for International Development's study on the MAI and developing countries will be ready in good time before the conclusion of the MAI negotiations.

Mr. Dafis: To ask the President of the Board of Trade what plans she has to consult British companies in respect of competition from foreign companies that are exempted from the provision of the Multilateral Agreement on Investment. [30591]

Mrs. Roche: The Department has consulted British business extensively throughout the negotiations on the Multilateral Agreement on Investment (MAI). The competitiveness of UK companies will not be adversely affected by the Agreement. Foreign companies, like domestic ones, will continue to be covered by UK and EU competition law. The MAI will place obligations on states, not on companies; the question of exemption for foreign companies does not arise.

Mr. Dafis: To ask the President of the Board of Trade if she will list the exemptions from the proposed provisions of the Multilateral Agreement on Investment sought by members of the OECD. [30586]

Mrs. Roche: The UK's draft list of exceptions has already been placed in the Library. It includes exceptions for broadcasting, fishing, marine and air transport, and financial services. The draft lists from other countries have been tabled in confidence; it would not be appropriate for the UK to make them public.

Mr. Dafis: To ask the President of the Board of Trade what research she has undertaken on the possible effects of the Multilateral Agreement on Investment on regional development policies within the United Kingdom. [30585]

Mrs. Roche: The Multilateral Agreement on Investment's main purpose is to limit discrimination against investors on the grounds of their nationality. It will not constrain regional development policies.

Mr. Dafis: To ask the President of the Board of Trade what plans she has to take into account the views of Government and non-governmental organisation experts from developing countries in assessing the impact of the Multilateral Agreement on Investment on developing countries. [30588]

Mrs. Roche: The Department has taken part in consultations organised by the OECD with experts from developing countries and NGOs on Multilateral Agreement on Investment (MAI). The Department for International Development has also consulted NGOs on the study it is undertaking on the development implications of the MAI.

Premier Oil Ltd.

Mr. Rowe: To ask the President of the Board of Trade what representations she has made in relation to participation by Premier Oil Ltd in the Burma-Thailand gas pipeline. [31078]

Mr. Battle: My right hon. Friend the President of the Board of Trade has made no representations in relation to the participation of Premier Oil Ltd. in the Burma-Thailand gas pipeline.

Power Stations

Mr. Letwin: To ask the President of the Board of Trade when she expects to end the moratorium on gas-fired power-stations. [30941]

Mr. Battle *[holding answer 23 February 1998]:* The President has announced that she proposes to defer decisions on contents for power stations pending the outcome of DTI's review of energy sources for power generation but that she is prepared to consider, on their merits, reasoned requests for exceptions to be made in particular cases. The review is expected to reach conclusions before the end of June.

Mr. Letwin: To ask the President of the Board of Trade what representations she has received regarding the moratorium on gas-fired power-stations. [30940]

Mr. Battle *[holding answer 23 February 1998]:* The Department has received a number of representations from interested parties.

Energy Policy

Mr. Letwin: To ask the President of the Board of Trade when she expects to conclude her review of energy policy. [30976]

Mr. Battle *[holding answer 23 February 1998]:* I refer the hon. Member to the answer given by my right hon. Friend the President of the Board of Trade to the right hon. Member for Wokingham (Mr. Redwood) on 2 February 1998, *Official Report,* column *479.*

Accountancy Regulation

Mr. Mitchell: To ask the President of the Board of Trade if she will make a statement on the application of the Government's proposed open government measures on the accountancy regulatory structures sponsored by her Department. [31201]

Mr. Ian McCartney: The purpose of a Freedom of Information Act, as proposed in the "Your Right to Know" White Paper (Cm 3818), is to establish a general statutory right of access to official records and information held by public authorities. The White Paper proposes that the Act will apply to a wide range of bodies including private organisations insofar as they carry out statutory functions. The proposals are at present under public consultation, and the closing date for responses is 28 February.

Auditors

Mr. Mitchell: To ask the President of the Board of Trade if she will make a statement on the auditors' duties in respect of reporting money laundering to the regulatory authorities. [31055]

Mr. Ian McCartney: Auditors are subject to the statutory duty in the Criminal Justice Act 1993 which requires all persons to report to the appropriate authorities any suspicions of money laundering related to drug trafficking or terrorist activity, gained in the course of their work. Further requirements on auditors in particular to report other instances of money laundering are applied through the guidance issued by the Auditing Practices Board (APB).

Mr. Mitchell: To ask the President of the Board of Trade if she will provide for a duty of care incumbent on auditors by audit regulations. [31199]

Mr. Ian McCartney: I have no statutory powers to impose on auditors a substantive duty of care to any person, or to modify the duties of care currently owed by auditors under the common law.

Regulatory Reform

Mr. Mitchell: To ask the President of the Board of Trade what proposals she has for regulatory reform following the publication of the Guinness plc 1985 report. [31072]

Mr. Nigel Griffiths: There are no proposals following directly from the publication of the Guinness report. However, the information gathered by the inspectors and their interim report have made a valuable contribution to the ongoing consideration of the corporate and financial regulatory systems.

Inspectors' Reports

Mr. Mitchell: To ask the President of the Board of Trade if she will list those of her Department's inspectors' reports which *(a)* are complete but will not be published and *(b)* are finalised and are being considered for publication, together with the total cost and fees paid to each of the inspectors in respect of each report. [31056]

Mr. Nigel Griffiths: There has been no publicly announced appointment of inspectors under the Companies Act 1985 where their final report has been completed and not published.

Departmental Pay

Mr. Duncan: To ask the President of the Board of Trade how many people employed by *(a)* her Department and *(b)* the agencies for which his Department is responsible earn (i) less than £3.20 per hour, (ii) between £3.20 and £3.60 per hour, (iii) between £3.60 and £4 per hour and (iv) between £4 and £4.62 per hour. [30758]

Mr. Nigel Griffiths *[holding answer 23 February 1998]:* No staff employed by the Department or its Agencies earn less than £3.60 per hour. Five staff employed by the Department and 135 staff employed by

its Agencies earn between £3.60 and £4 per hour. Nine staff employed by the Department and 88 staff employed by its Agencies earn between £4 and £4.60 per hour.

Internet

Sir Richard Body: To ask the President of the Board of Trade what is her Department's policy on the adoption of a multiannual action plan on promoting safe use of the Internet as set out in COM (97) 582. [31284]

Mrs. Roche: The Government support the actions to be promoted by the action plan, whose approach builds on the UK's successful experience with the Internet Watch Foundation. The Government consider that international co-operation between national hotlines, and in the development of filtering systems, is crucial to the control of illegal and harmful content on the Internet.

Oil and Gas Licensing

Jacqui Smith: To ask the President of the Board of Trade what has been the outcome of the Eighth Landward Round of Oil and Gas Licensing. [31750]

Mr. Battle: I am pleased to announce the award of 35 licences to 27 companies for onshore oil and gas exploration covering 120 blocks. Licensees will now need to obtain any necessary consents from local planning authorities, who will take account of any environmental concerns, and to agree access terms with landowners before carrying out on-site activities under these licences.

The round has attracted particularly strong interest from companies targeting the UK's gas reserves, including conventional natural gas and coal-related methane resources.

I would like to see coal bed methane reserves—gas trapped in coal seams—exploited wherever possible, particularly in coal which is unlikely to be mined but also from potentially recoverable coal where extracting the gas beforehand can enhance mine safety. I recently consented to the UK's second coal bed methane development, at Arns Farm in Fife, and I hope to see further projects brought forward for approval in coming years.

I am concerned that interest by companies in coal bed methane has been hindered by the present licensing system which was designed to manage conventional oil and gas exploration. So I have asked my officials to open consultation later this year on proposals for a new form of onshore licence designed to encourage the exploitation of both conventional coal bed methane and other forms of coal-related gas.

There would be environmental benefits from using the considerable quantities of gas from abandoned coalworkings which escapes to atmosphere, where it is seventeen times more potent as a greenhouse gas than the exhaust from burning it would be. Although unsuitable as feed to the national gas grid, this gas can be burned locally to generate electricity or to power industrial processes and is a resource which the Government are keen to see used.

All exploitation of coal-related gases is carried out in consultation with the Coal Authority and the operators of active mines in the vicinity. The safety of properties on the surface is also taken fully into account.

The majority of all the awards announced today are in the East Midlands and south-east England, areas which both have previous oil and gas discoveries, including the recent oil find at Fiskerton Airfield near Lincoln, and a number of producing fields.

The awards cover 43 out of 50 applications received for licences—some of which competed for the same blocks. Seven applications still have issues outstanding but I have decided not to keep other applicants waiting and will make a further announcement when these issues have been resolved.

Duty Free Sales

Mrs. Ewing: To ask the President of the Board of Trade if she will list the procedures available for member states to request a European Commission investigation into *(a)* the impact on business of the abolition of intra-EU duty free and *(b)* the levels of spirit duty in EU states; whether it is her policy to request such investigations; and if she will make a statement. [29457]

Dawn Primarolo *[holding answer 17 February 1998]:* I have been asked to reply.

A European Commission investigation into the impact of abolition of intra-EU duty free is likely only if requested by the Council of Finance Ministers. The Government's position is as set out by the Prime Minister in his reply on 18 December 1997, *Official Report,* column *265.*

The European Commission is already required under the relevant directive to examine the rates of excise duty on alcohol and alcoholic beverages every two years, and report to Council. The current report is overdue.

PRIME MINISTER

Overseas Visits

Mr. Duncan: To ask the Prime Minister if he will list the occasions in the last 10 years on which the Prime Minister has travelled abroad to meet heads of state or government and been accompanied by *(a)* the Foreign Secretary, *(b)* the Home Secretary and *(c)* other Ministers. [27155]

The Prime Minister *[holding answer 3 February 1998]:* Since 1 May 1997 I have travelled abroad to meet Heads of State or Government and been accompanied by Ministers on the following occasions:

Date	*Location*	*Ministers accompanying*
23 May	Noordwijk	Foreign Secretary
27 May	Paris	Foreign Secretary
5–6 June	Bonn	Foreign Secretary, Minister of State, FCO
15–18 June	Amsterdam	Foreign Secretary, Chancellor of the Exchequer, Minister of State, FCO

Date	Location	Ministers accompanying
20–22 June	Denver	Foreign Secretary, Chancellor of the Exchequer
23–24 June	New York	Foreign Secretary, Chancellor of the Exchequer
29 June-1 July	Hong Kong	Foreign Secretary
8–9 July	Madrid	Foreign Secretary, Defence Secretary
12–13 December	Luxembourg	Foreign Secretary, Minister of State, FCO
4–8 February	Washington	Home Secretary, Economic Secretary, Minister of State, Department of Health

For January 1996-May 1997 my predecessor's overseas travel arrangements were as follows:

Date	Location	Ministers accompanying
29 March	Turin	Minister of State, FCO
20–22 June	Florence	Foreign Secretary, Chancellor of the Exchequer
27–29 June	Lyon	Chancellor of the Exchequer
7–8 November	Toulouse and Bordeaux	Minister of State, FCO Return travel: Chancellor of the Exchequer, Secretary of State Defence, Secretary of State, Department of Transport
12–14 December	Dublin	Chancellor of the Exchequer, Minister of State, FCO.

Details of overseas visits prior to these are available only at disproportionate cost.

Conferences

Mr. Malcolm Bruce: To ask the Prime Minister if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27809]

The Prime Minister *[holding answer 5 February 1998]:* I hold a range of meetings with outsiders within 10 Downing Street on policy matters. These vary in size. I have held two gatherings, which might be termed conferences, when there were more than 40 people present.

The first was an education summit held on 4 September 1997 to enable practitioners in schools to contribute to Government thinking on raising standards in schools. The cost of this seminar was £400.

The second, on 4 December 1997, was a summit which brought together senior businessmen, scientists and others to discuss how business could help in tackling climate change. Any costs incurred were minimal.

Mr. Gordon Prentice: To ask the Prime Minister how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31170]

The Prime Minister: The information requested is not held centrally and could be obtained only at disproportionate cost.

Correspondence

Mrs. Ewing: To ask the Prime Minister what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28052]

The Prime Minister *[holding answer 10 February 1998]:* Normal practice under this and previous Administrations has been to refer letters to the relevant Department for reply. This means that such correspondence would be responded to in accordance with standard Departmental practice. If a Prime Ministerial reply were warranted, replies would usually be sent in the English language, with a translation if practicable.

Ministerial Responsibilities

Mr. Gerald Howarth: To ask the Prime Minister if he will list those Ministers who in order to avoid potential conflicts of interest have assigned to other Ministers responsibility for part of their portfolios, and list the areas of each Minister's responsibility which have been so assigned. [28723]

The Prime Minister *[holding answer 10 February 1998]:* This information is not held centrally. In accordance with the Ministerial Code, where it is proper for a Minister to retain a private interest, it is the rule that he or she should disclose that interest to Ministerial colleagues if they have to discuss public business in any way affecting it, and that the Minister should remain entirely detached from the consideration of that business. Observing this rule is an individual responsibility of each Minister.

Rural Affairs

Mr. Gordon Prentice: To ask the Prime Minister what plans he has to set up a Ministry of Rural Affairs following the reorganisation of MAFF; and if he will make a statement. [29739]

The Prime Minister: The question of any transfer of responsibility between Departments is being considered in the context of the Government's Comprehensive Spending Review. No decisions have yet been reached.

Official Secrets Act

Mr. Baker: To ask the Prime Minister what restrictions are placed on Ministers' powers to withhold information relating to themselves under the terms of the Official Secrets Act 1989; and what arrangements he has made to monitor the effectiveness of those restrictions. [30299]

The Prime Minister *[holding answer 19 February 1998]:* Under the Official Secrets Act 1989, Crown servants, including Government Ministers, must withhold information if they believe that such information is protected under the Act and they do not have lawful authority to disclose it—otherwise to disclose it would constitute an offence.

The Act protects specific categories of official information, documents or articles which a Crown servant, including a Government Minister or Government contractor, has or has had in their possession by virtue of their position as such. This might in some circumstances include information relating to their official duties.

It is an offence to disclose information in the following categories if the disclosure is made without lawful authority and is damaging (as defined in the Act):

security and intelligence

defence

international relations

foreign confidences

information which might lead to the commission of a crime

the special investigation powers under the Interception of Communications Act 1985 and the Security Service Act 1989.

There are no restrictions on refusing to provide information covered by the Act if the disclosure of such information would constitute an offence.

Mr. Baker: To ask the Prime Minister under what circumstances Ministers have the power to require members of the public to agree to abide by the terms of the Official Secrets Act 1989; and what steps he takes to ensure Ministers do not abuse this power for personal reasons. [30295]

The Prime Minister *[holding answer 19 February 1998]:* Under the Official Secrets Act 1989 a Crown servant, including a Government Minister, can require anyone who is not a Crown servant or Government contractor under the Act, including a member of the public, to hold in confidence official information which falls into any of the six categories covered by the Official Secrets Act and which has been entrusted to them.

The six specified categories of official information covered by the Act are:

security and intelligence

defence

international relations

foreign confidences

information which might lead to the commission of a crime

the special investigation powers under the Interception of Communications Act 1985 and the Security Service Act 1989.

It is an offence to disclose such information without lawful authority, knowing or having reasonable cause to believe that it is protected by the provisions of the Act and that the disclosure is damaging (as defined by the Act).

Mr. Gavyn Davies

Mr. Malcolm Bruce: To ask the Prime Minister, pursuant to his answer of 16 February 1998, *Official Report*, column *473*, what was the nature of the seminar attended by Mr. Gavyn Davies in Washington; who were the United States participants; and if he will make a statement. [30765]

The Prime Minister *[holding answer 23 February 1998]:* This seminar was to discuss common challenges faced by the US and UK Governments.

A number of US academics and officials attended.

Strategic Communications Unit

Mr. Baker: To ask the Prime Minister when he expects to set the budget for the Strategic Communications Unit. [31104]

The Prime Minister *[holding answer 25 February 1998]:* The budget for the Strategic Communications Unit will be set as part of the overall budget-setting process for the Prime Minister's Office and Cabinet Office in the usual way.

Mr. Baker: To ask the Prime Minister what projects have been undertaken by the Strategic Communications Unit since its inception. [31108]

The Prime Minister *[holding answer 24 February 1998]:* Since its inception in January 1998 the Strategic Communications Unit has provided general advice and briefing for the Prime Minister on a range of issues. It has also worked on the following specific projects: upgrading the ministerial strategic planning computer system; preparing the Government's first Annual Report and redeveloping the No.10 website.

Railway Industry

Dr. Marek: To ask the Prime Minister if he will list the meetings he has held with organisations and individuals concerning the railway industry since 1 October 1997. [31095]

The Prime Minister *[holding answer 24 February 1998]:* Ministers in my Government have met a wide range of groups with interests in the railway industry to discuss matters of mutual interest. I have had discussions with Cabinet colleagues and officials.

Social Exclusion Unit

Mr. Charles Kennedy: To ask the Prime Minister what proposals he has to apply the work of the Social Exclusion Unit to issues of rural poverty and deprivation; and if he will make a statement. [30024]

The Prime Minister: I have placed a copy of the Unit's work priorities in the libraries of the House. Most of them impact on the socially excluded wherever they live.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 25 February. [30616]

The Prime Minister: This morning I had meetings with Ministerial colleagues and others. Later today I shall have further such meetings.

INTERNATIONAL DEVELOPMENT

Palestine

12. **Mr. Burden:** To ask the Secretary of State for International Development if she will make a statement on the effectiveness of European Union development aid to the Palestine National Authority. [29621]

Mr. Foulkes: EU aid has helped the peace process in Palestine to survive under very difficult circumstances. The Commission is undertaking an evaluation of its programme to the Palestinians. We will be seeking to ensure that lessons learned from this evaluation are taken fully into account in the programme.

Ukraine

13. **Mr. Pond:** To ask the Secretary of State for International Development what measures her Department plans to take to assist the Ukraine; and if she will make a statement. [29622]

Mr. Foulkes: In 1997/98, the Know How Fund is providing around £9 million in technical assistance for Ukraine notably in the energy and agriculture sectors. Last November, I saw for myself its effectiveness particularly in restructuring in coal mining areas.

We are currently restructuring our Know How Fund better to address the needs of the poor in transition countries.

Aid Co-ordination

14. **Mr. Mitchell:** To ask the Secretary of State for International Development what proposals she has for co-ordinating British aid with other Commonwealth countries. [29623]

Clare Short: At the 1997 Commonwealth Heads of Government Meeting in Edinburgh, the Government sought increased Commonwealth support for the international development strategy which is seeking to develop an internationally agreed basis for aid co-ordination among both developing and developed countries.

Multilateral Agreement on Investment

15. **Helen Jackson:** To ask the Secretary of State for International Development what progress she is making on the multilateral agreement on investment. [29624]

Clare Short: My Department has commissioned Queen Elizabeth House, Oxford to produce a study of the implications of the Multilateral Agreement on Investment (MAI) for developing countries which will be ready in good time for the MAI Negotiating Group meeting in April. This initiative has been welcomed by the Organisation for Economic Cooperation and Development's (OECD) Development Assistance Committee and by NGOs. It will be made available to the governments of developing countries.

Aid (Good Government Criteria)

16. **Mr. Fabricant:** To ask the Secretary of State for International Development what is the policy of her Department in respect of linking good government criteria to the provision of aid. [29625]

Clare Short: The Government want to develop long-term partnerships with developing countries which are committed to the elimination of poverty and pursue policies which promote responsive and accountable government. Good government is a prerequisite of sustainable development. We seek to support good government in all our work.

Montserrat

17. **Mr. Paterson:** To ask the Secretary of State for International Development if she will make a statement on future funding from her Department for Montserrat. [29627]

Clare Short: I refer to the statement made to the House by my hon. Friend the Under-Secretary on 18 February 1998, *Official Report*, columns 1019–22.

Tibet

18. **Mr. Godman:** To ask the Secretary of State for International Development what recent representations she has received concerning the provision of aid for the indigenous people of Tibet. [29628]

Clare Short: There have been representations from a number of sources about the provision of aid to Tibet. My officials met the Dalai Lama's UK Representative on 4 February to discuss possible training scholarships and health sector needs. As I assured my hon. Friend at questions on 28 January 1998, *Official Report*, column 331, we make it an objective of our own and EU programmes to ensure that indigenous people are the main beneficiaries.

Baltic States

19. **Mr. Flynn:** To ask the Secretary of State for International Development what new proposals she has to extend the work of the know-how fund in the Baltic states. [29629]

Clare Short: I am planning a slight decline in the Know How Fund programme spending in the Baltic States. This is in accordance with our policy document "Support for Transition: A New Strategy", a copy of which is in the Library, and takes account of the relatively advanced progress which the Baltics have made. Our priority sectors there are public administration and (increasingly) rural development.

Zimbabwe

20. **Mr. Bercow:** To ask the Secretary of State for International Development what representations she has made about the possible illegal seizure of farmland by the Government of Zimbabwe. [29630]

Clare Short: I have informed the Government of Zimbabwe that we are prepared to support a land reform programme that is properly planned, transparent, and intended to benefit the poor, but we will not support the programme they have announced.

Arms Sales

21. **Mr. Bob Russell:** To ask the Secretary of State for International Development what discussions her Department has had with the Foreign and Commonwealth

Office regarding the development criteria to be included in the proposed European Union code of conduct on arms sales. [29631]

Clare Short: The Department for International Development (DFID), together with other interested Government Departments, was consulted by the Foreign and Commonwealth Office in the drafting of the draft EU Code of Conduct on Arms Sales.

Dependent Territories

22. **Mr. Spring:** To ask the Secretary of State for International Development what plans she has to change the funding mechanism for overseas dependent territories. [29633]

Clare Short: Reasonable assistance to the dependent territories continues to be the responsibility of my Department. I have since May 1 made a number of changes in the Department's administrative system in order to stream-line decision making.

27. **Mr. Letwin:** To ask the Secretary of State for International Development what representations her Department has received about future funding arrangements by her Department for British overseas territories. [29638]

Clare Short: I refer the hon. Member to my earlier answer today to the hon. Member for West Suffolk (Mr. Spring). We have received a number of representations on this issue.

Urbanisation

23. **Mr. Boswell:** To ask the Secretary of State for International Development if she will make a statement on her Department's role in combating problems of urbanisation and concentration of population in developing countries. [29634]

Clare Short: My Department is addressing these issues both with the multi-lateral organisations and within our programmes. The UN Global Conference on Human Settlements, "Habitat 2", discussed the issues of urbanisation in 1996 at Istanbul, and set out "The Habitat Agenda" for national and local governments to help facilitate a better life for people in towns. We are continuing to work in collaboration with the UN Centre for Human Settlements, UNDP and the World Bank to implement this Agenda.

Ethical Trading

24. **Mr. Dobbin:** To ask the Secretary of State for International Development what are her Department's plans for promoting ethical trading; and if she will make a statement. [29635]

Clare Short: I am keen to do all I can to support the ethical trading movement which provides a channel through which the working conditions of poor people in the supply chains of UK importers can be improved.

In the UK, we have provided £500,000 to support the work of the Ethical Trading Initiative which includes many of the major UK retail chains and other private sector partners, NGOs and trade unions. They are working together on methods of monitoring the implementation of voluntary codes for ethical sourcing and on developing a positive engagement between importers and their suppliers. I am also promoting fairly traded goods. We are working with partners overseas on these issues and, as our ideas on ethical trading develop, I envisage this aspect of our work expanding.

International AIDS Vaccine Initiative

25. **Mr. Gerrard:** To ask the Secretary of State for International Development what discussions her Department has had regarding the international AIDS vaccine initiative. [29636]

Clare Short: Officials in my Department maintain regular contact with the administrator of the Initiative. We are currently exploring opportunities for greater collaboration.

Land Mines

28. **Mr. Wigley:** To ask the Secretary of State for International Development if she will make a statement on the progress of programmes for clearance of land mines; and if she will make a statement. [29639]

Clare Short: I signed the Ottawa Convention on behalf of the UK. We are doubling our expenditure on demining and we are working for greater international co-operation and more local capability in order to speed up demining worldwide.

Development Projects

Mr. Sarwar: To ask the Secretary of State for International Development what steps she is taking to encourage the private sector to become more involved with the support of overseas development projects. [29637]

Clare Short: We announced in the White Paper that we will develop a new partnership with the business sector, based on a shared approach to the eradication of poverty and in particular to strengthen support for investment and trade. The Department for International Development is actively taking forward this agenda and putting in place better mechanisms for consulting the private sector. I intend to set out further progress on this in a speech in the Summer.

EU Co-operation

Angela Smith: To ask the Secretary of State for International Development what are the priorities of her Department in respect of EU co-operation for the United Kingdom Presidency of the European Union; and if she will make a statement on how she intends to take them forward. [29626]

Clare Short: During the UK Presidency, we will seek to improve the poverty focus and effectiveness of the EC's programmes. Our top priorities are to agree the EU negotiating mandate on the future of the Lomé Convention, which governs the aid, trade and political relations between the EU and 71 African, Caribbean and Pacific States, and to secure the EU's commitment to the OECD's 21st Century Strategy for poverty eradication.

Negotiations on the content of the EU's Lomé negotiating mandate are under-way in Council and we are seeking to ensure that poverty eradication is at the heart of the mandate. We are planning to discuss how to put

the 21st Century Strategy into practice in the EU's programmes at a high level seminar which will be held on 17 March in Brussels with Development Ministers from Member States, appropriate European Commissioners and representatives of European Parliament Development Committee.

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for International Development how many meetings have been requested with her Department's Ministers by *(a)* Labour and *(b)* Conservative hon. Members; and how many meetings have been granted in each category. [31299]

Clare Short: Records of the number of requests for meetings with Ministers are not kept. I have met with 10 Labour Members and three Conservative Members. My hon. Friend the Under-Secretary had meetings with 11 Labour Members, three Conservative Members, and one Independent Member.

Conferences

Mr. Gordon Prentice: To ask the Secretary of State for International Development how many of her officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31175]

Clare Short: Given the nature of our business, a large number of DFID staff have attended conferences over the past year. They would have done so only where DFID has a substantive interest and therefore all would have contributed to the discussions. However, detailed figures are not recorded centrally and could be collected only at disproportionate cost.

DEFENCE

British Army of the Rhine

Mr. Hancock: To ask the Secretary of State for Defence what is the annual running cost of the British Army of the Rhine; and what were the figures for (a) 1974, (b) 1979 and (c) 1988 at current prices. [3267]

Dr. Reid *[pursuant to his reply, 16 June 1997, c. 86]:* On the costs of the Army's garrisons in Germany, further information has been drawn together on the sum of these costs for the current financial year.

I regret that in calculating the figures for my original answer, I inadvertently omitted the costs of some minor, centrally funded units which are also based in Germany, but included those for our contribution towards some of the NATO headquarters in the country. I have now reassessed the estimated running costs of the Army in Germany to account both for these factors and for a revision of those costs for the formations which I properly included in my earlier answer. The net effect of these changes is that I now estimate the cost of the Army in Germany in 1997–98 to be £1,139 million.

The British Army of the Rhine ceased to exist as a formation from 1 April 1994 when 1(UK) Armoured Division and the United Kingdom Support Command (Germany) became fully operational. I regret that I remain unable to provide comparable costs for 1974, 1979 and 1988 as these were compiled on a different basis.

Defence Budget (Germany)

Mr. Keith Simpson: To ask the Secretary of State for Defence what proportion of the defence budget in (a) cash and (b) percentage terms is taken up by the cost of maintaining the Army and RAF in Germany in the current financial year. [8134]

Dr. Reid *[pursuant to his reply, 16 July 1997, c. 236–37]:* On the costs of maintaining the Army and Royal Air Force's garrisons in Germany, further information has been drawn together.

I regret that the calculations given in my original answer inadvertently omitted the running costs associated with some minor, centrally funded units which are based in Germany, but included those for our contribution towards various NATO headquarters in the country. The estimated running costs of the Army and Royal Air Force in Germany to account both for these factors and for the revision of those costs for the formations which were properly included in my earlier answer. The net effect of these changes is that the estimated running costs for financial year 1997–98 for the Army and Royal Air Force in Germany are now £1,139 million and £169 million respectively. These costs represent about 5.2 per cent. of the Defence budget in the case of the Army and 0.8 per cent. for the Royal Air Force.

I am sorry that it has been necessary to make these corrections.

Research Programme

Mr. Key: To ask the Secretary of State for Defence if, under his applied research programme he will list technology demonstrator projects by value, stating in each case *(a)* the spin off benefits of defence research into the private sector and *(b)* civil technologies applied to defence. [29521]

Mr. Spellar *[holding answer 18 February 1998]:* Technology demonstration within the Applied Research Programme, as opposed to that technology demonstration which is part of project development, is not separately identified. The information requested is therefore not held centrally and could be provided only at disproportionate cost.

Atomic Weapons Establishment

Mr. Matthew Taylor: To ask the Secretary of State for Defence, pursuant to his answer of 17 November 1997, *Official Report*, column *66*, what are the current security classifications of *(a)* the last three annual environment, safety and health reports, *(b)* the last four quarterly health and safety reports and *(c)* the last five monthly reports to the Environment Agency on discharges from AWE which have been produced by the AWE Directorate of Environment, Safety and Health. [30564]

Mr. Spellar: The last three AWE Environment Safety and Health Reports have been unclassified. The last Report published was for 1996. Copies are provided to, among others, local council representatives and members of the general public who express an interest.

The last four quarterly health and safety reports were produced in two versions, unclassified and classified. They differ only in terms of the degree of detail included. The unclassified version provides the same essential safety information without breaching security regulations.

Monthly reports made by AWE to the Environment Agency on discharge over the last five months have all been unclassified. These reports are placed on the Public Register by the Environment Agency.

Mr. Matthew Taylor: To ask the Secretary of State for Defence when the Warhead Hydrodynamics Division at the Atomic Weapons Establishment, Aldermaston, was set up; what is the purpose of this division; how many series of technical papers or reports are currently being produced by this division; and what are the names of each series. [30563]

Mr. Spellar: The Warhead Hydrodynamics Division was set up in 1955. In 1995 it was subsumed into a new Directorate and retitled the Hydrodynamics Department. Its purpose is to undertake research into high explosive detonation processes and the response of materials when subjected to explosive shocks. It produces a variety of working documents, but only one series of technical papers which is known as "Hydrodynamics Department Technical report, R Series".

Storm Shadow

Mr. Hancock: To ask the Secretary of State for Defence when the Storm Shadow stand off missile is expected to enter the RAF service; and what is the current estimated cost of the programme. [30824]

Mr. Spellar: The Storm Shadow Conventionally Armed Stand Off Missile is expected to enter RAF service in December 2001. The current estimated cost of the programme is £934 million.

Gibraltar

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on the location of the new NATO headquarters for GIBMED. [30809]

Dr. Reid: As part of the implementation of NATO's new command structure GIBMED, the NATO headquarters based in Gibraltar is due to close. Gibraltar will be located in Regional Command South. In the new structure, NATO command of Gibraltar will be the responsibility of Commander-in-Chief Allied Forces South Europe, based at Naples. The Commanders of Allied Naval and Air Forces South, also based at Naples, will exercise region-wide air and maritime responsibilities on behalf of the Commander-in-Chief. Regional Commanders will also be able to propose the establishment of areas of responsibility for particular Joint Sub-Regional Commanders in specific contingencies or missions. Such proposals will require the approval of all NATO nations. NATO's Joint Sub-Regional Commands, once implemented, would have no permanently established boundaries or areas of responsibility.

Torpedo Testing Facilities

Mr. Charles Kennedy: To ask the Secretary of State for Defence what assessment he has made of the medium to long-term need for United Kingdom torpedo testing facilities; and if he will make a statement. [30028]

Dr. Reid: Current plans for in-water testing of United Kingdom new production torpedoes assume the continuing use over the next ten years of the British Underwater Test and Evaluation Centre (BUTEC). This facility is situated in North West Scotland and is managed by the Defence Evaluation and Research Agency on behalf of the Secretary of State for Defence. In addition to testing of new production torpedoes, the BUTEC facilities are used for in-service trials and exercise firings, which are expected to continue for the foreseeable future.

HEALTH

Secure Mental Health Units

Mr. Vaz: To ask the Secretary of State for Health how many secure mental health units there are in the United Kingdom; and how many patients are in each. [29541]

Mr. Boateng: There are 33 secure units in England with 1,504 places. This does not include the high security hospitals. Information on the number of places occupied is not kept, but anecdotal evidence suggests that most medium secure units are running at capacity most of the time.

Tuberculosis

Mr. Nicholls: To ask the Secretary of State for Health what trends he has identified in the incidence of TB in the United Kingdom in the last 10 years; if he will make extra resources available for the detection and treatment of TB; and if he will make a statement. [30466]

Ms Jowell: The numbers of notifications of tuberculosis (TB) in the United Kingdom are published in the Annual Abstract of Statistics. Information for the years 1987 to 1997 are given in the table:

Year	*Number of notifications of tuberculosis in the UK*[1]
1987	5,745
1988	5,778
1989	6,059
1990	5,897
1991	6,078
1992	6,441
1993	6,564
1994	6,228
1995	6,174
1996	6,238
1997	[2]6,430

[1] Annual Abstract of Statistics.
[2] Provisional.
Sources:
Scottish Health Service Common Services Agency; Department of Health and Social Services (Northern Ireland); and Office of Population Censuses and Surveys.

There was a 90 per cent. decrease in notifications of TB in the UK between 1948 and 1987. There was a small increase in cases after the late 1980s, but figures have

now levelled out and the latest full year provisional figure is 6,430. This success is against a worldwide resurgence in TB in recent years which is having a small but important impact on trends in the UK. Data suggest that certain parts of the community—older white people who were exposed to TB when they were younger, homeless people, HIV infected individuals and certain ethnic minority populations—are at an increased risk from TB. Many of these groups are harder to reach, and inner city areas—London, in particular—do see a disproportionate amount of TB due to a concentration of risk groups in those areas.

No resources have been specifically identified for TB detection and treatment. Health authorities are given general allocations for hospital and community health services to commission health care services for their resident population. All 100 health authorities in England will receive a real terms cash boost in 1998–99. The 1.9 per cent. real terms increase in general allocations is the largest for five years. It is for individual health authorities to decide the level and type of services purchased, taking account of local circumstances and national policies and priorities. TB is an important public health concern and purchasers of health care need to ensure that adequate resources are provided to meet this in their contracting for TB services. While the details of local TB policies depend on local factors, local policies must be considered within a national context (especially for Bacille-Calmette-Guérin (BCG) immunisation) and national policy should prevail. The importance of this has been brought to the attention of health authorities. The Department continues to purchase the BCG vaccine and make it available free to the National Health Service. The Department is also funding the Public Health Laboratory Service, with around £400,000, to conduct a detailed Survey of Notifications of TB in 1998. The survey will provide important information on trends and incidence.

The UK has an excellent record of TB control and we are determined that this should remain the case. The BCG immunisation programme, treatment of identified cases and screening of their close contacts, screening and treatment for immigrants from countries with a high prevalence of TB and active surveillance of TB continue. We are responding positively to new adverse developments in other countries and strengthening policies to protect the health of the nation against TB.

Tinnitus

Dr. Vis: To ask the Secretary of State for Health what research his Department has commissioned, and at what cost, into the alleviation of tinnitus. [30738]

Mr. Milburn: The main agency through which the Government support medical and clinical research is the Medical Research Council (MRC). The MRC and Trent Regional Office were supporting research specifically into tinnitus at the MRC Institute of Hearing Research in Nottingham at an annual level of approximately £100,000 per year until the end of 1992.

Since then, there have been two studies on the quality of life of those who report tinnitus and there is continued work in this area. In addition, a study of young people's lifestyles has shown an association between those reporting tinnitus and those who have experienced high levels of leisure noise from, for example, discos and personal cassette players. This work is currently being prepared for publication, although it has been presented at several conferences during 1996–97. It is expected that future clinical and epidemiological studies at the Institute of Hearing Research will continue to incorporate a tinnitus aspect.

The MRC also currently funds a number of researchers to investigate at a basic level the mechanisms through which the ear analyses, and the brain interprets and attends to, sound. New approaches to tinnitus, including treatments for the sensory neural hearing losses that underlie most cases, are expected to result from such work. The cost of this research is unavailable at the current time.

Consultant Episode Costs

Mr. McDonnell: To ask the Secretary of State for Health if he will list the annual average cost for completed NHS consultant episodes since 1987–88 in real terms. [31226]

Mr. Milburn: The average costs per finished consultant episode for acute care, for each year since 1987–88, are listed in the table. Costs prior to 1990–91 are not comparable to later years owing to a discontinuity in accounting practice.

Average cost per acute finished consultant episode (FCE) in real terms (at 1995–96 prices)

Year	*Cost per acute FCE (£)*
1987–88	1,091
1988–89	1,134
1989–90	1,111
1990–91	1,093
1991–92	1,087
1992–93	1,087
1993–94	1,033
1994–95	1,022
1995–96	995

Trust and Authority Boards

Mr. Gordon Prentice: To ask the Secretary of State for Health (1) how many *(a)* chairpersons and *(b)* other board members on (i) NHS trusts, (ii) Ambulance NHS trusts and (iii) health authorities previously served on a community health council in a volunteer capacity; [31043]

(2) how many chairpersons of *(a)* NHS trusts, *(b)* Ambulance NHS trusts and *(c)* health authorities were, prior to their appointment, chair of a community health council. [31044]

Mr. Milburn: This information is not collated centrally and could be provided only at disproportionate cost.

Abortion

Mr. Austin: To ask the Secretary of State for Health how many residents of England who met the requirements for an abortion as specified by the Abortion Act 1967 were unable to obtain an abortion paid for by the NHS in *(a)* 1996 and *(b)* 1997. [31110]

Ms Jowell: This information is not collected centrally. Information on whether an abortion was purchased by the National Health Service or privately is collected. In 1996, 72 per cent. of abortions in England were purchased by the NHS. Statistics for 1997 are not yet available.

Suicides

Mr. Jim Cunningham: To ask the Secretary of State for Health what action he is taking to reduce the number of suicides. [31061]

Mr. Boateng: I refer my hon. Friend to the reply I gave on 10 November 1997, *Official Report*, column *437*. The Green Paper, Our Healthier Nation, published in February 1998, makes clear the importance we place on reducing the burden of mental health problems. The Green paper proposes a target to reduce the suicide rate by one sixth by 2010 and sets out examples of what action needs to be taken at government, community and individual level. Consultation on the Green Paper proposals will last until 30 April 1998.

Mental Health

Mr. Jim Cunningham: To ask the Secretary of State for Health what measures he is taking to protect mentally ill patients from harassment within their community. [31060]

Mr. Boateng: We recognise the vital importance of tackling discrimination against mentally ill patients. The Department's impact strategy aims to increase knowledge and understanding about mental health among the general public, thereby promoting a positive image of mental health and combating stigma. We are adopting a variety of approaches to take forward the strategy including collaboration with the voluntary sector; the targeting of resources on key "at risk groups" such as young men; influencing the media; and expanding the Health Education Authority's World Mental Health Day campaign. This year, we are spending more than £1.4 million nationally on public health information and mental health promotion. Mental health services have a responsibility to proceed with sensitivity and adopt an informative, open approach in handling their plans for community developments in order to convince people that they have nothing to fear.

SCOTLAND

Conferences

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27769]

Mr. Dewar *[holding answer 5 February 1998]:* The information requested is as follows:

Conference on Traditional Building Materials

This conference was organised by Historic Scotland to raise awareness of the value of traditional building materials, to promote Scottish resources and to encourage revival of the skills needed for their manufacture, extraction and use. The cost of arranging the conference, which ran at a profit of £29,000, was £42,000.

Safer Communities Through Partnership

This conference was held at the Scottish Police College, Tulliallan and involved The Scottish Office, local councils, the police and voluntary organisations. The cost was £2,000.

Superhighways For Learning—Making it Happen

The Scottish Office Education and Industry Department, in association with the Scottish Council for Educational Technology, ran a series of 3 conferences. The main aims of the conferences were to promote the findings from the Education Department's Superhighways Initiative and to highlight the work of the newly formed Superhighways Task Force. The total cost to the Department of these 3 conferences was £25,000.

Risk Assessment of Offenders

This conference was sponsored by The Scottish Office Social Work Services Group under the auspices of the Association of Directors of Social Work. The aim of the conference was to inform the debate on offender risk assessment and its cost was £6,000.

Scottish National Rural Partnership

A series of 3 conferences was held on (1) Effective Partnership Working, (2) Tackling Rural Crime, and (3) Food, Local Communities and Rural Development. The conferences were aimed at those involved in Rural Scotland—Scottish Homes, Rural Forum, SCVO, Scottish Agricultural College etc.

As an attendance charge was levied, there was no cost to the Department.

Better Data Through Partnership and IT Conference

The purpose of this conference was (1) to raise awareness of current developments and issues in the field of electronic information transfer, (2) to promote partnership between central and local government in relation to the exchange of information, and (3) to promote the use of information technology and information systems. The cost of the conference was £1,500.

The NHS in Scotland Conference

This is an annual conference held for the Minister of Health and officials to meet with a wide range of senior personnel throughout the NHS in Scotland to discuss policy, service and developmental change in the NHS in Scotland in the year ahead. This year's conference cost £25,000.

Health Board and Trust Chairmen's Conference

This is an annual conference where the Minister of Health and senior officials meet with Health Board and Trust Chairmen to discuss major policy and strategic issues for the NHS in the coming year. This year's conference cost £12,000.

Mr. Gordon Prentice: To ask the Secretary of State for Scotland how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31169]

Mr. Dewar: The information requested is not held centrally and could be obtained only at disproportionate costs.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his current estimate of the expenditure of his Department, its agencies and non-departmental public bodies on hospitality since 1 May 1997. [27770]

Mr. Dewar *[holding answer 5 February 1998]:* Since 1 May 1997, expenditure on official hospitality by The Scottish Office and its departmental agencies has amounted to £52,330 and £16,916 respectively.

Information on hospitality spending by non-departmental public bodies is not held centrally and could be collected only at disproportionate cost.

Fishing Vessels

Mr. Mitchell: To ask the Secretary of State for Scotland if he will list the number of British-registered foreign-owned fishing vessels at each Scottish fishing port. [30497]

Mr. Macdonald: There are 38 vessels which are regarded as wholly or partly owned or controlled by foreign interests and administered by Scottish ports. These vessels' ports of administration are Ayr (23); Peterhead (10); Aberdeen (two); Buckie, Fraserburgh and Kirkwall (one each). Some may, however, operate predominantly out of foreign ports.

Mr. Mitchell: To ask the Secretary of State for Scotland how many beam trawlers are based at each Scottish fishing port. [30530]

Mr. Macdonald: The information is as shown in the table:

Port of administration	*Number of vessels in the beam trawl segment*
Aberdeen	2
Ayr	2
Buckie	3
Fraserburgh	2
Peterhead	11
Total	20

Scottish Parliament

Mr. Jenkin: To ask the Secretary of State for Scotland what is the estimated total cost of acquiring the Holyrood site for the Scottish Parliament. [30854]

Mr. McLeish: The estimated total cost of acquiring and preparing the Holyrood site is approximately £4 million.

Mr. Jenkin: To ask the Secretary of State for Scotland when *(a)* he and *(b)* his officials first became aware of the asbestos contamination on the Holyrood site. [30851]

Mr. McLeish: Neither the Department nor the Secretary of State are aware of any asbestos contamination at the Holyrood site.

Contamination would arise only if the asbestos was mishandled. The Secretary of State became aware on 16 February 1998 that Scottish and Newcastle plc had undertaken to remove asbestos from their building in Holyrood before transferring the property. Officials had been informed on 16 January 1998.

Mr. Jenkin: To ask the Secretary of State for Scotland what was the estimated cost of clearing the Holyrood site *(a)* at the time the contract for purchasing the site was agreed and *(b)* at the latest date for which figures are available. [30852]

Mr. McLeish: The estimated cost of clearing the Holyrood site is about £500,000. This estimate has not changed since the purchase price was agreed.

Mr. Jenkin: To ask the Secretary of State for Scotland what is the latest estimated total cost of establishing the Scottish Parliament, separately identifying provision for temporary accommodation for the Parliament pending completion of the Holyrood Parliament building. [30855]

Mr. McLeish: The estimated construction costs of the building at Holyrood will be around £55 million, including site acquisition costs and demolition costs, but not including fees and VAT. The actual costs will depend on the final design, the level of fees negotiated and the price of construction, which will be determined by competitive tender.

A number of venues are being considered for the interim accommodation. Until a venue is chosen it is not possible to say what the estimated costs will be.

Funicular Railway, CairnGorm

Mr. Randall: To ask the Secretary of State for Scotland if he will increase his Department's contribution to the CairnGorm funicular railway following agreement of the level of the Objective 1 grant. [31240]

Mr. Wilson: The Scottish Office it not making a direct financial contribution to the CairnGorm funicular railway project.

Mr. Randall: To ask the Secretary of State for Scotland (1) if he will ask Highlands and Islands Enterprise to publish the option appraisal regarding the proposed funicular railway on CairnGorm referred to by the Scottish Office Minister of State in his recent letter to Aberdeenshire Council; [31229]

(2) what provisions have been made by Highlands and Islands Enterprise for expenditure that may be incurred under Clause 10(d) of the S.50 agreement relating to the proposed funicular railway on CairnGorm; [31231]

(3) what projects will receive a reduction in support as a result of proposed HIE expenditure on the proposed funicular railway. [31238]

Mr. Wilson: These are operational matters for Highlands and Islands Enterprise. I have asked the Chairman of that organisation to write to the hon. Member.

Unpasteurised Milk

Dr. Moonie: To ask the Secretary of State for Scotland how many outbreaks of food poisoning in each year between 1986 and 1996 were related to the consumption of unpasteurised milk, broken down by infective agent, if known; and if he will make a statement. [30726]

Mr. Galbraith *[holding answer 24 February 1998]:* Sixteen outbreaks attributed to unpasteurised cows milk were reported to the Scottish Centre for Infection and Environmental Health between 1986 and 1996. Thirteen were of salmonella infection and three of campylobacter infection. None have been reported since 1992.

1986: Two outbreaks: salmonellosis.

1987: Five outbreaks: two salmonellosis, three campylobacteriosis.

1988: One outbreak: salmonellosis.

1989: None.

1990: Two outbreaks: salmonellosis.

1991: Four outbreaks: salmonellosis.

1992: Two outbreaks: salmonellosis.

1993: Two outbreaks: campylobacteriosis.

1994: None.

1995: The outbreak surveillance system did not operate in 1995.

1996: None.

In addition to the above there was one case of food poisoning (E.coli 0157) associated with raw goats' drinking milk in 1996. The question of pasteurisation of milk from goats and sheep was the subject of a recent consultation. No decisions have yet been taken on this.

Dr. Moonie: To ask the Secretary of State for Scotland if he will assess the advantages of extending the compulsory pasteurisation of milk to milk from *(a)* goats and *(b)* sheep; and if he will make a statement. [30730]

Mr. Galbraith *[holding answer 24 February 1998]:* These issues were considered in the consultation exercise on the sale of raw sheep and goats' milk in Scotland, conducted during the Autumn 1996. The consultation paper included a number of possible options for the course of future policy. No decisions have yet been taken on this policy.

Earnings Arrestments

Mrs. Ewing: To ask the Secretary of State for Scotland if he will *(a)* institute research into and *(b)* review the usage of earnings arrestments introduced by the Debtors (Scotland) Act 1987. [31015]

Mr. McLeish: My noble and learned Friend the Lord Advocate has commissioned a study into the operation of the procedures introduced by the Debtors (Scotland) Act 1987. This research includes a review of the usage of the earnings arrestment procedure. The final results of this study are expected imminently.

The Government will give consideration to the study report when it is available and will consider whether further legislation on the earnings arrestment procedure is desirable.

Cancer

Mr. Godman: To ask the Secretary of State for Scotland what recent research he has evaluated on the correlation between the incidence of cancer and related illnesses and methods of production and working practices in the electronics and information technology industry; and if he will make a statement. [30774]

Mr. Galbraith: The Chief Scientist's Office at The Scottish Office Department of Health has not funded any research projects on the correlation between the incidence of cancer and related illnesses and the electronics industry.

The Health and Safety Executive will, however, be publishing on 4 March 1998 a report of its investigation into the risk of miscarriage for women working in the UK semiconductor industry.

Mr. Godman: To ask the Secretary of State for Scotland what recent representations he has received concerning the incidence of *(a)* cancer and *(b)* related illnesses in communities which provide the labour force for companies engaged in the electronics and information technology industry; and if he will make a statement. [30773]

Mr. Galbraith: None. I am aware however of recent media coverage in Scotland about the incidence of miscarriages among women working in the electronics industry. The Health and Safety Executive, which has responsibility for workplace issues, has recently completed a five year study into miscarriage rates in the semiconductor industry. The findings of the study will be published on 4 March 1998.

Mr. Godman: To ask the Secretary of State for Scotland what is the incidence of cancer and related illnesses in the Inverclyde Council area in each of the past 10 years; what is the average incidence for similar-sized populations elsewhere in Scotland; and if he will make a statement. [30775]

Mr. Galbraith: The table shows the incidence of cancer in Inverclyde and selected other local government districts in the west of Scotland between 1986 and 1995.

Incidence of cancer in Inverclyde and several other local government districts in 1986–95: Numbers of new cases (incidence) and incidence rates per 100,000 by sex and year of diagnosis All malignant neoplasms (ICD-9 140–208, excluding 173)

	Year of diagnosis										
	1986	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*Total 1986–95*
Argyll and Bute											
Males											
Incidence	128	143	165	161	138	140	164	163	205	177	1,584
Incidence rate	402.0	448.0	515.0	499.8	430.3	438.5	540.0	537.7	671.7	579.8	504.9
Females											
Incidence	163	151	184	169	173	198	154	161	168	169	1,690
Incidence rate	483.1	447.8	543.0	498.9	512.7	589.4	467.0	488.7	507.5	512.7	505.2
Clydebank											
Males											
Incidence	111	133	121	126	146	134	134	137	141	108	1,291
Incidence rate	476.4	579.7	537.3	568.8	666.5	615.9	615.7	627.2	642.1	492.3	581.3
Females											
Incidence	126	114	94	100	143	148	123	120	133	123	1,224
Incidence rate	492.0	449.6	375.7	403.6	579.5	600.8	499.5	485.1	536.9	498.1	491.8
Cunninghame											
Males											
Incidence	257	255	274	302	316	284	333	307	293	289	2,950

Incidence of cancer in Inverclyde and several other local government districts in 1986–95: Numbers of new cases (incidence) and incidence rates per 100,000 by sex and year of diagnosis All malignant neoplasms (ICD-9 140–208, excluding 173)

	Year of diagnosis										
	1986	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*Total 1986–95*
Incidence rate	387.2	443.8	412.8	454.3	473.7	425.5	499.2	459.5	438.3	430.6	442.5
Females											
Incidence	260	304	334	274	335	318	326	320	347	317	3,135
Incidence rate	362.8	422.7	463.9	379.4	463.4	439.7	451.7	443.2	480.4	437.8	434.5
City of Glasgow											
Males											
Incidence	1,929	1,947	1,808	1,867	1,842	1,895	1,930	1,839	1,924	1,788	18,769
Incidence rate	557.6	569.5	537.7	562.7	561.8	579.3	593.1	567.1	593.9	556.2	567.7
Females											
Incidence	1,898	1,851	1,910	1,939	1,952	1,868	1,927	1,854	1,931	1,894	19,024
Incidence rate	497.1	490.8	514.9	528.2	538.4	516.7	537.0	519.0	542.3	536.0	521.7

Incidence of cancer in Inverclyde and several other local government districts in 1986–95: Numbers of new cases (incidence) and incidence rates per 100,000 by sex and year of diagnosis All malignant neoplasms (ICD-9 140–208, excluding 173)

	Year of diagnosis										
	1986	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*Total 1986–95*
Inverclyde											
Males											
Incidence	204	216	214	234	212	201	218	245	235	250	2,229
Incidence rate	439.7	470.8	473.7	524.1	481.1	459.2	500.9	568.6	549.2	588.5	504.5
Females											
Incidence	204	202	223	228	242	233	261	221	218	263	2,295
Incidence rate	406.0	405.9	454.0	469.7	502.7	487.4	549.8	471.2	467.9	569.1	477.3
Renfrew											
Males											
Incidence	365	432	424	446	404	399	480	472	475	470	4,367
Incidence rate	370.8	442.5	436.2	459.1	414.7	412.5	496.6	487.4	488.7	479.4	448.7
Females											
Incidence	397	407	434	419	449	445	512	571	500	467	4,601
Incidence rate	374.7	387.8	415.2	401.0	428.0	427.2	491.8	547.4	478.6	444.4	439.5

Scheduled Offences

Mr. Godman: To ask the Secretary of State for Scotland how many individuals from *(a)* loyalist and *(b)* republican backgrounds have served prison sentences following conviction for scheduled offences in each of the past 10 years; how many of these persons are still in prison; and if he will make a statement. [30967]

Mr. McLeish: Details of prisoners convicted under the Prevention of Terrorism Act and released before 1996 are not available. No prisoners were convicted under the Act in 1996 or 1997; one prisoner was convicted in 1998. He has no known loyalist or republican links.

White Fish Landings

Mr. Charles Kennedy: To ask the Secretary of State for Scotland if he will make a statement on progress towards deciding upon designated ports for the purposes of white fish landings. [30025]

Mr. Macdonald: The Scottish Fisheries Protection Agency, together with UK Fisheries Departments, are currently giving consideration to steps which can be taken to improve the effectiveness of fisheries enforcement in the UK. Details of their proposals for a related scheme of designated landing ports for other than pelagic landings, for which separate arrangements apply, will be set out in a consultation paper to be issued shortly.

Digital Broadcasting

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what representations he has received over his decision to initiate a review of the future opportunities for digital broadcasting of Gaelic, with particular reference to potential conflicts of interest; and if he will make a statement. [30027]

Mr. Wilson: I refer the hon. Member to the reply I gave to the hon. Member for Perth (Ms Cunningham) on 12 February 1998, *Official Report*, column *369*.

Prison Officers

Mr. Charles Kennedy: To ask the Secretary of State for Scotland if he will report on progress towards implementation of section 28 of the Criminal Justice and Public Order Act 1994 in respect of prison officers; and if he will make a statement. [30029]

Mr. McLeish: This matter is under consideration, with consultations taking place between the Scottish Prison Service and the Prison Services for England and Wales and Northern Ireland to determine what arrangements might be made for reaching agreement on the pay of prison staff.

Parliamentary Answers

Mr. Moore: To ask the Secretary of State for Scotland when his Department intends to provide an answer to the question from the hon. Member for Tweeddale, Ettrick and Lauderdale (reference 20060) tabled on 5 December 1997. [31123]

Mr. Galbraith: I refer the hon. Member to the answer I gave him on 23 February 1998, *Official Report*, column *73*.

Higher Education

Mr. Ernie Ross: To ask the Secretary of State for Scotland when he intends to publish the Government's response to the report of the Scottish Committee of the National Committee of Inquiry into Higher Education. [31500]

Mr. Wilson: I have today placed in the Libraries of both Houses copies of the Scottish Office response to the report of the Scottish (Garrick) Committee of the National (Dearing) Committee of Inquiry into Higher Education.

I would like to commend Sir Ron Garrick and his committee for their work in producing such a comprehensive report in a comparatively short time. The Government look forward to working with the higher and further education sectors in Scotland in implementing the agreed recommendations and those of the main Dearing Report to which it relates.

AGRICULTURE, FISHERIES AND FOOD

Milk Products

Mr. Spring: To ask the Minister of Agriculture, Fisheries and Food what is his policy on the potential redefinition of British yoghurt products containing fruit and/or nuts under Codex proposals. [30696]

Mr. Rooker: The UK is opposed to any definition of 'yoghurt' which might unreasonably restrict product innovation and diversity, without providing any clear benefit to our consumers. The UK believes that the definition of composite yoghurt products, containing ingredients such as fruit or nuts, is unnecessary in the draft Codex text.

Mr. Spring: To ask the Minister of Agriculture, Fisheries and Food (1) what representations he has received from *(a)* consumers and *(b)* retailers in respect of the Codex proposals on the labelling of bio-yoghurt products; [30695]

(2) what representations he has received from *(a)* the Dairy Industry Federation and *(b)* the International Dairy Federation following the Codex proposals regarding the labelling of bio-yoghurt products. [30694]

Mr. Rooker: The Department has received no formal representations from consumers, or the International Dairy Federation, concerning the draft codex text covering yoghurt. However, the Provision Trade Federation, who represent some retailers, and the Dairy Industry Federation have written to express their opposition to the draft text as it restricts the use of the term yoghurt to products which contain cultures of *Streptococcus thermophilus* and *Lactobacillus delbrueckii subsp. bulgaricus* only. Both organisations would like the definition broadened to include all products currently sold legally in the UK as yoghurt.

Consumer groups, and industry and retail bodies, will have a further opportunity to express their views on the issue to officials prior to European and worldwide meetings scheduled for May this year.

Mr. Spring: To ask the Minister of Agriculture, Fisheries and Food what discussions he has had with *(a)* EU countries and *(b)* the USA about the labelling of bio-yoghurt products. [30699]

Mr. Rooker: Officials had discussions with EU Member States, but not the USA, on the definition and labelling of yoghurt in 1996. Views vary from those who want the term yoghurt to be restricted to fermented milk products containing cultures of *Streptococcus thermophilus* and *Lactobacillus delbrueckii.subsp. bulgaricus* only, to those, such as the UK, who want a broader definition to reflect products currently sold legally in the Member State. Further discussions, both in Europe and worldwide, are scheduled for May this year.

Food Standards Agency

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the means of funding of the Food Standards Agency. [31277]

Mr. Rooker: Chapter 8 of the White Paper, "The Food Standards Agency: A Force for Change", sets out the Government's proposal to pass a greater proportion of the cost of funding food safety work from the taxpayer onto the food industry. The Government will consult with the main interested parties on detailed options for achieving this before drawing up final proposals.

Cattle Passport Centre

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food which locations were considered for the siting of the cattle passport centre; and if he will publish the results of the operating and capital cost analysis conducted in respect of the location exercise. [28857]

Dr. John Cunningham *[holding answer 10 February 1998]:* Some 80 sites were considered against selection criteria such as whether there was sufficient space. Seven sites were visited. These were in Exeter, Guildford, Huntingdon, Manchester (two sites), Sheffield and Workington.

Three sites were shortlisted. These sites were at Guildford (a MAFF site), Manchester (a vacant Government Office outside the MAFF Estate) and Workington (a British Steel site).

At the time of the decision to locate in Workington, it was clear that running costs for that site were likely to be lower than elsewhere. Subsequently, a cost benefit analysis was carried out which took account of the site specific costs, the set up costs and the running costs of each site, as estimated at that stage, over a fifteen year period. The analysis did not include the common costs of the whole Cattle Tracing System project, for instance procuring specialist equipment.

The results showed that Workington was the lowest cost of the three sites analysed. The comparative costs over 15 years (discounted to present day terms) were:

Workington: £14.3 million;

Manchester: £15.6 million;

Guildford: £17.7 million.

Conferences

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27774]

Mr. Morley *[holding answer 5 February 1998]:* Conferences organised by the Department since 1 May 1997 are as follows:

Date	*Conference*	*Cost £*
18 June	Direct Selling Seminar—Market Task Force	9,373
23 October	Alternative Crops Unit/Link Conference—Competitive industrial materials from non-food crops and renewable feedstocks for the Specialist Chemicals Industry	7,952
5 November	Food Intolerance Conference	8,615

Absenteeism

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26587]

Mr. Morley *[holding answer 5 February 1998]:* Information in the form precisely requested is not readily available and could be provided only at disproportionate cost. However, a comprehensive analysis of sickness absence in the Civil Service is produced annually by OHSA Ltd. and copies of their 1995 and 1996 reports have been placed in the Library of the House.

The 1995 report indicated an average of 9.1 days sickness absence per staff year for this Department (including some smaller Agencies) but in 1996 the average was reduced to 7.8 days. Information in respect of 1997 is not yet available.

Responsibility for attendance matters within the Farming and Rural Conservation Agency, the Central Science Laboratory Agency, the Veterinary Laboratories Agency, the Veterinary Medicines Directorate, the Meat Hygiene Service Agency and the Centre for Environment, Fisheries and Aquaculture Agency has been delegated to the Agency Chief Executives and I have asked them to reply to the hon. Member direct.

Information in respect of the Non-Departmental Public Bodies is given in the table.

	Days per staff year		
	1995–96	*1996–97*	*1997–98 to date*
Apple and Pear Research Council	[1]30.0	—	0.5
British Potato Council	—	—	3.3
Food From Britain	3.2	1.5	1.4
Home Grown Cereals Authority	6.0	[2]11.7	[2]13.2
Horticultural Development Council	n/a	3.05	3.6
Horticulture Research International	4.9	4.6	3.5
Meat and Livestock Commission	9.0	7.0	4.0
Milk Development Council	—	0.8	1.17
Royal Botanic Gardens, Kew	8.8	8.8	8.8
Sea Fish Industry Authority	5.38	3.96	5.62
Wine Standards Board	[3]8.0	1.24	1.44

[1] One member of staff on long term sick leave.

[2] Four staff on long term sick leave accounted for 37 per cent. of the absences in 1996–97 and 59 per cent. in 1997–98.

[3] All long term sick leave.

Letter from Michael Finnigan to Mr. Malcolm Bruce, dated 25 February 1998:

The Minister has asked me to reply to your question about the estimated rates of absenteeism within the Farming and Rural Conservation Agency (FRCA).

FRCA is a new agency which was launched on 1 April 1997, and has no absence figures prior to this date.

Between 1 April 1997 and 31 December 1997 2,689 days were lost through sickness absence. This gives an average figure of 4.8 days per employee, which would suggest an annualised rate at 6.4 days per employee.

Letter from Johnston McNeill to Mr. Malcolm Bruce, dated 25 February 1998:

As Chief Executive of the Meat Hygiene Service (MHS) your Parliamentary Question to the Minister of Agriculture, Fisheries and Food requesting information about the rates of absenteeism for 1995–96, 1996–97 and 1997–98 to date has been passed to me for reply with regard to this Executive Agency.

The percentage rates of absenteeism for the Meat Hygiene Service are as follows:

1995/96: 4.1 per cent.

1996/97: 4.23 per cent.

1997/98 (to date): 3.10 per cent.

The above percentages represent the number of days lost in comparison to total possible worked.

Letter from P. W. Greig-Smith to Mr. Malcolm Bruce, dated 25 February 1998:

As Agency Chief Executive, I am responding to your question to the Minister of Agriculture, Fisheries & Food regarding the rates of absenteeism with the Centre for Environment, Fisheries & Aquaculture Science.

Selected aggregated data in relation to sickness absence is provided by the Civil Service Occupational Health & Safety Agency (OHSA) on an annual basis, but does not identify data by financial years. The 1995 report for the core Department included the Directorate of Fisheries Research (DFR) (now the CEFAS Agency). This shows an average of 9.1 days sickness absence per staff year for 1995, but there are no separate figures for the Agency. At the present time there are no figures available for 1996 onwards.

Sickness absence is monitored on a continuous individual basis within the Agency, to ensure that any individual's problems are identified and managed. Absence details are held on the Chessington Computer Centre payroll system, and individual records can be accessed. However, it is not possible to interrogate the system for aggregated figures. Records could be accessed and aggregated manually, but not in the time available. CEFAS is presently setting up a Personnel Database, and when fully operational it is intended that the database should provide sickness absence data for routine management purposes and for general enquiries on summary data for the Agency.

Letter from T. W. A. Little to Mr. Malcolm Bruce, dated 25 February 1998:

The Minister has asked me to reply to your question on rates of absenteeism in 1995–96, 1996–97 to date, in the Veterinary Laboratories Agency (VLA).

By way of background, the VLA was launched as an Agency on 1 October 1995 as a result of the merger between the Central Veterinary Laboratory (CVL), an Agency since April 1990, and the Veterinary Investigation Service (VIS), formerly part of the State Veterinary Service.

Information in the form that has been requested is not readily available and could only be provided at disproportionate cost.

However, selected aggregated data in relation to sick absence is provided by the Civil Service Occupational Health and Safety Agency (OHSA) on an annual basis. This data shows an average of 9.4 days sick absence per staff year in 1995 in the CVL. At the present time there are no figures available for 1996 onwards.

Figures for the VIS would have been included with MAFF figures prior to 1996.

Letter from Dr. J. M. Rutter to Mr. Malcolm Bruce, dated 25 February 1998:

The Minister has asked me to reply to your question about rates of absenteeism for the years 1995–96, 1996–97 and 1997–98 to date in the Veterinary Medicines Directorate (VMD) as this is an operational matter for which I am responsible.

The rates of absenteeism in the VMD for the periods requested are:

i) 1995–96: 2.4%

ii) 1996–97: 2.9%

iii) 1997–98 to date: 3.4%

The increase in absenteeism in 1997/98 is attributable to one member of staff on long term sick leave. Discounting this absence the rate would be 2.7% which is comparable with the rates for previous years.

Letter from Professor P. I. Stanley to Mr. Malcolm Bruce, dated 25 February 1998:

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Central Science Laboratory (CSL), to your question concerning rates of absenteeism.

Information on sick absence is not presently available in the form requested and could only be provided at disproportionate cost.

I am, however, able to provide details for the 1995 calendar year in which an average of 5.6 days sick absence were taken per staff year. This data is provided by the Civil Service Occupational Health & Safety Agency on an annual basis but at the present time no data is available for 1996 onwards.

A separate exercise, undertaken by CSL, indicates an average of 5.4 days sick absence for the period 1 October 1996 to 30 September 1997 and 1.8 days sick absence for the period 1 October 1997 to 31 December 1997.

WALES

Conferences

Mr. Malcolm Bruce: To ask the Secretary of State for Wales if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27739]

Mr. Ron Davies *[holding answer 5 February 1998]:* Details of the conferences held by my Department since 1 May 1997 are as follows:

Purpose	*Date*	*Cost*
Two conferences on INTERREG IIC Programme To inform potential participants about European Community Initiative	25 September and 20 October 1997	£40 per conference
The Health of Children in Wales To highlight the distinctive health issues for children in the Principality	1 December 1997	£8,500
Workshop on the Public Health Strategy To consult widely on the new public health agenda	7 January 1998	£592
Shape of Future Health Care Workforce in Wales To discuss changes in the Health Care Workforce	16 July 1997	£1,000
Industrial Relations in the Health Service in Wales To discuss industrial relations and employment practice	8 October 1997	£4,750
Welsh Green Paper on Special Educational Needs To discuss the Paper on Special Educational Needs	18 December 1997	£2,381
Presentation of the Report of the Welsh Acid Waters Survey To present the report of the Welsh Acid Waters Survey	26 November 1997	Co-organised with the Environment Agency and the Countryside Council for Wales, which provided £1,500 to the event
Transport Conference Held as part of the drive towards developing an integrated transport policy for the UK	8 December 1997	£8,300

Purpose	Date	Cost
Energy Efficiency in Schools To promote awareness of energy efficiency measures within the education sector	10 July 1997	£1,500
Dee Waste Minimisation Seminar To disseminate outcomes and achievements of a major waste minimisation project around the Dee Estuary in North Wales	21 October 1997	£5,368
SO 4001 EMAS and the Supply Chain To demonstrate the benefits of IOS 14001 EMAS to manufacturing companies in South Wales	4 December 1997	£2,138
Youth access Conference To provide an opportunity to exchange information and spread good practice on the issues of youth disaffection and under achievement	15 September 1997	£9,804
Summer Literacy Programme in Wales To evaluate the 1997 Pilot Summer Literacy Programme in Wales and to produce guidance for the expanded 1998 Programme	3 February 1998	£1,559
Coal Industry Workshop To explore the future of the South Wales coal industry and any needs for practical support	5 December 1997	£7,507

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for Wales if he will list those visits made within the United Kingdom since 1 May on which *(a)* he and *(b)* other Ministers within his Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23751]

Mr. Ron Davies *[holding answer 19 January 1998]:* No visits within the United Kingdom have been made since 1 May by me or either Minister in my Department on which I or they have been accompanied under Rule 83 of the Ministerial Code.

Hedges and Trees

Ms Lawrence: To ask the Secretary of State for Wales what plans he has to consult local authorities in Wales on the problems caused by the planting of hedges and trees around residential property. [30936]

Mr. Win Griffiths: None at present but the Government are considering whether there would be a case for reviewing the need for controls over hedges and trees near residential property.

Development Board for Rural Wales

Mr. Gareth Thomas: To ask the Secretary of State for Wales what plans he has to review the Development Board for Rural Wales' targets 1997–98; and if he will make a statement. [31835]

Mr. Ron Davies: I have written to the Chairman of the Development Board for Rural Wales to inform him of the revision of certain of the targets for 1997–98. A copy of my letter has been placed in the Library of the House.

CULTURE, MEDIA AND SPORT

Overseas Visits

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what is his Department's policy on the *(a)* class and *(b)* mode of travel abroad for Ministers and public servants. [25553]

Mr. Chris Smith *[holding answer 26 January 1998]:* The rules for DCMS Ministers, as for Ministers generally, are that the Secretary of State is entitled to use the best available class of air travel for all journeys by air. Junior Ministers may travel by the best available class for flights lasting longer than 2½ hours but should normally travel by Club or equivalent class, or economy class when an intermediate class is not available, on flights of less than 2½ hours.

The rules for Officials are set out in the DCMS Staff Handbook and I shall write to the right hon. Member to let him have a copy of the relevant pages. Copies of my reply will be place in the Libraries of the House.

The objective throughout is to secure value for money, striking a suitable balance between economy and convenience.

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for Culture, Media and Sport if he will list those visits made within the United Kingdom since 1 May on which *(a)* he and *(b)* other Ministers within his Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23747]

Mr. Chris Smith: *[holding answer 19 January 1998]:* There have been no visits within the UK on which I or Ministers in my Department have been accompanied under rule 83 of the Ministerial Code.

USA Visit

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what was the cost to public funds and class of air travel of the visit to the USA between 20 to 24 January by *(a)* the Minister for Film and Tourism and *(b)* his civil servants and special adviser. [25551]

Mr. Chris Smith *[holding answer 26 January 1998]:* My right hon. Friend and his Private Secretary travelled first class during his recent trip to the United States and the special adviser who joined them for the Los Angeles part of his trip flew out club class and then returned first class in order to be able to discuss the results of the visit with my right hon. Friend. The total cost of this air travel was £17,358.80.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28929]

Mr. Chris Smith *[holding answer 10 February 1998]:* I attended 39 engagements by car. All were within the London area apart from one engagement in Hatfield. I travelled to one engagement in Sheffield by train. I did not travel by air, but did walk to a number of engagements.

Conferences

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27754]

Mr. Tom Clarke *[holding answer 5 February 1998]:* The information requested is as follows:

Title	*Purpose*	*Estimated Cost (£)*
New Deal Conference	A joint conference with the Department for Education and Employment to provide information to the tourism and hospitality industry to encourage them to participate in the initiative.	10,310
Tourism Ministerial Advisory Forum	The Secretary of State's first meeting of the Forum.	0
Tourism Forum	First meeting of the Secretary of State's new and expanded Tourism Forum (Formerly the Tourism Ministerial Advisory Forum).	1,340
Press conference for the launch of the Millennium Dome	The launch of the Millennium Dome	5,103
Press Conference for the launch of the National Lottery White Paper.	The launch of the National Lottery White Paper	4,947
Accountancy Conference	To inform non-departmental public bodies about developments in financial areas over the last year, eg. Resource Accounting & Budgeting and the European Monetary Union.	1,370
DCMS and related bodies. Heads of Internal Audit Conference	To bring together Heads of Internal Audit from DCMS and related bodies to discuss matters of common interest.	488
Fraud Awareness Seminar	To increase Lottery distributors' awareness of public sector fraud and provide advice on how to deal with such incidents.	598

EDUCATION AND EMPLOYMENT

Lifelong Learning

Ms Southworth: To ask the Secretary of State for Education and Employment when he will publish his consultation paper on lifelong learning; and if he will make a statement. [31351]

Mr. Blunkett: I am today laying before Parliament copies of a Green Paper on lifelong learning, *The Learning Age* (Cm 3790). I am also placing in the Library copies of the Government's response to the report of the National Committee of Inquiry into Higher Education under the chairmanship of Sir. Ron Dearing and my response to the report of the Further Education Funding Council's Widening Participation Committee under the chairmanship of Helena Kennedy QC, now Baroness Kennedy, all of which are being published today.

Lifelong learning is at the heart of the Government's education and training policies. Higher education and further education play key roles in lifelong learning. *The Learning Age* sets out the Government's vision for a learning society in which learning is easily available, valued and enjoyed—an everyday feature of life for all people of all ages—and we have skilled and qualified workforce that will be essential in the 21st century.

The Learning Age aims to engage employers, trades unions, individual men and women and those who deliver and plan education and training to work with us to develop a "learning society". I hope our proposals and the questions we pose will stimulate a large response.

Education Spending

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list the proportion of gross domestic product spent on education in each Organisation for Economic Co-operation and Development country in the last financial year. [30839]

Dr. Howells: Information on the proportion of gross domestic product spent on education in each OECD country is contained in table B1.t of 'Education at a Glance OECD Indicators 1997' published in December 1997, a copy of which is held in the House of Commons Library. The latest year for which comparative information is available is 1994. Comparisons across countries are complicated by the need for consistency of definition: the OECD figures for the UK may differ from the main UK measure as published in "Public Expenditure Statistical Analyses".

Mr. Don Foster: To ask the Secretary of State for Education and Employment what was the capital expenditure on education by each local authority in England in 1997. [30863]

Mr. Byers: In the financial year 1996–97, capital expenditure on education by each local authority in England was as follows:

£000

Local authority	*Total capital expenditure on education*
Barking and Dagenham	10,090
Barnet	7,518
Barnsley	4,343
Bath and North East Somerset	2,493
Bedfordshire	6,064
Berkshire	17,774
Bexley	8,769
Birmingham	10,621
Bolton	2,480
Bradford	8,505
Brent	1,459
Bromley	4,830
Buckinghamshire	19,006
Bury	801
Calderdale	3,436
Cambridgeshire	17,442
Camden	4,302
Cheshire	21,211
City of Bristol	8,599
City of Kingston upon Hull	314
City of London	800
Cornwall	11,216
Coventry	7,841
Croydon	7,063
Cumbria	5,029
Derbyshire	7,286
Devon	15,948
Doncaster	6,858
Dorset	19,051
Dudley	4,919
Durham	5,576
Ealing	2,269
East Riding of Yorkshire	649
East Sussex	19,249
Enfield	8,555
Essex	20,861
Gateshead	4,687
Gloucestershire	10,587
Greenwich	858
Hackney	1,396
Hammersmith and Fulham	3,139
Hampshire	35,933
Haringey	5,077
Harrow	4,646
Hartlepool	28
Havering	1,806
Hereford and Worcester	8,789
Hertfordshire	14,863
Hillingdon	4,685
Hounslow	5,246
Isle of Wight	4,853
Isles of Scilly	15
Islington	1,409
Kensington and Chelsea	2,553
Kent	29,514
Kingston upon Thames	1,864
Kirklees	4,386
Knowsley	2,681
Lambeth	874
Lancashire	16,553
Leeds	17,439
Leicestershire	9,188
Lewisham	4,720
Lincolnshire	10,298
Liverpool	7,956
Manchester	11,841

£000

Local authority	Total capital expenditure on education
Merton	599
Middlesbrough	2,172
Newcastle upon Tyne	2,998
Newham	1,487
Norfolk	13,974
North East Lincolnshire	313
North Lincolnshire	167
North Somerset	3,898
North Tyneside	2,032
North Yorkshire	3,984
Northamptonshire	13,622
Northumberland	3,375
Nottinghamshire	6,097
Oldham	4,161
Oxfordshire	11,471
Redbridge	6,948
Redcar and Cleveland	1,351
Richmond upon Thames	2,381
Rochdale	2,268
Rotherham	755
Salford	6,985
Sandwell	3,449
Sefton	1,067
Sheffield	5,548
Shropshire	6,675
Solihull	2,747
Somerset	4,899
South Gloucestershire	4,950
South Tyneside	1,344
Southwark	5,545
St Helens	1,362
Staffordshire	8,020
Stockport	1,115
Stockton on Tees	975
Suffolk	9,649
Sunderland	7,634
Surrey	12,429
Sutton	6,787
Tameside	3,479
Tower Hamlets	9,338
Trafford	4,159
Wakefield	12,041
Walsall	1,568
Waltham Forest	7,426
Wandsworth	3,590
Warwickshire	17,520
West Sussex	15,210
Westminster	2,359
Wigan	2,438
Wiltshire	6,220
Wirral	2,584
Wolverhampton	2,131
York	1,443
England	797,850

Jobseekers

Mr. Charles Kennedy: To ask the Secretary of State for Education and Employment if he will review the discretion open to local job centre managers in respect of those in receipt of the jobseeker's allowance wishing to participate in local job clubs; and if he will make a statement. [30026]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Charles Kennedy, dated 25 February 1998:

The Secretary of State for Education and Employment has asked me to reply to your question on the discretion open to local Jobcentre managers in respect of those in receipt of Jobseeker's Allowance wishing to participate in local Jobclubs. This is something which falls within the responsibilities delegated to me as Chief Executive of the Employment Service.

The eligibility requirement for entry to a Jobclub is that a person must be continuously unemployed for at least 26 weeks. This means they must have been signing at an Employment Service Jobcentre claiming Jobseeker's Allowance and/or National Insurance Credits, unless they have been in receipt of Income Support or Incapacity Benefit which do not require them to be signing on (for example, if they are sick or a lone parent). However, exceptions to the six months unemployment requirement are made for people with disabilities, ex-prisoners, former members of HM forces, people with literacy or numeracy difficulties, people needing basic training in English (and Welsh/Gaelic), labour market returnees and those who have become unemployed as a result of large scale redundancies.

I understand there are no plans currently to review these eligibility conditions.

I hope this is helpful.

Careers Service

Dr. Cable: To ask the Secretary of State for Education and Employment what responsibilities the Careers Service has under the New Deal for 18 to 24 year olds. [29208]

Mr. Andrew Smith *[holding answer 12 February 1998]:* Responsibility in the delivery of the New Deal rests locally with New Deal partners. We have encouraged Careers Services to play a full role, either as individual companies or as part of consortiums, notably in the provision of careers advice during the Gateway.

Special Educational Needs

Dr. Cable: To ask the Secretary of State for Education and Employment what representations he has received on his proposals in the Green Paper, Excellence for all Children, Meeting Special Education Needs to end the current consent arrangements in respect of placing individual children with a statement at non-approved independent schools. [29704]

Ms Estelle Morris: The Department is still analysing the responses to the Green Paper. When we have a fuller picture, I will write to the hon. Member.

Dr. Cable: To ask the Secretary of State for Education and Employment how many EBD special schools there are in each local education authority area in England. [29709]

Ms Estelle Morris: The Department's most recent estimate, based on material held on the Register of Educational Establishments, is that some 280 maintained and non-maintained special schools cater wholly or

mainly for children with emotional and behavioural difficulties in England. The distribution is contained in the following table:

Register of Educational Establishments

Special Schools	*Number*
Barking and Dagenham	0
Barnet	0
Barnsley	0
Bath and North East Somerset	1
Bedfordshire	2
Berkshire	9
Bexley	1
Birmingham	6
Bolton	1
Bournemouth	2
Bradford	3
Brent	1
Brighton and Hove	1
Bristol, City of	5
Bromley	0
Buckinghamshire	4
Bury	0
Calderdale	1
Cambridgeshire	3
Camden	1
Cheshire	6
Cornwall	0
Corporation of London	0
Coventry	3
Croydon	1
Cumbria	1
Darlington	0
Derby, City of	0
Derbyshire	3
Devon	4
Doncaster	0
Dorset	3
Dudley	1
Durham	2
Ealing	1
East Riding of Yorkshire	2
East Sussex	4
Enfield	1
Essex	10
Gateshead	1
Gloucestershire	4
Greenwich	2
Hackney	2
Hammersmith and Fulham	1
Hampshire	7
Haringey	1
Harrow	1
Hartlepool	0
Havering	0
Hereford and Worcester	7
Hertfordshire	9
Hillingdon	3
Hounslow	0
Isle of Wight	0
Isles of Scilly	0
Islington	1
Kensington and Chelsea	0
Kent	9
Kingston upon Hull, City of	2
Kingston upon Thames	0
Kirklees	2
Knowsley	0
Lambeth	1
Lancashire	12
Leeds	7
Leicester City	3
Leicester	0
Lewisham	2

Register of Educational Establishments

Special Schools	*Number*
Lincolnshire	2
Liverpool	7
Luton	0
Manchester	7
Merton	1
Middlesborough	1
Milton Keynes	1
Newcastle upon Tyne	4
Newham	1
Norfolk	2
North East Lincolnshire	0
North Lincolnshire	0
North Somerset	1
North Tyneside	0
North Yorkshire	4
Northamptonshire	3
Northumberland	1
Nottinghamshire	2
Oldham	1
Oxfordshire	5
Poole	1
Portsmouth	1
Redbridge	1
Redcar and Cleveland	0
Richmond upon Thames	1
Rochdale	2
Rotherham	2
Rutland	0
Salford	1
Sandwell	2
Sefton	0
Sheffield	9
Shropshire	3
Solihull	1
Somerset	3
South Gloucestershire	1
South Tyneside	0
Southampton	1
Southwark	2
St. Helens	0
Staffordshire	2
Stockport	1
Stockton on Tees	2
Stoke on Trent	1
Suffolk	2
Sunderland	2
Surrey	11
Sutton	1
Swindon	0
Tameside	1
Tower Hamlets	3
Trafford	1
Wakefield	1
Walsall	1
Waltham Forest	1
Wandsworth	3
Warwickshire	1
West Sussex	4
Westminster	0
Wigan	2
Wiltshire	4
Wirral	2
Wolverhampton	0
York, City of	0

In addition, there are 89 independent schools with this specialty.

Dr. Cable: To ask the Secretary of State for Education and Employment how many pupil referral units there are in each local education authority area in England. [29710]

Ms Estelle Morris: The table shows the number of pupil referral units of which the Department has been notified for each local authority in England.

Number of PRUs per local education authority

LEA	*Number*
Barking	0
Barnet	2
Barnsley	0
Bath and North East Somerset	0
Bedfordshire	1
Berkshire	9
Bexley	2
Birmingham	3
Bolton	2
Bournemouth	1
Bradford	3
Brent	1
Brighton and Hove	4
Bristol	1
Bromley	2
Buckinghamshire	6
Bury	0
Calderdale	1
Cambridgeshire	2
Camden	2
Cheshire	4
City of London	0
Cornwall	0
Coventry	4
Croydon	4
Cumbria	5
Darlington	0
Derby	3
Derbyshire	3
Devon	7
Doncaster	5
Dorset	3
Dudley	4
Durham	1
Ealing	3
East Riding of Yorkshire	2
East Sussex	5
Enfield	7
Essex	4
Gateshead	1
Gloucestershire	3
Greenwich	6
Hackney	2
Hammersmith	2
Hampshire	11
Haringey	1
Harrow	1
Hartlepool	1
Havering	3
Hereford and Worcester[1]	17
Hertfordshire	9
Hillingdon	1
Hounslow	1
Isle of Wight	2
Isles of Scilly	0
Islington	9
Kensington and Chelsea	1
Kent	15
Kingston upon Thames	2
Kingston-upon-Hull	5
Kirklees	1
Knowsley	1
Lambeth	3
Lancashire	12
Leeds	5
Leicester	0
Leicestershire	0
Lewisham	2

Number of PRUs per local education authority

LEA	*Number*
Lincolnshire	4
Liverpool	5
Luton	1
Manchester	0
Merton	0
Middlesbrough	0
Milton Keynes	1
Newcastle upon Tyne	3
Newham	1
Norfolk	19
North East Lincolnshire	2
North Lincolnshire	2
North Somerset	0
North Tyneside	4
North Yorkshire	1
Northamptonshire	4
Northumberland	0
Nottinghamshire	5
Oldham	0
Oxfordshire	6
Poole	1
Portsmouth	4
Redbridge	1
Redcar and Cleveland	1
Richmond upon Thames	0
Rochdale	0
Rotherham	3
Rutland	0
Salford	0
Sandwell	4
Sefton	2
Sheffield	4
Shropshire	3
Solihull	4
Somerset	3
South Gloucestershire	0
South Tyneside	2
Southampton	2
Southwark	2
St. Helens	1
Staffordshire	2
Stockport	2
Stockton on Tees	1
Stoke on Trent	2
Suffolk	5
Sunderland	1
Surrey	18
Sutton	1
Swindon (Thamesdown)	1
Tameside	1
Tower Hamlets	1
Trafford	0
Wakefield	2
Walsall	0
Waltham Forest	0
Wandsworth	2
Warwickshire	7
West Sussex	5
Westminster	0
Wigan	0
Wiltshire	2
Wirral	1
Wolverhampton	3
York	1

[1] Includes one PRU that is open, but the LEA proposes to close.

New Deal

Mr. Willetts: To ask the Secretary of State for Education and Employment how many employers have been contacted by the Employment Service in respect of the new deal for young unemployed people; how many

have agreed in principle to take part; how many have signed new deal contracts; and if he will give each figure broken down by size of employer. [26227]

Mr. Andrew Smith: The Employment Service and New Deal partners have made initial contact, including sending promotional material and setting meetings, with over 70,000 employers. The Large Organisations Unit has held meetings with 164 businesses. So far, some 7,000 firms have expressed interest in taking part in new deal and over 1,100 have signed Employer Agreements, with more to follow suit shortly. The disaggregation by size of employer is not yet available, but the majority of agreements are at local level, with small and medium businesses.

Mr. Willetts: To ask the Secretary of State for Education and Employment how many *(a)* young people unemployed for more than six months and *(b)* people unemployed for more than two years he has assumed will participate in the New Deal in 1998–99, broken down by travel to work area or other suitable locality. [29688]

Mr. Andrew Smith: Each New Deal programme will offer help to those who become eligible.

Our New Deal programmes are being delivered through local partnerships. For planning purposes, the Employment Service has provided its partners in each local unit of delivery with an indicative assumption for the numbers of young people who might join the New Deal for 18–24 year olds in 1998–99. Those planning assumptions are based on current unemployment levels. They are not forecasts of the actual numbers who will participate in the New Deal for 18–24 year olds. They do, however, enable the Employment Service and its partners in each local area to conduct better informed negotiations with organisations bidding to deliver New Deal programmes and services, and help to ensure that adequate resources are in place locally to meet potential demand.

I will shortly be placing in the Library a list showing the indicative planning assumption for the New Deal for 18–24 year olds in each unit of delivery. We have yet to finalise planning assumptions for participation in the New Deal for long-term unemployed people aged 25 or over.

Mr. Willetts: To ask the Secretary of State for Education and Employment if in-house company training schemes which do not lead directly to an NVQ will be accepted as the training element in the private employment option for 18 to 24 year olds and the long-term unemployed under the New Deal. [30493]

Mr. Andrew Smith: Employers may provide New Deal participants with in-house training in cases where it has been agreed with the Employment Service that the training is of a standard which meets the quality requirements of the New Deal. In these cases, the in-house training received by the New Deal participant will be mapped against NVQ frameworks for the appropriate occupational sector and, based on this, the young person would be registered for an NVQ.

Mr. Willetts: To ask the Secretary of State for Education and Employment what percentage of *(a)* young unemployed and *(b)* long-term unemployed participants in the New Deal are expected to have a criminal record. [30489]

Mr. Andrew Smith: Each New Deal programme is designed to offer help to all those who become eligible. The claimant unemployment statistics do not provide information on previous criminal records.

Shona McIsaac: To ask the Secretary of State for Education and Employment how many young people have been assisted by the New Deal in the South Humber area. [29927]

Mr. Andrew Smith: The New Deal for young people in South Humber will begin on 6 April 1998. At this stage no young people in South Humber have entered the New Deal.

Further Education

Mr. Chaytor: To ask the Secretary of State for Education and Employment how many students in further education colleges were engaged on franchised courses in each of the last four financial years; and what proportion of total students this represented in each case. [29299]

Dr. Howells: The following table sets out the number of students on franchised provision funded by the Further Education Funding Council for 1994–95 (the first year for which figures are available) to 1996–97. The figures are collected by academic, not financial, year.

Academic year	*Number of students on franchised provision*	*Percentage of the total number of students*
1994–95	140,000	5
1995–96	545,000	18
1996–97	660,000	19

Unemployment (Exeter)

Mr. Bradshaw: To ask the Secretary of State for Education and Employment how many *(a)* unemployed people aged under 26 years and *(b)* unemployed people out of work for over six months will be eligible for assistance under the New Deal in Exeter. [27657]

Mr. Andrew Smith: It is not possible to provide precise estimates of the numbers of young people aged 18–24 or the numbers of long-term unemployed people aged 25 and over who will benefit from our New Deal programmes for these groups.

In January 1998, some 118,000 18–24 year olds were recorded as having claimed Jobseeker's Allowance (JSA) for six months or more; each month about 15,000 to 20,000 18–24 year olds reach six months' claimant unemployment. In the same month, some 216,000 people aged 25 or over were recorded as having claimed JSA for more than two years; each month between 5,000 and 10,000 people who are 25 or over reach two years' claimant unemployment. It is not possible to provide fully comparable figures for Exeter. In January 1998 in Exeter, 185 18–24 year olds were recorded as having claimed JSA for six months or more, and 391 people aged 25 or over were recorded as having claimed JSA for more than two years.

I will shortly be placing in the Library a list showing the indicative planning assumption for participation in the New Deal for 18–24 year olds in 1998–99 in each local

unit of delivery. These planning assumptions are based on current unemployment levels. They are not forecasts of the actual numbers who will participate in the New Deal for 18–24 year olds. We have yet to finalise planning assumptions for participation in the New Deal for long-term unemployed people aged 25 or over.

University Applications

Mr. Willis: To ask the Secretary of State for Education and Employment if he will publish by university each course of study for which there has been a reduction in the numbers of applicants of over 25 per cent against last year's figures. [30173]

Dr. Howells: The information is not available centrally. However, figures from the University and College Admissions Service (UCAS) giving the percentage change of applications from last year for degree courses attracting more than 10,000 applicants show that there have not been reductions of over 25 per cent. in any subject.

Long-term Unemployed

Mr. Chaytor: To ask the Secretary of State for Education and Employment how many long-term unemployed people in Bury, North *(a)* under 25 and *(b)* over 25 years he estimates will participate in the New Deal (i) by 1 April and (ii) in the course of 1998–99. [29930]

Mr. Andrew Smith: The New Deal for 18–24 year olds will begin in Bury, North on 6 April, and the New Deal for over 25s in June. It is not possible to provide precise national or local estimates of the numbers of young people aged 18–24 or the numbers of long-term unemployed people aged 25 and over who will benefit from our New Deal programmes for these groups,.

In January 1998, some 118,000 18–24 year olds were recorded as having claimed Jobseeker's Allowance (JSA) for six months or more; each month about 15,000 to 20,000 18–24 year olds reach six months' claimant unemployment. In the same month, some 216,000 people aged 25 or over were recorded as having claimed JSA for more than two years; each month between 5,000 and 10,000 people who are 25 or over reach two years; claimant unemployment. It is not possible to provide fully comparable figures for Bury, North. In January 1998, in Bury, North, 41 18–24 year olds were recorded as having claimed JSA for six months or more, and 29 people aged 25 or over were recorded as having claimed JSA for more than two years.

I will shortly be placing in the Library a list showing the indicative planning assumptions for participation in the New Deal for 18–24 year olds in 1998–99 in each local unit of delivery. These planning assumptions are based on current unemployment levels. They are not forecasts of the actual numbers who will participate in the New Deal for 18–24 year olds. We have yet to finalise planning assumptions for participation in the New Deal for long-term unemployed people aged 25 or over.

Environmental Task Force

Mr. Derek Foster: To ask the Secretary of State for Education and Employment what representations he has received from organisations participating in the Environmental Task Force option of the New Deal on the effect of payment in arrears on their financial viability. [29963]

Mr. Andrew Smith: This issue has been raised by some environmental and voluntary groups. The Chief Executive of the Employment Service has approved a system whereby voluntary organisations can seek an advance payment of part of their first year's anticipated contract value. Employment Service regional contract managers received guidance about start-up funding at the beginning of the month; the guidance was designed to provide a reasonable amount of advance funding which can be expected to be repaid during the first year of operation. In so doing, we have tried to balance the risks to Employment Service with ensuring that small voluntary organisations are not prohibited from participating in New Deal.

PE (National Curriculum)

Mr. Pendry: To ask the Secretary of State for Education and Employment what assessment he has made of the effectiveness of the implementation of National Curriculum PE between 1988 and 1997. [30422]

Ms Estelle Morris: Her Majesty's Chief Inspector of Schools reports to my right hon. Friend, the Secretary of State, on schools' compliance with the National Curriculum, which includes physical education.

Mr. Pendry: To ask the Secretary of State for Education and Employment what guidance he has given to local education authorities on the requirements of the Education Act 1988 in respect of provision of physical education. [30439]

Ms Estelle Morris: None. However, the Government's advisory body on matters related to the curriculum has made available to local education authorities, schools and other bodies, a range of materials to support teaching of the National Curriculum for physical education.

Inspectors

Mr. Gerrard: To ask the Secretary of State for Education and Employment how many inspectors have had contracts of employment terminated, or not renewed, by Ofsted in each year of its existence on grounds of incompetence. [30289]

Mr. Byers: This is a matter for Her Majesty's Chief Inspector of Schools. I have asked him to write to my hon. Friend and to place a copy of his letter in the Library.

Iraqi Students

Mr. Brake: To ask the Secretary of State for Education and Employment, pursuant to his answer of 13 February 1998, *Official Report*, column *440*, concerning Iraqi students at British universities, what assessment he has made of Iraqi Government financial or other support for the Iraqi students who are not receiving United Kingdom funding or official Iraqi funding; and, of the 16 receiving Iraqi Government funding, what proportion are funded by the Iraqi ministries of *(a)* Defence, *(b)* Trade and Industry or equivalent, *(c)* Science and Technology, or equivalent and *(d)* Communications. [30390]

Dr. Howells: No assessments of this kind have been made. Iraqi students attending UK higher education institutions who are not supported by funds from the United Kingdom are responsible for making any appropriate fee payments direct to the institutions concerned.

Mr. Brake: To ask the Secretary of State for Education and Employment, pursuant to his answer of 13 February 1998, *Official Report*, column *440*, concerning Iraqi students at British universities, what assessment he has made of the potential for studies undertaken by Iraqi students in each subject of study to be of assistance to the Iraqis' military, chemical and biological capability. [30416]

Dr. Howells: Her Majesty's Government seek to prevent the transfer of technology related to weapons of mass destruction in the higher education sector through the operation of the Voluntary Vetting Scheme which is administered by the Foreign and Commonwealth Office. This scheme applies to post-graduate students and post-doctoral researchers from certain countries, including Iraq, and covers those scientific disciplines relevant to weapons of mass destruction technologies or the missiles to deliver them. Under the scheme, universities and higher education colleges are asked to refer potential students from specified countries who are seeking to undertake research in particular disciplines to the Government. The Government provide advice on individual applicants and the universities and colleges then make the final admission decisions. This is a voluntary arrangement and there is currently no law in place to oblige higher education institutions to contact Government over admission matters.

British Sign Language

Mr. Levitt: To ask the Secretary of State for Education and Employment if information produced as part of the New Deal promotion campaign will be available in British Sign Language. [30456]

Mr. Andrew Smith: Information from the New Deal campaign will be included in the next two editions of the Public Scene video magazine, which uses the British Sign Language and English subtitles, and is sent to contacts working with deaf people throughout the UK. The editions will appear in April and October 1998.

The New Deal advertisements can be viewed with teletext subtitles that include a text phone number which can be used to obtain printed information about New Deal. Audio cassette and Braille versions of the New Deal young people's booklet are also available on request.

Modern Apprenticeships

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many modern apprenticeships are currently being undertaken in the United Kingdom. [30577]

Dr. Howells: As at 30 November 1997, there were 113,900 people in training on Modern Apprenticeships in England and Wales.

Class Sizes

Mr. Laurence Robertson: To ask the Secretary of State for Education and Employment what criteria will determine how money is allocated to reduce class sizes; and what sums he will allocate for this purpose to Gloucestershire during *(a)* 1998–99 and *(b)* 1999–2000. [30268]

Mr. Byers *[holding answer 23 February 1998]:* On 12 February, the Government announced allocations of £21.32 million under the Standards Fund to 65 LEAs to reduce infant class sizes in 1998–99. Those allocations were made on the basis of applications put forward by LEAs and according to criteria published in September last year and sent to all authorities. Further significant funding will be available in future years. Although Gloucestershire has not been allocated specific funding to reduce class sizes in 1998–99, I would urge the authority to continue to develop its plans for reducing class sizes to ensure that it attracts funding in the future. By the end of this Parliament, all infants in Gloucestershire, as in the country generally, will be in classes of 30 or fewer.

Departmental Expenditure (Entertainment and Travel)

Mrs. Gilroy: To ask the Secretary of State for Education and Employment what sums were spent on entertainment and travel by *(a)* the Department for Education, *(b)* the Department of Employment and *(c)* the Department of Education and Employment for each of the financial years from 1992–93 to 1996–97. [30742]

Dr. Howells: The Department's expenditure on entertainment and travel are detailed separately in the following tables. The travel figures include subsistence costs which could be separated from travel only at disproportionate cost.

Entertainment

£000

	(a) Department of Employment (inclusive of Employment Service)	(b) Department for Education	(c) DfEE
1992–93	65	98	—
1993–94	69	87	—
1994–95	32	86	—
1995–96	28	77	—
1996–97	—	—	24

Travel and subsistence

£000

	(a) Department of Employment (inclusive of Employment Service)	(b) Department for Education	(c) DfEE
1992–93	24,371	2,029	—
1993–94	16,705	1,478	—
1994–95	17,207	1,906	—
1995–96	20,767	1,659	—
1996–97	—	—	17,869

Disruptive Pupils

Mr. Vaz: To ask the Secretary of State for Education and Employment which representatives of the teaching profession he has met to discuss the disciplining of disruptive pupils. [30480]

Ms Estelle Morris: My right hon. Friend the Secretary of State has not met representatives of the teaching profession specifically to discuss the disciplining of disruptive pupils. However, officials of the Department have discussed this and related matters with such representatives on several occasions.

Mr. Vaz: To ask the Secretary of State for Education and Employment how many teachers were disciplined for using force against disruptive pupils in 1997. [30481]

Ms Estelle Morris: The information requested is not available.

Mr. Vaz: To ask the Secretary of State for Education and Employment what representations he has received in respect of guidelines for teachers for the use of force in disciplining disruptive pupils. [30479]

Ms Estelle Morris: The Department issued draft guidance about the powers of teachers and other staff to use reasonable force to control or restrain pupils, for consultation, on 16 February. We have not, as yet, received any representations about the draft guidance. The consultation period ends on 24 April.

Teacher Training

Mr. Don Foster: To ask the Secretary of State for Education and Employment how many people entered courses of initial teacher training broken down by gender, for *(a)* primary and *(b)* secondary schools in the year 1996–97. [30848]

Ms Estelle Morris: The following table shows the number of people entering initial teacher training in 1996–97, broken down by gender and phase.

1996–97 recruitment[1] to initial teacher training (ITT) courses, England

	Male[2]	*Female*[2]	*Total*
Primary	1,703	10,592	12,295
Secondary	6,559	9,038	15,597
Total	8,262	19,630	27,892

[1] New entrant figures exclude School Centred ITT but include Open University.
[2] The number of new entrants by gender has been estimated using gender splits from 1996–97 HESA data and the total number of new entrants from the 1996–97 TTA Survey of ITT Providers.
Sources:
New entrants—Teacher Training Agency (TTA) survey of ITT providers.
Gender split—Higher Education Statistics Agency (HESA) December 1996.

Hairdressers (Training)

Mr. Sheerman: To ask the Secretary of State for Education and Employment (1) how many hairdressers have been trained to NVQ standard in the United Kingdom in each of the last 10 years; [30576]

(2) how many hairdressers are at present being trained to NVQ standard in the United Kingdom. [30578]

Dr. Howells: The Awarding Bodies have not recorded information in this form over the full 10 year period. A total of 213,287 people have registered for S/NVQs in hairdressing since 1989–90, of whom 98,499 have been awarded qualifications. The remainder are either still working towards qualifications or have ceased their training. The most up to date figures available on the number of hairdressers registered for S/NVQs in hairdressing each year between 1989–90 and 1996–97 are listed in the following table:

Year	*Number*
1989–90	22,650
1990–91	15,746
1991–92	16,786
1992–93	23,548
1993–94	29,960
1994–95	28,657
1995–96	28,401
1996–97	33,310
1997–98 (first quarter only)	14,229
Total	213,287

SOCIAL SECURITY

Pensions

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what assessment she has made of the adequacy of the state pension as the sole source of income. [31062]

Mr. Denham: The key objective of our review of pensions is to ensure that pensioners should have an adequate income in retirement; that they should share fairly in rising national prosperity; and that public finances should be both sustainable and affordable.

For most people, security in retirement will come from a combination of the basic State Pension and a second pension. However, for people receiving only the basic pension it is likely that they would be entitled to Income Support on top of their basic pension.

Mr. Jim Cunningham: To ask the Secretary of State for Social Security if she will make it her Department's policy to provide advice for those planning their pensions. [31065]

Mr. Denham: Our aim is to provide people with the clear and concise information they need to help them make informed decisions about pensions and to raise awareness of the importance of pensions planning throughout their working lives.

The Department has reviewed the information and publicity material that it produces for consumers with the objective of making sure that it sets out clearly how pensions work, and what questions they should ask before deciding what is the best option for them. We will be issuing new publicity material in the Spring.

Developing greater financial literacy and economic awareness is crucial to give everybody, men and women, young and old, the confidence to make informed choices and take control of their financial future. The pensions review is addressing this challenge through our Pensions Education Working Group.

Mr. Jim Cunningham: To ask the Secretary of State for Social Security if she will take steps to remove disadvantages in the pensions structure for women changing jobs. [31063]

Mr. Denham: One of the major challenges facing the Government's Pensions Review is to narrow the pensions gap between women and men to give women more security in retirement. Many pensions are simply not flexible enough to cope with women's working patterns and the fact that they are more likely to have caring responsibilities. We are therefore considering many of the obstacles that currently prevent women from developing good pension rights.

We are committed to introducing pension sharing for divorcing couples from April 2000, and our proposals for Stakeholder Pensions and a Citizenship Pension will be of particular benefit to women. Stakeholder Pension schemes are a central part of our plans to modernise the pensions system and the Government recognise that there is a need to develop new, value-for-money second pension schemes that do not penalise those who change jobs frequently, or who take breaks from work, particularly women.

Mrs. Ewing: To ask the Secretary of State for Social Security (1) if she will make it her policy to reform current bankruptcy law to allow the self-employed and employees who are not members of an occupational pension scheme to receive the same exemption upon becoming insolvent as is presently enjoyed by persons who, as employees, were members of an occupational pension scheme; and if she will make a statement; [31025]

(2) if she will make a statement on the implications of the decision in the Landau case for the differing treatment upon insolvency of *(a)* the self-employed, *(b)* employees who are not members of an occupational pension fund and *(c)* employees with occupational pensions, in the event of their becoming insolvent. [31026]

Mr. Denham: The issue of pensions and bankruptcy is currently being considered as part of our wide ranging Pensions Review.

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what proposals she has to make allowance for the consequence of divorce in pension provision. [31064]

Mr. Denham: Courts are required to take into account pensions in reaching a divorce settlement. Provision exists to allow a woman who divorces before State pension age to substitute her former husband's National Insurance contributions record for her own record for specified periods, and to receive a Basic Retirement Pension on this basis when she reaches State pension age. The earmarking provisions introduced by the Pensions Act 1995 enable courts to require a private pension scheme to make payments (once the pension is in payment) directly to a former spouse on behalf of the scheme member.

Our Manifesto committed us to introducing pension sharing for divorcing couples and we aim to do so from April 2000. We are working through the detailed issues and implementation arrangements with representatives of the pensions industry, family lawyers and others, and plan to publish draft legislation for consultation during this Parliamentary session. Pension sharing will allow fairer settlements on assets on divorce and is an important step towards meeting the Government's objective of closing the pensions gap between women and men in retirement.

Correspondence

Mr. Wigley: To ask the Secretary of State for Social Security if it is her Department's policy always to answer either by way of an acknowledgement or a substantive reply every letter received from the public; and on how many occasions during the last six months her Department has replied to members of the public that it has been unable to trace original letters about which follow up inquiries are being made. [31286]

Mr. Denham: We aim to send a reply to every letter received from a member of the public. No records are kept of how many replies follow up previous correspondence.

Television Advertising

Mr. Swinney: To ask the Secretary of State for Social Security, pursuant to her answer of 17 February 1998, *Official Report*, columns *619–20*, on television advertising of benefits, if she will list the percentage of *(a)* planned advertisements for the winter payment scheme which had been shown and *(b)* the number of payments under the scheme which had been made by (i) 31 December, (ii) 31 January and (iii) 18 February. [31016]

Mr. Denham: It is important that pensioners need to know as soon as possible how much they will receive, as well as how and when it will be paid. The simplest and most cost-effective way is to let them know that a payment will be made is through publicity. The publicity will enable them to plan with confidence and turn up their heating if there is a spell of cold weather.

The percentage of planned advertisements for the winter payment scheme which had been shown by:

(i) 31 December 1997: Nil

(ii) 31 January 1998: 44 per cent.

(iii) 18 February 1998: 96 per cent.

The number of payments made under the scheme which had been made by:

(i) 31 December 1997: Nil (legislation came into force on 16 January 1998)

(ii) 31 January 1998: 1,441,614

(iii) 18 February 1998: 1,441,614.

The remaining payments will be made from the week commencing 2 March 1998.

Vaccine Damage Payment Scheme

Mr. Wigley: To ask the Secretary of State for Social Security how many vaccine damaged children are excluded from the vaccine damage scheme *(a)* due to the 80 per cent. disablement threshold and *(b)* because their application was made over six years after the vaccination date. [29266]

Mr. Denham: The administration of the Vaccine Damage Payment Scheme is the responsibility of Peter Mathison, Chief Executive of the Benefits Agency. He will reply to the right hon. Member.

Letter from Peter Mathison to Mr. Dafydd Wigley, dated 24 February 1998:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking how many vaccine damaged children are excluded from the vaccine damage scheme a) due to the 80 per cent disablement threshold and b) because their application was made over six years after the vaccination.

The information is not available in the format requested. Data is not collected about the age of people who apply for a payment under the Vaccine Damage Payment Scheme (VDPS). However, the majority of claims do relate to children.

Such information as is available is shown in the table below. The data refers to all VDPS claims rejected for the reasons shown.

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Overall disablement is at least 80% but the vaccine damage is assessed at less than 80%	nil	1	1	1	nil
Overall disablement is substantially less than 80% and the cause has not therefore been fully considered	2	4	5	14	12
Application made more than six years after vaccination	18	22	17	19	22

I hope you find this information helpful.

Lone Parents

Ms Julie Morgan: To ask the Secretary of State for Social Security how many lone parents in each constituency in Wales were in receipt of income support on 31 December 1997 or the nearest date for which figures are available; and how many children lived in such lone parent families on the same date. [28893]

Mr. Keith Bradley: The administration of Income Support is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Ms Julie Morgan, dated 24 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many lone parents in each constituency in Wales were in receipt of Income Support (IS) on 31st December 1997 or the nearest date for which figures are available; and how many children live in such lone parent families on the same date.

The information is not available in the format requested. The Benefits Agency (BA) collates statistics by BA District and these Districts do not correspond to constituency boundaries or specific geographical areas.

The BA does not routinely collate information relating to the number of children who live in lone parent families who are in receipt of IS. However, the departmental quarterly statistical enquiry provides the number of dependants within lone parent families in Wales.

The available information is shown in the attached table. The information is provisional and may be subject to change.

I hope this reply is helpful.

Number of income support customers in receipt of the lone parent rate of the family premium and the number of dependants in these households for the Benefit Agency's District in Wales

Benefits Agency Districts in Wales	*Number of IS customers in receipt of the lone parent rate of family premium as 30 November 1997* [1,2]	*Number of dependents within the households of those IS customers in receipt of the lone parent rate of family premium as at May 1997* [3,4,5]
Cardiff and Vale	8,911	18,000
Gwent Borders	6,243	12,000
Gwyneddigion Maldwyn	4,239	8,000
South Wales Valleys	14,807	29,000
South West Wales	11,501	21,000
Wrexham and North West Coast	7,266	14,000

[1] This information relates to the number of customers in receipt of the lone parent rate of the Family Premium (formerly known as the Lone Parent premium).

[2] The figures represent a snapshot in time and do not include those lone parent customers who are pensioners nor those registered sick who qualify for a higher rate premium such as a pensioner or disability premium.

[3] Numbers are rounded to the nearest thousand and subject to a degree of sampling error (sample size 5 per cent.).

[4] These figures do not include those lone parent customers who are pensioners nor those registered sick who qualify for a higher rate premium such as a pensioner or disability premium.

[5] Dependants are aged 0–18 years.

Notes:

BA's Cardiff and Vale District includes the offices of Barry, Cardiff Central, Cardiff East and Cardiff West.

BA's Gwent Borders District includes the offices of Cwmbran and Newport.

BA's Gwyneddigion Maldwyn District includes the offices of Aberystwyth, Caernarfon, Dolgellau, Holyhead, Llangefni, Newtown and Porthmadog.

BA's South Wales Valleys District includes the offices of Aberdare, Bargoed, Blackwood, Bridgend, Caerphilly, Ebbw Vale, Merthyr Tydfil, Pontypridd, Porth and Tonypandy.

BA's South West Wales District includes the offices of Ammanford, Carmarthen, Gorseinon, Haverford West, Llandeilo, Llanelli, Morriston, Neath, Pembroke Dock, Pontardawe, Port Talbot and Swansea.

BA's Wrexham and North West Coast District includes the offices of Colwyn Bay, Deeside, Rhyl and Wrexham.

The information is the latest available, is provision and maybe subject to change.

Benefit Integrity Project

Mr. Chaytor: To ask the Secretary of State for Social Security how many individuals in Bury, North have been contacted as part of the Benefit Integrity Project; how many of them have had their benefit reduced; and how many appeals have been made against these decisions. [28700]

Mr. Denham: One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with the Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend with further details.

Letter from Peter Mathison to Mr. David Chaytor, dated 24 February 1998:

The Secretary of State for Social Security has asked me to respond to your recent Parliamentary Question regarding how many individuals in Bury North have been contacted as part of the Benefits Integrity Project (BIP) and how many of them have had their benefit reduced; and how many appeals have been made against these decisions.

The information is not available in the format requested. The comprehensive database of casework has not been designed to extract information geographically during the project. To do so would necessitate high cost and disruption to the processing of ongoing casework. Once the casework has been completed a full evaluation of the data is planned to provide a variety of trend analyses, including geographical, to inform any change to the benefit which may be considered necessary at that time.

However, as at 31 December 1997, a total 40,615 cases, have been examined as part of the BIP. Of the total cases dealt with 978 have had their benefit increased, 31,920 have been unchanged and 7,717 have had their benefit reduced/stopped. The total includes 7,462 renewal cases; of which 242 had their benefit increased, 3,868 remain unchanged and 3,352 have had their benefit decreased.

A total of 311 appeals have been received.

A brief monthly statistical report is produced and a copy of the report for December 1997 and subsequent months can be found in the House of Commons Library.

I hope you find the reply helpful.

Mr. Swinney: To ask the Secretary of State for Social Security, pursuant to her answer of 9 February 1998, *Official Report*, columns *75–76*, on the Benefit Integrity Project, if it is her policy to re-examine all benefit reductions made to date under the Benefit Integrity Project on the basis of evidence provided solely by the claimant; if she will require the additional evidence to support a decision to include an independent medical test where requested; and if she will make a statement. [29759]

Mr. Denham *[holding answer 16 February 1998]:* On 9 February the Secretary of State announced that we have taken action to improve the quality of decisions made by the Project which involve a reduction or removal of benefit. No decision resulting in reduction or removal of entitlement to DLA will be made solely on the evidence provided by the claimant—there will always be additional evidence to support the decision.

One of our key aims is to rebuild integrity in, and public support for, the Social Security system and the way in which public money is spent. Benefits should go to those who are properly entitled to benefit. This is why we have continued with Benefit Integrity Project.

The administration of this programme is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. John Swinney, dated 24 February 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question in pursuant to her Answer of 9 February, Official Report, columns 75–76, on the Benefit Integrity Project (BIP) and, if it is the policy to re-examine all benefit reductions made to date under the BIP on the basis of evidence provided solely by the claimant; if she will require the additional evidence to support a decision to include an independent medical test where requested.

DLA is a complex benefit. It is not compensation for disability. Entitlement is determined by the effect of a disability on a person's need for help with personal care and getting around and even awards made "for life" are conditional on continuing to meet the eligibility criteria for that award. If any customer disagrees with a DLA decision that has been made, a review or appeal can be requested.

From 9 February, no case likely to result in the reduction or removal of benefit will be passed to an Adjudication Officer (AO) for review without further evidence in addition to that supplied by the customer on the BIP questionnaire. This extra safeguard is to improve confidence in the decisions made by the BIP and to help safeguard the position of severely disabled people.

There is no reason to believe that previous decisions are incorrect therefore, there are no plans to re-examine all benefit reductions made to date under the BIP. However in cases which have been reviewed as a part of the BIP, if the decision was reached solely on the basis of what the customer told us on the BIP questionnaire, additional further evidence will be required before the case is passed to the AO for a decision.

Further evidence to seek amplification of a customer's care and mobility needs may include factual medical evidence from a GP or hospital, a full examination or information from carers. the source of the additional evidence will be determined by the individual circumstances of the case.

I hope you find the reply helpful.

Child Support

Mr. Kirkwood: To ask the Secretary of State for Social Security of the total number of CSA accounts with child support maintenance arrears *(a)* how many are being dealt with by the litigation teams in the CSA centres, *(b)* how many of the liability orders applied for during 1997 were granted by the courts, *(c)* how many of these related to self-employed cases and *(d)* what further action was taken to enforce the liability orders. [30122]

Mr. Keith Bradley: The administration of the Child Support Agency is a matter for Mrs. Faith Boardman, the Chief Executive. She will write to the hon. Member shortly.

Letter from Mrs. Faith Boardman to Mr. Archy Kirkwood, dated 24 February 1998:

I am replying to your Parliamentary question relating to Court action taken in Child Support Agency cases with debt.

Your question mentions "cases being dealt with by litigation teams". Since the introduction of the Agency's Debt Management System this structure has been replaced by Debt Management teams and Enforcement teams. Where a case has debt or an arrangement for paying off debt breaks down, the first stage is progressed by the Business Unit Debt Management Teams. They contact the absent parent, or the absent parent's employer where a deduction from earnings order is in place, to try to establish a voluntary arrangement with the absent parent for paying the debt or resolve difficulties an employer may be experiencing with a deduction from earnings order.

We are taking a far more robust approach to non compliant absent parents. In the case of employed absent parents we are imposing a greater number of deduction from earnings orders and are doing so more quickly.

A case will only be referred on to the Enforcement Team for litigation where it has not been possible to come to a voluntary arrangement with the absent parent, or the employer refuses to implement a deduction from earnings order. In this financial year to the end of January, 2,216 new cases were sent to Enforcement

teams. The Enforcement teams apply to the Magistrates Courts in England and Wales and Sheriffs courts in Scotland for liability orders where, despite all efforts, the absent parent refuses to come to a voluntary arrangement.

So far this financial year, the Agency has applied for 1,536 liability orders in England and Wales and 207 in Scotland. In the main these cases referred to self employed absent parents, but there are some employed absent parents included within the figures with a high level of protected earnings for whom a deduction from earnings order is not appropriate. The Agency has been looking at the way that we deal with self employed cases to improve the rate of compliance; difficulties with this client group are not unique to the Agency.

Once a liability order has been granted by Magistrates or Sheriffs there are a variety of methods which can be used to enforce the order. In England and Wales, the Agency decides how to apply liability. This can be by garnishee order, charging order (against capital assets), levying distress with bailiffs or registering the debt as a County Court Judgement on the register. If unsuccessful, the case can be referred back to the Magistrates Court for committal proceedings which may ultimately lead to imprisonment.

In Scotland cases are referred to the Sheriff's Court to decide on liability. If the Sheriff grants a liability order, official Scottish Office solicitors decide on the action to be taken to enforce the order. This can be done by poinding (warrant of sale), arrestments of bank account, a bill of inhibition (forced sale of property or land), decrees; or, if all else fails, cases are referred to the Procurator Fiscal to decide on prosecution.

The Agency looks to use any and all enforcement methods legally available to us, but experiences the same difficulties (as was the case under the previous court based maintenance system) other litigants experience in enforcing a civil debt. So far in 1997–98 we have been successful in registering debt by County Court Judgement in 368 cases. Where all other action has failed, the Agency has pursued cases for prosecution; between November 1997 and January 1998 a total of 6 suspended custodial sentences were imposed.

Throughout the Debt Management and Enforcement process, absent parents are given every opportunity to make a voluntary arrangement to pay off their child maintenance debt. The majority do agree to make an arrangement and only in a very small minority of cases is legal action actually taken.

I hope this is helpful.

Written Answers to Questions

Thursday 26 February 1998

HOUSE OF COMMONS

Parliamentary Data and Video Network

Mr. Rooney: To ask the Chairman of the Accommodation and Works Committee what is the timetable for the connecting up to the PDVN of the remaining parts of the Palace of Westminster. [31534]

Sir Sydney Chapman: The timetable for installation of the Parliamentary Data and Video Network (PDVN) has been planned to coincide with other work such as the new fire detection system, asbestos removal, electrical rewiring and the voice alarm system. The majority of Members' offices will be provided with full access to the PDVN by the end of 2000. However, it has been decided that some areas, such as the offices in Commons Court, St. Stephen's Tower and Norman Shaw South should be connected to the PDVN when they are refurbished. These areas are scheduled for refurbishment after completion of Portcullis house.

To assist occupants of offices in areas of the estate which are not yet connected to the PDVN, temporary connections can quickly be made available to individual hon. Members' offices on request. The Parliamentary Communications Directorate is also experimenting with a wireless system, which, if successful, might provide an additional cost-effective means of connection to the PDVN.

HOME DEPARTMENT

Police Officers (Suspensions)

Gillian Merron: To ask the Secretary of State for the Home Department (1) what was the average length of suspension police officers experienced while under disciplinary investigation broken down by police authority in the last five years; [31589]

(2) how many police officers currently have been suspended from operational duties for *(a)* less than six months, *(b)* six to 12 months, *(c)* 12 to 18 months, *(d)* 18 months to two years and *(e)* more than two years; [31591]

(3) if he will estimate the current average cost of keeping a police officer suspended from duty for a year. [31590]

Mr. Michael: The information is not available in the form requested. Some information about suspended officers is at present being obtained from the 43 police forces in England and Wales in response to a Question from another hon. Member. When that information has been collated, I will also provide that information to my hon. Friend. The cost of any suspension would depend on the rank of the officer and at what point on the relevant pay range he or she is being paid.

Fleming Case

Gillian Merron: To ask the Secretary of State for the Home Department if he will request a copy of the report prepared by the Humberside Police into the handling of the Fleming case; and if he will place it in the Library. [31586]

Mr. Michael: No. This report was prepared at the request of the police authority who have yet to complete their consideration of it. My right hon. Friend is the appellate authority for police discipline and should not see any material which bears on possible disciplinary proceedings.

Police Authorities (Investigations)

Gillian Merron: To ask the Secretary of State for the Home Department what plans he has to ensure that investigatory reports into the running of police authorities are made public. [31587]

Mr. Michael: There is a general requirement for reports by Commissioners for Local Administration into complaints of maladministration by police authorities to be made publicly available under the Local Government Act 1974. However, the Local Commissioner concerned may direct that a report shall not be made available to the public if the Commissioner considers that it would not be in the public interest and the interests of the complainant and others to do so.

The Government are considering extending the range of information available to the public generally. Our proposals were set out in the White Paper "Your Right to Know" which was issued for consultation on 11 December 1997.

Gillian Merron: To ask the Secretary of State for the Home Department how many investigations have been undertaken by outside police authorities into other authorities in each of the past five years; and what was the estimated cost of each investigation. [31592]

Mr. Michael: I am not aware of any such investigations in the last five years. Outside forces carry out investigations into other forces, usually at the request of the police authority for the force of being investigated or that force itself. However, comprehensive information on the number of any such investigations and on their cost is not held centrally.

Gillian Merron: To ask the Secretary of State for the Home Department what assessment he has made of the handling of grievances made by serving police officers, by police authorities; and what steps he intends to take to ensure that there is consistency across police authorities. [31588]

Mr. Michael: The management of individual grievances and the provision of effective procedures is a matter for chief constables within the balance of tripartite responsibilities for the management of the police service. Her Majesty's Inspectorate of Constabulary review police force personnel procedures as part of their Inspection

programme, and if Her Majesty's Inspector was dissatisfied with their adequacy, the issue would be drawn to the attention of the chief constable for remedial action.

PA Consulting

Dr. Julian Lewis: To ask the Secretary of State for the Home Department what financial benefit would accrue to PA Consulting if the PFI contract for providing information technology services to his Department were to be awarded earlier than the proposed date in the current timetable. [30283]

Mr. Straw: PA Consulting have been engaged to provide independent professional advice so as to ensure that we achieve best value for money from the Private Finance Initiative (PFI) contract for information technology services. We are taking all necessary steps to avoid any potential conflict of interest. These include an agreement with PA Consulting that they will not take part in any consortium bidding for the PFI contract.

Cosmetic Surgery

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many doctors have been *(a)* prosecuted and *(b)* convicted since 1984 for assault arising from carrying out a cosmetic surgical procedure for which they were unqualified or were incompetent. [30387]

Mr. Michael: Court proceedings information held centrally cannot identify such cases from other offences of assault. However, anyone who attempts to perform a cosmetic procedure, but who is not competent to do so, would expose himself to the risk of civil, and possibly criminal, liability, and to the possibility of professional proceedings for misconduct.

If criminal proceedings are brought for such an offence of assault then they may be instigated under either the more general legislative powers of the Offences Against the Persons Act 1861 (OAPA61) or the Medical Act 1983, section 49—pretending to be registered by taking name or title of a medical practitioner. We are aware of one prosecution in 1996 under the latter provision.

Young Offender Teams

Ms Stuart: To ask the Secretary of State for the Home Department what powers he intends to give the proposed young offender teams; and if he will make a statement. [30290]

Mr. Straw: Youth offending teams will play a key role in working with young offenders in the community from point of arrest to completion of sentence. Under clause 30(6) of the Crime and Disorder Bill *[Lords]*, youth offending teams will co-ordinate the provision in their area of the youth justice services set out in clause 29(3) and carry out the functions assigned to the team in the youth justice plan formulated by the local authority under clause 31(1).

Water Cannons

Mr. Cohen: To ask the Secretary of State for the Home Department if his Department possesses *(a)* water cannons and *(b)* equipment designed to be adapted into water cannons. [31266]

Mr. Michael: Neither the Home Office nor police forces in England and Wales possess such equipment.

Spray

Mr. Cohen: To ask the Secretary of State for the Home Department what research he has commissioned on the *(a)* benefits and *(b)* disadvantages of replacing CS spray with sprays based on CR. [31268]

Mr. Michael: Several possible incapacitant agents, including CR, were considered before CS sprays were adopted for police use. CR was rejected because not enough is known about its chronic health effects and its carcinogenic and genotoxic potential. It also poses particular problems in relation to decontamination because it retains its irritant characteristics in water. The simple decontamination procedures employed for CS involving the use of copious volumes of water would exacerbate the extent of contamination when used against CR.

Mr. Jonathan Aitken

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what is the estimated cost to date of the police investigation into the alleged perjury of Mr. Jonathan Aitken. [31081]

Mr. Michael: The Commissioner informs me that approximately 61 officer days have been used so far. The nature of the inquiry has meant that it has not been possible to cost the police time more accurately. The Commissioner also tells me that the investigation is continuing and is being pursued as expeditiously as possible.

Football World Cup

Mr. Spring: To ask the Secretary of State for the Home Department how he plans to ensure that known football hooligans are prevented from travelling to France during the World Cup. [31090]

Mr. Michael: The Government are determined to do everything possible to prevent the disruption of the World Cup by football hooligans. Offenders who have been convicted of a football-related offence and made subject to a restriction order by the court are required to attend a designated police station during the period in which matches are taking place. British police, including the Football Unit of the National Criminal Intelligence Service, have established a close working relationship with the French authorities. They will ensure that all relevant intelligence about the movement of potential troublemakers is made available to the French police so that those who might want to cause trouble are identified or monitored to prevent disorder occurring.

Firearms Compensation Scheme

Mr. Stunell: To ask the Secretary of State for the Home Department (1) what is the anticipated average time for payment of compensation between the submission of a claim and its authorisation in respect of the handing in of .22 target pistols; and what has been the average time achieved to date for the payment of compensation; [31084]

(2) what is the total amount *(a)* claimed and *(b)* paid out to date under the Firearms (Amendment) Act 1997; and what is the anticipated cost of administering the scheme in the first 12 months of operation. [31079]

Mr. Michael: As at 20 February 1998, a total of £36.7 million had been paid under the statutory compensation scheme for large calibre handguns and the ex gratia payment scheme for small calibre pistols voluntarily surrendered. The total amount claimed will not be known until all claims and applications have been examined.

The average processing time for claims and ex gratia applications dealt with from the start of the scheme has been 13.8 weeks. It is not possible to say at this stage what the average processing time will be for claims under the new statutory surrender scheme for small-calibre pistols. Work will begin on these claims as soon as the overall work position permits.

The central administration costs of all three schemes in 1997–98 are £6.4 million including £3.4 million in direct grants to police forces in England, Wales and Scotland.

Money Laundering

Mr. Mitchell: To ask the Secretary of State for the Home Department what estimate he has made of the amount of money derived from criminal activities laundered through *(a)* the UK and *(b)* the European Union in the last five years. [31075]

Mr. Michael: I am not able to provide estimates. The extent of money laundering, and measures for dealing with the problem, are being addressed by us in liaison with other governments through the international Financial Action Task Force, established at the G7 Summit in Paris in July 1989.

PRIME MINISTER

Official Entertainment

Mr. Loughton: To ask the Prime Minister what is the Government's estimate for the cost of official hospitality at 10 Downing Street in the current financial year. [21340]

The Prime Minister *[holding answer 17 December 1997]:* The cost to my office of official hospitality at 10 Downing Street and Chequers since 2 May is £30,527.

Total expenditure on entertainment at 10 Downing Street during the 1996–97 financial year was £50,126.

Mr. Rowe: To ask the Prime Minister how much has been spent on official entertainment at No. 10 Downing Street since 2 July 1997. [22828]

The Prime Minister: Since 2 July, my office has spent £27,447 on entertainment at 10 Downing Street and Chequers.

Total expenditure on entertainment at 10 Downing Street during the 1996–97 financial year was £50,126.

Cabinet Committees

Mr. Kenneth Clarke: To ask the Prime Minister if he will publish an updated list of members of Cabinet committees; and if he will arrange to keep up to date the web-site list of membership of those committees. [26519]

The Prime Minister: I have placed a copy of the current list of Cabinet Committees in the Library of the House. I have also arranged for a copy to be placed on the Cabinet Office web-site which will be updated as and when Parliament is informed of any changes or additions.

Economic Advisers

Mr. Malcolm Bruce: To ask the Prime Minister if he will list his *(a)* paid and *(b)* unpaid economic advisers; and if he will make a statement. [30764]

The Prime Minister *[holding answer 23 February 1998]:* There is an economic adviser in my Policy Unit. He is paid as a special adviser.

Computer Systems

Mr. Clifton-Brown: To ask the Prime Minister if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27841]

The Prime Minister: My office has not undertaken any major computer procurement projects in the last five years.

Bishops of Liverpool and Southwark

Mr. Simon Hughes: To ask the Prime Minister by what date he plans to complete his consultation on the advice he will offer on the names of the new *(a)* Bishop of Liverpool and *(b)* Bishop of Southwark. [30411]

The Prime Minister *[holding answer 24 February 1998]:* The selection process is currently underway in each case and will be completed as quickly as possible. By its nature, it must remain confidential. I will announce the names of the new Bishops as soon as the appointments process is complete.

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Amess: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations Her Majesty's Government have made to the Iraqi Government concerning the abuse and torture of prisoners of war from Kuwait. [30981]

Mr. Fatchett: We play an active role in the Tripartite Commission which discusses issues relating to Gulf war detainees. Iraq is also a member of the Commission.

Ms Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs who is the United Kingdom representative on the UN Security Council Ad Hoc Committee Security Council Resolution 661 Committee-Iraq; and how often the committee meets. [31250]

Mr. Fatchett *[holding answer 24 February 1998]:* The UK representative on the Security Council Committee Established by Resolution 661 (1990) Concerning the Situation Between Iraq and Kuwait is the Political Counsellor of the UK Mission to the United Nations.

The Committee meets formally once every six weeks. There are also frequent informal meetings.

Ms Abbott: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* requests to supply materials and supplies for essential civilian needs, *(b)* applications and contracts for humanitarian supplies and *(c)* hospital equipment which the Ad Hoc Committee on Security Council 661 Committee-Iraq has vetoed; and if he will make a statement. [31251]

Mr. Fatchett *[holding answer 24 February 1998]:* In 1997, over 12,000 applications were submitted to the Security Council Committee Established by Resolution 661 (1990) Concerning the Situation Between Iraq and Kuwait. It would therefore be a disproportionate use of resources to attempt to determine the total number of applications which have been blocked since the Committee was established in 1990.

Regarding the status of applications submitted to the Committee under the "oil for food" scheme, the UN produces a document detailing the status of each application and the goods involved. I have arranged for a copy of the latest available version of this document to be placed in the Libraries of the House.

General Affairs Council

Kali Mountford: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the General Affairs Council held in Brussels on 23 February. [31936]

Mr. Doug Henderson: The Council adopted the 20 A Points in document 6146/98 and noted the resolutions adopted by the European Parliament in documents 5191/98 and 5188/98. Copies of both documents will be placed in the Libraries of the House as soon as they are available.

There was a brief report from the Commission on negotiations with South Africa on the Trade and Cooperation Agreement. This followed the recent talks with the South African Trade Minister. Further negotiations are scheduled for March.

The Council discussed progress on the negotiations between the EU and Switzerland aimed at reaching agreement on a package covering six sectors including free movement of people, agriculture and transport issues. Ministers noted that progress was being made and expressed the hope that the Transport Council on 17 March could resolve outstanding issues on transport.

The Council welcomed the plan for a high-level EU-China meeting in the margins of ASEM 2. It agreed to continue and expand its human rights dialogue with China by holding at least one meeting per Presidency. Within that dialogue it agreed to continue to raise the cases of individuals, encourage Chinese engagement with the UN's human rights instruments and develop and expand the EU-China cooperation programme. It looked forward to an early and fruitful visit to China by the UN High Commissioner for Human Rights. In view of the first encouraging results of the EU/China human rights dialogue, the Council decided that neither the Presidency nor Member States should table or co-sponsor a draft Resolution at the next UN Commission on Human Rights (CHR). The EU's opening statement at CHR will refer to the human rights situation in China. If the situation arose, the Council agreed that EU delegations should vote against a no-action motion. The Council agreed to continue to make public its concerns regarding the human rights situation in China, and, to raise these matters as part of its wider dialogue with China. The EU will keep this policy under regular review.

As agreed at the General Affairs Council in January, Ministers reviewed EU policy towards Iran. The Council agreed that a number of recent developments in Iran were encouraging and that the EU should respond by increasing the level of political contact with Iran including by lifting the ban on official bilateral Ministerial visits. The Council invited the Political Committee to submit further recommendations on how political contacts between the EU and Iran—covering both areas of EU concern and issues of mutual interest—might develop. The Council also reviewed progress in the areas of concern to the EU, namely weapons of mass-destruction, terrorism, Iran's attitude to the Middle East Peace Process and human rights including the fatwa against Salman Rushdie. The Council reaffirmed the importance of fully implementing its existing security measures and of its continued vigilance in these matters. Ministers agreed that Iran's willingness to address EU concerns would greatly enhance the success of the EU's political contacts with Iran.

My right hon. Friend the Foreign Secretary updated colleagues on the Presidency's plans for handling enlargement during the UK Presidency and on thinking concerning the substance of the European Conference.

The Council welcomed the announcement of an agreement between the UNSG and Iraq and stressed that the EU wanted a diplomatic solution. The Council also expressed thanks to the Secretary-General for his efforts, but noted that agreement was secured only because of the firm resolve shown by the United Nations and the international community. The Council insisted that UNSCOM must be able to resume effective inspections. It also recorded concern at the humanitarian situation in Baghdad and therefore welcomed the recent UN resolution (1153) doubling the oil-for-food programme.

There was a brief discussion about Ukraine. The Commission noted that the Partnership and Cooperation Agreement was due to come into force on 1 March and that there would be Parliamentary elections at the end of March.

The Council discussed the EU's role in the Middle East Peace Process and its future economic assistance on the basis of a communication from the Commission and a report by President Santer on his recent visit to the region. The Council expressed its grave concern at the serious decline in the Palestinian economy, despite the efforts of

international donors. It reiterated its view that economic development is a prerequisite for political stability and that the removal of obstacles to Palestinian economic development, including closures, is in the long term security interests of Israel.

The Council agreed that the EU should demonstrate its continued commitment to the peace process through a renewal of its financial assistance to the Palestinian Authority, and requested the Commission to submit proposals to provide a basis for continued assistance after the expiry of the current Regulation at the end of 1998. It also agreed on a wide-ranging strategy aimed at improving the effectiveness of EU assistance to the Palestinians, including:

an evaluation by the Commission of aid provided under the current programme so that lessons learned may be taken into account in the implementation of future assistance;

intensification of the EU/Israel dialogue on the removal of obstacles to Palestinian economic development;

full and rapid implementation of the EC-PLO Interim Association Agreement;

exploring ways of improving the effectiveness of the Ad Hoc Liaison Committee in tackling the problems faced by the Palestinian economy;

continued efforts to encourage the Palestinian Authority to fulfil commitments made on transparency and accountability;

a constructive and effective EU contribution to international efforts to restore confidence in the peace process and establish a firm basis for a resumption of negotiations, including through improved consultation with the United States;

continued development of the Barcelona Process in parallel to the peace process as a long-term strategy for the stability and economic development of the region.

The Council discussed its growing concern at the situation in Kosovo. It called on all parties to exercise restraint and refrain from all acts of violence. The Council called on the authorities in Belgrade and the leadership of the Kosovo Albanian community urgently to begin a full and constructive dialogue. The Council endorsed, in principle, the Commission proposals to improve aid procedures for Bosnia. This will permit quicker and more effective disbursement of EC assistance, including down to local municipality level, to those supporting the Dayton Accord. It looked forward to the European Parliament's Opinion on this.

My right hon. Friend the Foreign Secretary chaired successful inaugural meetings of the EU/Estonia, EU/Latvia and EU/Lithuania Association Councils. Formal sessions focused on each associate's preparations for accession. Over dinner, Ministers discussed a range of political issues.

Visa Applications

Mr. Burstow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many visa applications have been *(a)* made, *(b)* refused and *(c)* granted on appeal at the British Consulate in Colombo, Sri Lanka in each of the last three years. [31469]

Mr. Fatchett: Since 1995, in the British High Commission in Colombo, the following visa applications have been *(a)* received, *(b)* refused and *(c)* granted on appeal:

Visa Applications

Year	*(a) received*	*(b) refused*	*(c) granted on appeal*
1995	10,690	742	14
1996	11,917	946	22
1997	12,422	608	25

Immigration

Mr. Rooney: To ask the Secretary of State for Foreign and Commonwealth Affairs when a decision will be made on the application for entry clearance by Khaliq Zubair, Islamabad reference C0681. [31532]

Mr. Fatchett: We have asked our High Commission in Islamabad to provide a detailed account of the position. My noble Friend the Under-Secretary of State for Foreign and Commonwealth Affairs, Baroness Symons, will write to my hon. Friend within one week of receiving that account.

Mr. Rooney: To ask the Secretary of State for Foreign and Commonwealth Affairs when a decision will be made on the application for entry clearance by Shayad Arif, Islamabad reference E1921. [31533]

Mr. Fatchett: A decision to grant a visa to Shazad Arif was taken on 25 February. The High Commission at Islamabad will contact Mr. Arif so that the visa can be issued.

AGRICULTURE, FISHERIES AND FOOD

Milk Products

Mr. Charles Kennedy: To ask the Minister of Agriculture, Fisheries and Food what representations he has received in respect of proposals by C , the World Health Organisation, to require bio-yoghurt to be renamed fermented milk product; and if he will make a statement. [30566]

Dr. John Cunningham: Officials consulted interested parties on a definition of 'yoghurt' in a draft Codex text in 1996 and 1997. Responses were received from UK trade bodies and from individual manufacturers. All were opposed to the definition of 'yoghurt' which restricts the terms to fermented milk products containing cultures of *Streptococcus Thermophilus* and *Lactobacillus delbrueckii. subsp.bulgaricus* only. They want the definition to be broadened to include all products currently sold legally in the UK as 'yoghurt'. The Government fully support this approach.

EU Food Surpluses

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food if he will list the European Union food surpluses in storage in the United Kingdom indicating the individual foods in storage. [30572]

Mr. Rooker: Details of EU and UK stocks of agricultural produce in public intervention and assisted private storage are placed in the Library of the House each month. The latest table gave UK figures as at the end of January for all commodities except beef which were as at 19 December.

As at 13 February, UK intervention stocks were:

Stock	Amount (tonnes)
Beef	98,144
Butter	1,964
Skimmed Milk Powder	46,340
Barley	114,972
Rye	259

Slaughter Process (Public Health)

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 12 February 1998, *Official Report*, column *373*, concerning charges for veterinary inspections and controls, if he will make it his policy to collect the information necessary to allow comparisons of charges across the member states of the European Union. [30944]

Mr. Rooker: No. Given the flexibility of the EC rules which apply to charges for veterinary inspections and controls, as well as likely differences in circumstances prevailing in other Member States, and differences in exchange rates, any such comparisons could be misleading, incomplete or inaccurate. As I explained in my previous reply on 12 February 1998, *Official Report*, column *373* it is the responsibility of the European Commission to ensure that individual Member States comply with their Community obligations.

So far as Great Britain is concerned, I am satisfied that the charges levied by the Meat Hygiene Service in respect of its hygiene inspection are consistent with EC rules, and with the objective that it delivers value for money in the provision of efficient and high quality services.

Agricultural Prices

Mr. Sayeed: To ask the Minister of Agriculture, Fisheries and Food if he will assess the factors underlying the lack of correlation between retail prices and ex-farm prices of agricultural products over the last year. [30836]

Mr. Rooker: Agricultural raw material costs represent a small proportion of the retail value of most food products. Costs of manufacturing, marketing and distribution are collectively of greater importance. As a consequence, changes in ex-farm prices of agricultural commodities have only a small influence on retail food prices. In the short term, this relationship can be further weakened by a variety of factors which may delay the transmission of price changes through the marketing chain.

Milk

Mr. Singh: To ask the Minister of Agriculture, Fisheries and Food what consultations he *(a)* has had and *(b)* plans to have with his EU counterparts on his proposal to ban the sale of unpasteurised milk. [31307]

Mr. Rooker: None. If we proceed with the proposal to ban sales of raw cows drinking milk, we should need to make a formal notification of the proposed draft measure to the European Commission who will be responsible for informing other member states.

Mr. Singh: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of medical evidence on the possible transmission of BSE to humans through the milk of infected cows. [31312]

Mr. Rooker: The National CJD Surveillance Unit conducts an epidemiological analysis of CJD and nvCJD cases reported to it in the United Kingdom. This includes details of the diet and occupational history of patients and has shown no evidence of any link between any form of CJD and milk from cows with BSE.

It is also of note that in kuru, which is a form of CJD believed to be transmitted through cannibalistic practices in Papua New Guinea, there is no evidence of transmission from mother to child after cannibalism ceased. This includes instances where mothers showing clinical signs of the disease were suckling infants. Cows' milk from cattle with clinical BSE has been tested for the presence of infectivity by injection into the brain of mice and by feeding to mice and has not transmitted disease. As a precaution in 1988 one of the first steps taken was a prohibition on use of milk from clinical BSE cases other than for feeding her own calf.

Food Research Director

Dr. Gibson: To ask the Minister of Agriculture, Fisheries and Food for what reasons the Food Research Director of the Central Science Laboratory (Norwich) has been transferred to the position of Head of Environment, Fisheries and the International Science Division; and how he was informed of the decision. [31385]

Mr. Rooker: Civil Service postings are not a Ministerial responsibility. However, the Permanent Secretary informed me of this move in the course of normal business.

Forestry

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food if he intends to prepare a forestry strategy for England. [31837]

Mr. Morley: Last year, I published an analysis of the responses to the discussion paper on Woodland Creation: Needs and Opportunities in the English Countryside. As I said then, we are committed to increasing the area of woodland in England, and many of the responses to the discussion paper agreed that a forestry strategy would help us implement this policy more effectively.

I have therefore asked the Forestry Commission, in liaison with other relevant Government Departments and Agencies, to prepare a forestry strategy for England. This will set out the Government's priorities and programmes for the creation and management of woods and forests in England. It will help set the context for further work by the Forestry Commission and other organisations aimed at realising the diverse benefits that well planned and managed woodlands can deliver.

I have asked the Forestry Commission to report to me by the end of July, and I expect to publish our priorities and programmes for forestry in the autumn.

I have also decided to set up an English Forestry Forum after the forestry strategy has been published. The Forum will advise on implementation of the strategy. I shall chair the Forum, which will meet twice a year and which will be run along similar lines to the Agri-Environment Forum which has been operating successfully for a number of years.

WALES

Consultants

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what is his estimate of the expenditure of his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies on external consultants in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year; and if he will also estimate the cost savings resulting from the employment of such consultants for each of the above years. [26612]

Mr. Ron Davies *[holding answer 5 February 1998]:* The figures for my Department are as follows:

£000

Year	*Amount*
1995–96	1,212
1996–97	600
1997–98 to date	700
1997–98 full year	not yet available

CADW: Welsh Historic Monuments, the only Agency for which my Department has sole responsibility, has not incurred any expenditure in the employment of external consultants during this period.

Details of expenditure on consultants by non-departmental public bodies sponsored by my Department are not held centrally; it is a matter for individual non-departmental public bodies to determine as part of the day-to-date management of their affairs.

Inward Investment

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how much his Department and the Welsh Development Agency spent on *(a)* inward investment and *(b)* developing indigenous Welsh companies in 1997; and if he will make a statement. [30950]

Mr. Hain: It is not possible to provide a precise breakdown of Welsh Development Agency expenditure because much of it—land reclamation, urban regeneration, environmental improvements, supply chain programmes—benefits inward investors and indigenous companies. Of the £151 million spent by the Agency in 1997, £9.6 million was spent on the activities of the International Division and marketing designed to attract inward investment.

Similarly, general Welsh Office support for business cannot be categorised between help for inward investment or indigenous. The breakdown between the main form of grant assistance—Regional Selective Assistance—to encourage industrial development in 1997 was stage payments of £22.561 million to indigenous businesses on 274 projects to create or safeguard 12,674 jobs and stage payments of £42.341 million to inward investment on 88 projects to create or safeguard 23,301 jobs.

Health Promotion

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will estimate how much money was spent on health promotion in Wales in each of the last five years; and what is planned to be spent in the current year. [30954]

Mr. Win Griffiths: Expenditure by the NHS on health promotion in the last five years is shown in the table. Figures for 1997–98 are not yet available.

Year	*£ million*
1992–93	7.6
1993–94	7.8
1994–95	11.2
1995–96	11.6
1996–97	11.8

Source:

Annual accounts and financial returns of health authorities, special health authorities, NHS Trusts, district health authorities and family health service authorities for 1992–93 to 1996–97. Information on health promotion expenditure was not collected from NHS Trusts in 1992–93 and 1993–94.

Homelessness

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many people are currently estimated to be homeless in each unitary authority. [30952]

Mr. Win Griffiths: Information is not recorded centrally on the number of individual people estimated to be homeless. Information on homeless households is shown in the following table:

Homeless households[1] by unitary authority, July-September 1997

	Unintentionally homeless and in priority need	*Intentionally homeless and in priority need*	*Homeless but not in priority need*
Blaenau Gwent	40	7	11
Bridgend	56	17	137
Caerphilly	56	3	33
Cardiff	56	1	236
Carmarthenshire	34	2	32
Ceredigion	40	—	7
Conwy	33	13	42
Denbighshire	39	6	12
Flintshire	41	—	23
Gwynedd	28	2	6
Isle of Anglesey	9	2	13
Merthyr Tydfil	18	2	11
Monmouthshire	18	—	18
Neath Port Talbot	11	1	58
Newport	26	3	41

Homeless households' by unitary authority, July-September 1997

	Unintentionally homeless and in priority need	*Intentionally homeless and in priority need*	*Homeless but not in priority need*
Pembrokeshire	35	8	33
Powys	49	8	29
Rhondda, Cynon, Taff	109	7	38
Swansea	175	2	191
Torfaen	37	—	19
Vale of Glamorgan	20	5	—
Wrexham	15	14	100
Wales	945	103	1,090

[1] Excludes households not eligible for assistance under the Housing Act 1996.

Mid-Wales Hospital, Talgarth

Mr. Livsey: To ask the Secretary of State for Wales if he will make a statement regarding the future of the Mid-Wales Hospital, Talgarth, Powys, with particular reference to its planned date of closure in April 1999. [31040]

Mr. Win Griffiths: My officials are in close touch with Dyfed Powys Health Authority and the Trust about progress on the reprovision of services from Talgarth. There is, as yet, no agreement on a date for the closure of the hospital and we will want to see appropriate alternative provision in place before the closure takes place.

Conferences

Mr. Gordon Prentice: To ask the Secretary of State for Wales how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31165]

Mr. Ron Davies: The information requested is not available centrally, and could be provided only at disproportionate cost.

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for Wales how many meetings have been requested with his Department's Ministers by *(a)* Labour and *(b)* Conservative hon. Members; and how many meetings have been granted in each category. [31292]

Mr. Ron Davies: The information requested is not held centrally in the form requested and could be obtained only at disproportionate cost. My Ministers and I frequently meet hon. Members from all the political parties represented in Welsh constituencies, as well as meeting others who have an interest in Welsh affairs.

Ambulance NHS Trusts

Mr. Gareth Thomas: To ask the Secretary of State for Wales if he will make a statement about the development of ambulance NHS trusts in Wales. [31836]

Mr. Win Griffiths: There are currently five NHS trusts in Wales providing ambulance services.

My right hon. Friend and I have consulted on proposals for a single ambulance trust, incorporating all of the current ambulance services, to be established from April 1998. Public consultation on the proposals ended on 27 January 1998.

Taking full account of the many representations received, and of the individual merits of bringing the services together, I am today announcing our decision to approve the merger. The 4 existing ambulance NHS trusts will be dissolved on 1 April 1998. The Welsh Ambulance Services NHS Trust will immediately be established also incorporating the Pembrokeshire Ambulance Service. The Chairman of the new Trust will be Mr. Eifion Pritchard, recently retired Deputy Chief Constable of Dyfed Powys Police.

A list of those organisations and individuals that responded to the public consultation, detailing their views, has been placed in the Library of the House.

CULTURE, MEDIA AND SPORT

Sport (Governing Bodies)

Mr. Jim Murphy: To ask the Secretary of State for Culture, Media and Sport if he will list the governing bodies for sport indicating the number of places on each. [27160]

Mr. Banks: As at December 1997, there were 414 governing bodies of sport, recognised by the Sports Councils, operating in the UK.

Information on the number of places on each body is not readily available, but I will ask the UK Sports Council to obtain it. I will write to my hon. Friend once this information is available and place copies of my reply in the Libraries of the House.

Mr. Jim Murphy: To ask the Secretary of State for Culture, Media and Sport if he will list the chairpersons or chief executives responsible for the governance of sport, indicating those who have represented their country. [27126]

Mr. Banks: This information is not held centrally, but I will ask the UK Sports Council to obtain it. I will write to my hon. Friend once it becomes available and place copies of my reply in the Libraries of the House.

Sport (Funding)

Mr. Jim Murphy: To ask the Secretary of State for Culture, Media and Sport how many sports his Department recognises for the purpose of funding. [27125]

Mr. Banks: The Government do not decide what is and what is not a sport. As independent corporate bodies established by Royal Charter, the Sports Councils decide which activities are eligible for support to enable the most efficient and effective use of the funding made available to them.

Currently, 112 sporting activities are eligible to be considered for the full range of the Sports Council's services. There are 414 governing bodies of these sports. Along with the Ministers of Sport for Scotland, Wales and

Northern Ireland, I have asked the Chairmen of the Sports Councils to review the criteria for the recognition of sports.

PE (National Curriculum)

Mr. Pendry: To ask the Secretary of State for Culture, Media and Sport what plans he has to discuss with the Secretary of State for Education and Employment the implications of the recent changes to the National Curriculum for the national policy on young people and sport. [30441]

Mr. Banks: My right hon. Friend the Secretary of State discussed the implications of the changes to the National Curriculum with my right hon. Friend the Secretary of State for Education and Employment before the recent announcement was made. The changes are fully consistent with our national policy on young people and sport. We are pleased that PE remains a curriculum subject and we will now concentrate on ensuring that the PE and sport opportunities children get are of the highest standard possible, whether they are delivered through the curriculum or by out-of-school activities. I will continue my discussions with Ministers in DfEE to encourage the development of sport in schools.

Advertising Contracts

Mr. Burns: To ask the Secretary of State for Culture, Media and Sport if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30711]

Mr. Tom Clarke *[holding answer 23 February 1998]:* The Department for Culture, Media and Sport has not awarded any advertising contracts since 1 May 1997.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Diabetics

Mr. Nicholls: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each piece of research *(a)* commissioned and *(b)* evaluated by his Department into the correlation between diabetes and road accidents. [30035]

Ms Glenda Jackson: I refer the hon. Member to the answer I gave to the hon. Member for Torbay (Mr. Sanders) on 28 November 1997, *Official Report*, column *694*.

The issue of research on this topic was raised at a recent meeting held by my noble Friend the Minister for Roads with the hon. Member for Torbay and others and representatives of the British Diabetic Association. Following that meeting we will be asking the Secretary of State's Honorary Advisory Panel on Diabetes and Driving to consider the research evidence submitted on that occasion by the BDA. We have also agreed to examine whether further information on diabetes and road accidents could be extracted from DVLA records.

Hydrofluorocarbon Emissions

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions what is his assessment of the voluntary agreement reached between industry and his Department in 1996 on the reduction of hydrofluorocarbon emissions; what estimate he has made of its contribution to reducing UK greenhouse gas emissions up to 2010; and if he will make a statement. [30531]

Mr. Meacher: The voluntary agreements on the use and emissions of hydrofluorocarbons concluded in 1996 between the Government and the five principal user-sectors were drawn up to help meet our original commitment under the Framework Convention on Climate Change to return emissions of greenhouse gases to 1990 levels by the year 2000. The agreements have been welcomed by industry and reviews of the first year of the impact have been completed. Although it is yet too early to assess the quantitative impact of the voluntary agreements, overall GWP-weighted emissions of hydrofluorocarbons from the UK are expected to fall by around 65 per cent. between 1990 and 2000. HFCs have now been included in the basket of gases for which legally binding targets for the period 2008 to 2012 were agreed in Kyoto. The Government will be consulting on means to achieve their target later this year.

Brown-field Development

Mr. Baldry: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of new houses he estimates have been built on brown-field land in each of the last five years. [30974]

Mr. Raynsford: There is no specific definition of "brownfield" land but it is usually taken to mean land previously developed for urban uses. These uses include residential, transport and utilities, industry and commerce, community services, previously developed vacant land and derelict land. The table gives estimates for England of the percentage of new dwellings (excluding conversions) built on land that was previously developed for urban uses. It also shows the percentage of land for new housing that was previously developed. The figures are for each year from 1989 to 1995 (the most recent available).

This information is included in the policy document "Planning for the Communities of the Future", launched by the Deputy Prime Minister in his statement in the House on 23 February 1998, *Official Report*, columns 21–37.

Re-use of previously developed land for housing—England

Per cent.

Year	*New dwellings on previously developed land*[1]	*Land for new housing that was previously developed*
1989	51	42
1990	50	43
1991	49	44
1992	53	47
1993	53	48
1994	50	45
1995[2]	—	50

[1] Statistics for dwellings are not available prior to 1989. Dwellings figures do not include conversions.

[2] 1995 figure for percentage by land is provisional and for percentage by dwellings is not yet available.

Source:

Land Use Change Statistics.

Association of Train Operating Companies

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions when *(a)* he and *(b)* his Ministers last met with representatives of the Association of Train Operating Companies; and what plans he has to alter the area of responsibility of ATOC with particular reference to co-ordination of ticketing arrangements. [31211]

Ms Glenda Jackson: I have regular meetings with the Association of Train Operating Companies (ATOC) and last met them on 28 January 1998. My right hon. Friend the Minister for Transport last met ATOC on 23 July 1997. We are currently reviewing the existing railway regulatory framework, as part of our wider review of transport policy.

Air Transport Operators Licence Fund

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the current deficit of the Air Transport Operators Licence Fund; and what proposals he has to reduce this amount. [31190]

Ms Glenda Jackson: The deficit of the Air Travel Trust (ATTF) (which provides back-up to the Air Travel Organisers' Licensing (ATOL) system and to which I believe my hon. Friend refers, is currently £5.38 million. The Government are considering options for eliminating this deficit, including the possibility of legislation to empower the Trustees of the Fund to raise a levy on tour operators.

Ramp Checks

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those airlines which have been subject to ramp checks by the Civil Aviation Authority while at a United Kingdom airport during the last 12 months, indicating those irregularities found. [31188]

Ms Glenda Jackson: The Civil Aviation Authority (CAA) checks aircraft operated by all UK airlines regularly as part of their continuing safety oversight duties. The responsibility for the safety oversight of foreign airlines and foreign-registered aircraft rests with the relevant national aviation authorities. Where evidence suggests that foreign-registered aircraft may not be operated fully in accordance with all ICAO safety standards and recommended practices, the Department instructs the CAA to inspect aircraft from the airline or country concerned.

In the last 12 months, 56 ramp-checks have been carried out on aircraft operated by the following foreign airlines:

ADC
Aeroflot
African International Airlines
Air Atlanta
Air India
Air Malta
Air Mauritius
Air Memphis
Air Moldova
Air Namibia
Air Sofia
Alliance
All Nippon Airways
American Airlines
Avianca
Avistar
Azerbaijan Airways
Balkan Bulgarian
Belavia
Biman
CSA
DAS
Espace Aviation Services
Ethiopean Airlines
Gauruda Indonesia
Gulf Air
Hanger 5 Airservices Norway
Inter Trans Air
Iran Air
Islandsflug
Kenya Airways
Kibris Turkis Airlines
Kuwait Airways
Laker Airways
Merchant Express
Middle East Airlines
MK Airlines
Pulkovo Aviation Enterprise
Riga Airways
Royal Jordanian Airlines
Sunways
Tarom
Transarabia Air Transport
Transmediterranean Airways
Tunis Air
Turkish Airlines
United Airlines.

Ramp checks on foreign aircraft provide a limited snap-shot of the aircraft's condition or the airline's operation. Although they often identify a number of minor irregularities, these can generally be dealt with immediately or through normal maintenance procedures. Any irregularities found in ramp checks are drawn to the attention of the foreign aviation authority concerned. Where more serious problems are identified, aircraft are detained until the problems are solved, and, if necessary, permits for further flights by the airline are refused. The results of these checks were generally satisfactory and very few serious problems identified.

Child Safety Seats

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what assessment the Civil Aviation Authority has made of the advantage of introducing child safety seats for children under two years of age travelling on aircraft. [31209]

Ms Glenda Jackson: The Civil Aviation Authority commissioned a four year research programme by the Cranfield Impact Centre. This study showed that forward facing child safety seats, secured by a static lap belt, could provide a higher level of protection for children between the ages of 6 months and 3 years than supplementary or lap belts. As a result, since August 1991 the CAA has allowed UK airlines to permit children within that age range to be carried in appropriate car type safety seats.

Care of the Elderly

Mr. McDonnell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the percentage of each local authority budget currently spent on care of the elderly services and *(b)* the amount per capita of the population aged over 65 years for each local authority area. [31227]

Mr. Raynsford: The information has been placed in the Library of the House.

Trams and Trolley Buses

Mr. McDonnell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* the number of urban trams and trolley bus systems built in the United Kingdom in the last 20 years, *(b)* the number of passengers carried by each tram/trolley bus system operating in the United Kingdom in 1997–98, *(c)* those tram/trolley bus systems currently under construction and *(d)* the bids submitted to the Government for future construction of tram/trolley bus systems. [31213]

Ms Glenda Jackson: There are four principal light rail/tram systems in the United Kingdom which have been built in the last 20 years. Passenger data for 1997–98 are not yet available. The most recent figures available (for 1996–97) are as shown:

millions

	1996–97
Tyne and Wear Metro	33.4
Docklands Light Railway	17.0
Greater Manchester Metrolink	13.4
South Yorkshire Supertram	7.8

Source:
Transport Statistics Great Britain 1997.

Construction work is currently underway on Midland Metro Line One in Birmingham, Croydon Tramlink and the extension of Manchester Metrolink to Eccles via Salford Quays. There are proposals for several more light rail schemes around the country. Statutory powers have already been obtained for Leeds Supertram, Nottingham Express Transit and Manchester Metrolink extensions to Manchester Airport, Dumplington, Trafford Park, East Didsbury, Oldham and Rochdale. A Public Inquiry into the extension of the Tyne and Wear Metro to Sunderland and South Hylton commenced on 27 January 1998 and was concluded on 3 February 1998.

Military Heritage

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer of 19 January 1998, *Official Report*, column *425*, on historic battlefields, what steps he is taking to protect the battlefield site at Tewkesbury from housing development. [31074]

Mr. Raynsford: On 18 July 1997, my right hon. Friend the Secretary of State called in a planning application by Bryant Homes Mercia Ltd. for the erection of 51 dwellings at Gastons Field, Tewkesbury. The site in question is thought to be part of the site of the Battle of Tewkesbury. The public local inquiry into the application is due to start on 10 March. The battlefield is included on the Register of Historic Battlefields compiled by English Heritage and this, together with all other relevant considerations, will be taken into account by my right hon. Friend in reaching his decision on the application.

Passenger Rail Services

Mr. Reed: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to promote the re-introduction of passenger rail lines in semi-rural areas. [31009]

Ms Glenda Jackson: I expect local authorities, the railway industry and the Franchising Director to work together to develop whatever schemes deliver best value for money for communities. The revised Objectives, Instructions and Guidance (OIG) we issued in November require the Franchising Director to offer guidance and advice to local authorities on how they can develop and secure finance for new investment, and his interim Criteria for the Appraisal of Support for Passenger Rail Services set out the basis on which he would take decisions about proposals to support new projects. I understand that my right hon. Friend the Minister for Transport has recently met hon. Members and Councillors about proposals for schemes in Leicestershire and Nottinghamshire and that that dialogue is now continuing at officer level.

Piper Alpha

Mr. Salmond: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the unpublished Department of Energy Report into the electrical fire on the Piper Alpha oil platform in 1984; and if he will make a statement. [30532]

Mr. Meacher *[holding answer 23 February 1998]:* I understand the report referred to was made publicly available during the course of the Piper Alpha inquiry in 1990. Various papers associated with that inquiry were passed to the Health and Safety Executive in 1991. I have therefore asked the HSE to place a copy of the report in the House of Commons Library. The HSE advise however that they do not hold the photographs referred to in the report.

Road Accidents (Medicinal Drugs)

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of road traffic accidents in each of the last 10 years have been due *(a)* wholly and *(b)* partly to the consumption of medicinal drugs. [31058]

Ms Glenda Jackson *[holding answer 24 February 1998]:* This information is not available.

Air Pollution

Mr. Etherington: To ask the Secretary of State for the Environment, Transport and the Regions if he will give details of the 1998–99 charging scheme for local air pollution control under Part I of the Environmental Protection Act 1990. [31460]

Angela Eagle: Charges to cover the costs of local enforcing authorities in regulating processes which are subject to Part I of the Environmental Protection Act 1990 were introduced in April 1991.

With the approval of the Treasury, and following consultation with local authority associations and industry, my right hon. Friends the Secretaries of State for the Environment, Transport and the Regions and for Wales have made a revised scheme specifying the scale of fees and charges to take effect from 1 April 1998.

The main changes are that the standard application fee is increased by £25 to £1,065; the substantial change fee is increased by £15 to £680; and the annual subsistence charge is increased by £20 to £660.

In addition, an adjustment had been made to the scheme this year to introduce a reduced subsistence charge for processes involving the odorisation of natural gas.

The scheme will be laid before both Houses and a copy placed in the Libraries.

Social Housing

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of new units of social housing that will be built in each of the next four financial years as a result of the capital receipts initiative. [31471]

Mr. Raynsford: Where a local authority wishes to use the resources issued under the Capital Receipts Initiative to provide new social housing, we envisage that they will do so in partnership with registered social landlords. Early estimates indicate that authorities intend to use £98 million of their allocations in 1998/99 for payments of Local Authority Social Housing Grant to registered social landlords. This sum covers both provision of new units and renovation of existing units. Local authorities have recently reported on their proposed programmes and more detailed information will be available shortly.

A decision about the role and the funding of our Capital Receipts Initiative after 1998/99 will be taken in the context of our Comprehensive Spending Review. The Review process is scheduled to come to a conclusion in the Spring, and the conclusions will be reflected in our future spending plans.

Council Housing Stocks

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the policy of large-scale voluntary transfer of council housing stocks. [31468]

Mr. Raynsford: Voluntary transfer of council housing stocks is one of the options a local authority may consider in developing its housing strategy. We are, however, engaged in a comprehensive review of all housing programmes, which may lead to changes in the policy context and alter the way we handle transfers.

Housing (Stevenage)

Mr. Gummer: To ask the Secretary of State for the Environment, Transport and the Regions (1) what means are available to enable him to reverse his decision to allow building on green belt land near Stevenage; [31478]

(2) if he has the power to reverse his decision to allow the building of 10,000 houses in the green belt near Stevenage; [31479]

(3) what estimate he has made of the cost to public funds if he were to reverse his decision to allow the building of 10,000 homes near Stevenage in the least expensive manner; [31480]

(4) on the basis of what unique connection to which traffic corridor he decided to allow building in the green belt near Stevenage. [31481]

Mr. Caborn: The decision to allocate land west of Stevenage for housing development was taken by Hertfordshire County Council and put forward as a proposed modification to their review of the Structure Plan. The Government Office for the Eastern Region wrote to Hertfordshire County Council on 16 January setting out the reasons why the Secretary of State did not wish to object to this proposal. A copy of that letter has been placed in the Library. Among other things, that letter explains why he agreed with the independent Panel that held the Examination in Public that the Stevenage proposal represented the most sustainable solution to meeting housing need in the County, including in relation to transport infrastructure. It is now for the County to consider the various representations it has received on its proposed modifications. The Secretary of State retains his powers to direct modification or to call-in the plan up until the time it is adopted.

Housing (West Surrey)

Mr. Gummer: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the savings in public money if he were to withdraw from the legal action brought by the West Surrey County Council and agree to reconsider his decision on housing in the county. [31482]

Mr. Caborn: None.

Record Industry

Mr. Maclean: To ask the Secretary of State for the Environment, Transport and the Regions when he last requested representatives of the British record industry to meet him; what was the purpose of the meeting; and who attended. [31618]

Mr. Prescott: I met representatives of the British record industry on 12 February to discuss the deplorable behaviour by a member of Chumbawamba at this year's Brit Awards. This meeting was attended by Rob Dickins, Chairman of the British Phonographic Industry (BPI); John Deacon, Director General of the BPI; and Lisa Anderson, Executive Producer of the Brits Awards Show. I expressed my concerns about the incident—particularly

that those who run the British music industry should not be seen to tolerate such aggressive behaviour at this kind of public event.

I welcome the fact that the BPI have publicly condemned this incident as offensive and unacceptable and forcefully stated that such behaviour could not be condoned at what was intended to be a celebration of great British music.

Queensway Hall, Dunstable

Sir David Madel: To ask the Secretary of State for the Environment, Transport and the Regions what action he proposes to take following representations made to him by the hon. Member for South-West Bedfordshire in relation to the policy of South Bedfordshire District Council concerning the future of the Queensway Hall Dunstable; and if he will make a statement. [31379]

Mr. Caborn: South Bedfordshire District Council have decided to sell the Queensway Hall site and have invited bids. If the Council propose to accept a bid below the highest offer, as we understand they may do, they must apply to the Secretary of State for permission. We will consider any application on its merits.

Lee Valley Regional Park

Sir Teddy Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the powers of the Lee Valley Regional Park Authority to levy charges on new unitary local authorities with particular reference to Southend-on-Sea. [31477]

Mr. Caborn: The Lee Valley Regional Park Authority does not have the power to levy charges on new unitary local authorities.

Prisons

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish guidance to local planning authorities on the need for them to make adequate provision for prisons in their development plans. [31935]

Mr. Caborn: My Department has today published a Circular entitled "Planning for Future Prison Development". This Circular provides advice to local planning authorities on the need to make adequate provision through the planning system for new prison developments. It considers the issues which need to be taken into account in selecting suitable locations for prisons and sets out the approach whereby the provision of sites can be taken forward through the development plans system. Given that the ongoing programme of prison development is a matter of national importance, this Circular constitutes guidance of the sort envisaged in paragraph 11 of the recently published Policy Statement "Modernising Planning".

This Circular recognises that there will be a continuing need for new prison development in the foreseeable future and encourages local planning authorities to recognise that the provision of land for the secure accommodation of prisoners is an obligation the Prison Service shares with society at large. However, the Circular does not impose any new duties on local planning authorities or others: it simply sets out how the Prison Service and individual authorities may best work together for the common good.

Contaminated Land

Mr. Leslie: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Liverpool, Riverside (Mrs. Ellman), 22 December 1997, *Official Report*, columns *439–40*, when he will launch the consultation on radioactively contaminated land. [32077]

Mr. Meacher: I am pleased to announce that I am today launching a consultation on radioactively contaminated land, jointly with my right hon. Friends the Secretaries of State for Scotland and for Wales.

We are seeking views on the structure and principles that should underlie a regulatory regime for radioactively contaminated land. Copies of the consultation paper have been sent to the Chief Executives and Chief Environmental Health Officers of all local authorities, and to other interested parties, and a copy has been placed in the Library of the House. Responses to the consultation are requested by 1 June 1998.

Channel Tunnel Rail Link

Mr. Timms: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his oral statement of 28 January 1998, *Official Report*, columns 461–74, what response he has had from London and Continental Railways in respect of revised financing proposals for the Channel Tunnel Rail Link. [32207]

Mr. Prescott: I have held discussions with Bechtel, representing the shareholders of London & Continental Railways, and Railtrack, for whom the shareholders envisage a future role. These discussions have resulted in a framework proposal, but one which still needs to be further developed. London & Continental Railways have consequently asked for more time. In light of the complex nature of the framework proposals, and the amount of further work that needs to be done, I have decided that time should be allowed to establish whether there is an acceptable way forward; an extension to 31 March 1998 has therefore been authorised.

DEFENCE

Agency Newsletters

Mr. Matthew Taylor: To ask the Secretary of State for Defence what are the current security classifications of the newsletters produced for the staff of *(a)* the Defence Clothing and Textiles Agency, *(b)* the Defence Estate Organisation and *(c)* the Disposal Sales Agency; how often each newsletter is produced; and when each newsletter was first produced. [30471]

Mr. Spellar: This is a matter for the Chief Executives of the Agencies concerned. I have asked them to write to the hon. Member.

Letter from Malcolm Westgate to Mr. Matthew Taylor, dated February 1998:

I am replying to your question to the Secretary of State for Defence about the Disposal Sales Agency (DSA) newsletter as this matter falls within my area of responsibility as Chief Executive of the DSA.

The newsletter for DSA staff was first produced in July 1995. Since then a further 6 issues have been published, the most recent in January 1998. In future it is planned that the newsletter will be published 3 times a year (January, April and September).

The security classification of the DSA Newsletter is unclassified.

Letter from I. C. F. Andrews to Mr. Matthew Taylor, dated 25 February 1998:

I have been asked to reply to your recent Parliamentary Question regarding the security classification and production of newsletters produced for the staff of the Defence Estate Organisation.

DEO produces its own in-house magazine called "ESTATEment". This is a quarterly, unclassified bulletin that aims to keep staff informed about departmental and organisational issues and initiatives. It also contains articles of a human interest nature covering personal experiences and achievements.

The publication was first produced in December 1995 and the latest edition (No. 7) is in production for release in March 1998.

Letter from Michael Roycroft to Mr. Matthew Taylor, dated 26 February 1998:

I am replying to your Question to the Secretary of State for Defence about newsletters produced for staff, in so far as it affects the Defence Clothing & Textiles Agency (DCTA), as this matter falls within my area of responsibility as its Chief Executive.

The first Bulletin was published in August 1993 to coincide with the formal announcement of the formation of the DCTA. The Bulletin is, and always has been, an unclassified document. It is now called Threads and is circulated to all staff on a monthly basis.

Official Entertainment

Mr. Bercow: To ask the Secretary of State for Defence how many receptions have been held in his Department since he took office; how many people have attended; and what was the total cost of these events. [25170]

Mr. George Robertson *[holding answer 23 January 1998]:* Ministers in this Department have held nine receptions since taking office. Approximately 1,000 people attended, and the cost was about £14,300.

Water Cannons

Mr. Cohen: To ask the Secretary of State for Defence if his Department possesses *(a)* water cannons or *(b)* equipment designed to be adapted into water cannons. [31267]

Dr. Reid: The Department does not possess any water cannons or any equipment designed to be adapted into water cannons.

Conferences

Mr. Gordon Prentice: To ask the Secretary of State for Defence how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31180]

Mr. Spellar: This information is not held centrally and could be provided only at disproportionate cost.

Discipline Acts

Mr. Key: To ask the Secretary of State for Defence if he will make a statement on the consolidation of the Army, Navy and Air Force discipline Acts. [31474]

Dr. Reid: Work is currently in hand to consolidate these Acts and it is the Government's intention to introduce the necessary Bills in due course.

NORTHERN IRELAND

Primary Schools

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many female non-teaching primary school principals there are in *(a)* the South Eastern Education and Library Board area and *(b)* the Borough of Lisburn. [29945]

Mr. Worthington: Since the introduction of the LMS funding arrangements, information in the form requested is not available. Under the Local Management of Schools arrangements, it is entirely a matter for the Board of Governors of each school how their annual delegated budget is spent on running the school. This includes the number of teachers to be employed and whether or not the school employs a non-teaching rather than a teaching principal.

Life Sentence Review Board

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will list the cases considered in *(a)* 1995, *(b)* 1996, *(c)* 1997 and *(d)* 1998 by the Life Sentence Review Board; indicating the paramilitary affiliation of the offender; how long he or she had served; and what decision was taken. [30030]

Mr. Ingram *[holding answer 25 February 1998]:* The Life Sentence Review Board's advice to my right hon. Friend the Secretary of State is confidential. The paramilitary affiliation of prisoners is recorded for prison management purposes, not for classification.

During 1995, the Life Sentence Review Board considered 41 cases (19 Loyalists, 10 Republicans and 12 non-terrorists). Of these, 23 prisoners were recommended for consultation with the judiciary. The remaining 18 cases were deferred for periods of between one and five years for future consideration by the Life Sentence Review Board.

During 1996, the Life Sentence Review Board considered 47 cases (24 Loyalists, 11 Republicans and 12 non-terrorists). Of these, 23 prisoners were recommended for consultation with the judiciary. The remaining 24 cases were deferred for periods of between one and five years for future consideration by the Life Sentence Review Board.

During 1997, the Life Sentence Review Board considered 51 cases (22 Loyalists, 18 Republicans and 11 non-terrorists). Of these, 25 prisoners were recommended for consultation with the judiciary. The remaining 26 cases were deferred for periods of between one and five years for future consideration by the Life

Sentence Review Board. Since October 1997, the maximum deferral in any individual case has been three years.

The first Review Board meeting of 1998 is taking place today, therefore comparable statistics for 1998 are no yet available.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what factors determine whether or not a prisoner's sentence is reviewed by the Life Sentence Review Board; what is the statutory basis of the board; and what are the criteria for a life sentence review. [30031]

Mr. Ingram *[holding answer 25 February 1998]:* The cases of life sentence prisoners in Northern Ireland are normally reviewed by the Life Sentence Review Board at the ten year point of sentence but in some cases this review can take place earlier where the individual circumstances warrant such action. The cases of those sentenced to be detained during the pleasure of the Secretary of State are normally considered at the eight year stage of sentence. Again this may be earlier where the circumstances of an individual case suggest that it would be appropriate.

There is no statutory basis for the Life Sentence Review Board.

There are no set criteria for life sentence reviews. Each case is considered on its own individual merits. However, before the Review Board will recommend to the Secretary of State that a provisional release date should be set, it must be satisfied that the offender has served a period sufficient to reflect the gravity of the offence and that release would not present an unacceptable risk to the public.

Scheduled Offences

Mr. McNamara: To ask the Secretary of State for Northern Ireland what is the cumulative total of individuals from loyalist and republican backgrounds who have *(a)* been subject to executive detention and *(b)* served prison sentences following conviction for scheduled offences. [30033]

Mr. Ingram *[holding answer 25 February 1998]:* Since 1981, when records were first computerised, a total of 6,395 prisoners have been received into prison following conviction for scheduled offences.

Information on convictions prior to 1981 and on paramilitary affiliation are not available in the format requested and could be obtained only at disproportionate cost.

Across the years 1972–75 a total of 1,491 persons were detained or interned.

[1] Persons detained or interned under Regulation 11 and 12—Civil Authorities (Special Powers) Acts (Northern Ireland) 1922–1943 and detained under Articles 4 and 5 of the Detention of Terrorists (Northern Ireland) Order 1972, and the Northern Ireland (Emergency Provisions) Act 1973.

New Deal Environmental Task Force

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what is the maximum weekly fee per participant payable to a lead partner acting as a provider in the New Deal Environmental Task Force Option; and for what reason it differs from the maximum payable in England and Wales. [31314]

Mr. Worthington: Responsibility for the subject in question has been delegated to the Training and Employment Agency under its Chief Executive, Mr. Ian Walters. I have asked him to arrange for a reply to be given.

Letter from Ian Walters to Mr. Robert McCartney, dated 26 February 1998:

The Secretary of State for Northern Ireland has asked me as Chief Executive of the Training and Employment Agency to reply to your question about New Deal funding for the Environment Task Force option.

The maximum funding per participant on the Environmental Task Force within New Deal in Northern Ireland is £1,300 which equates to a maximum weekly fee of £50 for a 26 week placement. In addition, £750 per participant is paid as a training fee.

When determining the level of management fee applicable in Northern Ireland the Training and Employment Agency took into account its current experience of funding similar activity under Action for Community Employment (ACE) and the pilot Community Work Programme (CWP) and the existence of an infrastructure of voluntary/environmental groups already delivering Government funded programmes. The level of fee represents a significant enhancements on those paid within ACE and CWP. For comparison purposes the maximum funding in respect of 10 participants over a 26 week period is £8,320 (CWP), £10,218 (ACE) and £20,500 (New Deal Environmental Task Force).

I am satisfied therefore that the New Deal will make available additional resources to providers of the Environmental Task Force option to enable them to deliver good quality opportunities for our young people while ensuring that the Agency lives within its overall New Deal funding allocation and seeks best value for money for the taxpayer.

I hope you find this reply helpful.

Standing Advisory Commission on Human Rights

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland, pursuant to her answer to the hon. Member for Kingston upon Hull, North (Mr. McNamara), of 12 February 1998, *Official Report*, column *320*, on what authority the Standing Advisory Commission on Human Rights has provided advice on issues beyond those set out in their statutory remit. [31315]

Marjorie Mowlam: The Standing Advisory Commission on Human Rights has provided advice on issues beyond those set out in their statutory remit on the authority of the Secretary of State.

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what percentage of the recently appointed new members of the Standing Advisory Commission on Human Rights have been members of the SDLP; and which of the new appointees were self-nominated and which had not responded to the advertised request for nominees. [31316]

Marjorie Mowlam: Two new members of the Standing Advisory Commission on Human Rights have been members of the SDLP; this represents 25 per cent. All of the new appointees were self-nominated and responded to the advertisement.

Decommissioning Body

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland how many offices of what square footage have been taken up by the Decommissioning Body; from which budget the expenses and salaries of the members and staff of that body are paid; how many of her Department's staff at what grades are employed on this issue; and at what annual cost in salaries. [31318]

Mr. Ingram: The Independent International Commission on Decommissioning occupy a suite of offices covering 5,610 square feet. This suite comprises nine offices, a conference room, bathroom and cooking facilities.

The Commission is funded jointly by the British and Irish governments.

No UK or NI civil servants work for the Commission. Its members and staff are drawn entirely from the USA, Canada and Finland. Work on decommissioning impinges on various branches in the Northern Ireland Office and it would not be possible to give an exact figure on the cost of this work.

TRADE AND INDUSTRY

Mirror Group

Mr. St. Aubyn: To ask the President of the Board of Trade when her Department plans to publish its report on the Mirror Group. [24882]

Mr. Nigel Griffiths *[holding answer 23 February 1998]:* The inspectors appointed to investigate the affairs and membership of Mirror Group Newspapers plc have not yet submitted their report. When it is received, consideration will be given as to whether it should be published.

Conferences

Mr. Gordon Prentice: To ask the President of the Board of Trade how many of her officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31167]

Mrs. Beckett: Disaggregated information in the form requested, which is not held centrally within the Department, could be provided only at disproportionate cost.

Kuwait

Mr. Gummer: To ask the President of the Board of Trade what estimates she has made of the value of contracts secured by British industry in Kuwait since the ending of the Gulf War. [30816]

Mrs. Beckett: The trade figures with Kuwait since the Gulf War are as follows:

Visible trade figures

£ million

Year	*UK exports*	*UK imports*	*Balance*	*OECD Market share (percentage)*
1990	182	109	+73	13.4
1991	178	30	+148	9.9
1992	262	127	+135	10.2
1993	311	236	+75	10.3
1994	312	239	+73	11.0
1995	551	151	+400	16.6
1996	579	180	+399	15.3
1997	504	201	+303	n/a

Surplus Property and Land

Mr. Baker: To ask the President of the Board of Trade if she will list the properties and land owned by her Department which she has identified as surplus to requirements, giving in each case their estimated value. [30314]

Mrs. Beckett *[holding answer 23 February 1998]:* My Department is reviewing the use of all its assets, including identifying assets which are surplus to requirements, as part of the Comprehensive Spending Review which will be completed this summer. A number of properties have already been identified as surplus to requirements and have been disposed of; one more is expected to be sold shortly. For accounting purposes surplus assets will be valued in accordance with the relevant provisions of the Resource Accounting Manual.

Ministerial Transport

Mr. Malcolm Bruce: To ask the President of the Board of Trade what is her estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis, in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27776]

Mrs. Beckett *[holding answer 5 February 1998]:* The cost of Ministerial cars and drivers from GCS in the years 1995–96 to date are as listed. The Department' bills for taxis are included within the overall spend for UK travel and cannot be identified separately.

1995–96: 318k

1996–97: 326k

1997–98 (to date): 254k

1997–98 (estimated expenditure): 308k.

All costs are net of VAT.

Parental Leave Directive

Mrs. Fyfe: To ask the President of the Board of Trade when she will be publishing her consultation paper on her proposals for the implementation of the Directive on Parental Leave. [31582]

Mr. Ian McCartney: The Government have until December 1999 to implement the Parental Leave Directive which has a number of flexibilities on which Ministers wish to form a view. Once we have done so, we shall consult on our proposals.

Multilateral Agreement on Investment

Mr. Stunell: To ask the President of the Board of Trade if she has *(a)* sought and *(b)* achieved the inclusion of a national interest exemption for United Kingdom public bodies from the Multilateral Agreement on Investment currently under negotiation; and if she will make a statement. [28329]

Mrs. Roche: The UK has submitted specific national exceptions as part of the MAI process to cover those areas where our policy towards investors may discriminate on the basis of nationality. Broader general exceptions, including on national security, are also under consideration.

Millennium Compliance

Mr. Redwood: To ask the President of the Board of Trade (1) what is her estimate of the cost of making all systems, machines and computers in the public sector millennium compliant; [25927]

(2) what is the estimated total cost to the public sector of millennium compliance. [29528]

Mrs. Beckett *[holding answers 13 and 28 January 1998]:* The Government have estimated the cost of millennium compliance for Government Departments and their Agencies to be £370 million. My right hon. Friend the Chancellor of the Duchy of Lancaster placed copies of all central Government plans for millennium compliance in the Libraries of the House on 27 November 1997.

The information required to make a reliable estimate of the costs of millennium compliance for the wider public sector could be gathered only at disproportionate cost.

Fairness At Work

Dr. Lynne Jones: To ask the President of the Board of Trade if she will make a statement about her plans to promote fairness at work. [29876]

Mr. Ian McCartney: The Government will publish a White Paper on Fairness at Work in the next few months. This will set out our proposals for consultation.

Trade Unions

Mr. McAllion: To ask the President of the Board of Trade what representations she has recently received relating to trade union recognition. [29905]

Mr. Ian McCartney: The Government have received a number of representations on this matter. We have given a commitment to publish our proposals in a White Paper for full consultation in the next few months.

Communications

Mr. Jim Cunningham: To ask the President of the Board of Trade if she will create an independent body to regulate the communications sector. [31066]

Mrs. Roche: The Government are currently considering this issue and expects to initiate a consultation process shortly.

Scientific Research

Mr. Vaz: To ask the President of the Board of Trade if she will make a statement on her Department's budget for scientific research in the current year. [30472]

Mr. Battle: I refer my hon. Friend to the answer given by my right hon. Friend, the President of the Board of Trade on 23 February 1998, *Official Report*, columns *103–05*, in relation to the Spring Supplementary Estimates 1997–98 in respect of Class IV, Vote 2, the Science Budget.

HEALTH

NHS Trusts and Health Authority Boards

Mr. Maples: To ask the Secretary of State for Health how many sitting Labour councillors have been appointed to NHS trust and health authority boards in the latest round of appointments. [29064]

Mr. Milburn: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State to my hon. Friend the Member for Sheffield, Hillsborough (Helen Jackson) on 24 February 1998, *Official Report*, columns *173–75*.

Dr. Kumar: To ask the Secretary of State for Health how many *(a)* disabled people and *(b)* members of ethnic minorities have been appointed to each of the NHS hospital trusts boards in the United Kingdom since 1 May 1997. [31583]

Mr. Milburn: Information about the ethnic origin and disabilities of candidates appointed to National Health Service trust boards is collected from individuals on a confidential basis for monitoring purposes and it can be made publicly available only in aggregate form. Of the 884 NHS trust appointments made in England since 1 May 1997, 12 people considered themselves to have a disability and 80 people stated that they were a member of an ethic minority.

Information relating to Northern Ireland, Scotland and Wales is a matter for my right hon. Friends the Secretaries of State for Northern Ireland, for Scotland and for Wales.

Pilot Health Care Schemes

Mr. Corbett: To ask the Secretary of State for Health if he will make a statement about plans to run pilot healthcare schemes to assist people who are sick and disabled to go or return to work. [31000]

Mr. Boateng: There may be opportunities to pilot such schemes as part of the development of Health Action Zones. We would take forward any pilots in full consultation with other government departments and other interests including voluntary organisations.

Care of the Elderly

Mr. McDonnell: To ask the Secretary of State for Health if he will list expenditure on the care of the elderly per health authority and per capita over 65 years for each health authority. [31208]

Mr. Boateng: Information on expenditure by individual health authorities on the care of older people is not collected centrally. However, expenditure in England in 1995–96, the latest year for which figures are available, for the consultant speciality of geriatrics (in and out patient) and geriatric day care only was £1,377,752,000.

Estimated gross current expenditure (cash) on all hospital and community health services in 1995–96 by age for people aged 65 and over is as follows:

£ million

Age Group	*Expenditure*
Age 65–74	3,604
Age 75–84	3,952
Age 85+	2,059

Estimated gross current expenditure (cash) on hospital and community health services in 1995–96 per head for people aged 65 and over is as follows:

Age Group	*£*
Age 65–74	844.04
Age 75–84	1,539.10
Age 85+	2,305.31

Mr. Burstow: To ask the Secretary of State for Health what plans he has to end the policy of allowing social services departments to *(a)* sell and *(b)* transfer management of council-owned care homes for the elderly. [31467]

Mr. Boateng: We are encouraging authorities to develop a mix of public, private and voluntary sector provision that best suits their local circumstances and ensures an improvement in the efficiency and quality of care delivered.

Mr. McDonnell: To ask the Secretary of State for Health if he will list by local authority the population over the age of 65 years in each London borough. [31243]

Mrs. Liddell: I have been asked to reply.

The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter for Tim Holt to Mr. John McDonnell, dated 26 February 1998:

As the Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question asking for the population over the age of 65 years in each London borough.

The attached table provides the information requested. These data, which are the most recent available, are the mid-1996 population estimates.

Mid-1996 population estimate of resident population by age for London Boroughs

£000

London Borough	*Persons Aged over 65*
City of London	0.9
Barking and Dagenham	24.0
Barnet	43.7
Bexley	31.0
Brent	25.7
Bromley	47.3
Camden	23.0
Croydon	40.0
Ealing	33.0
Enfield	35.7
Greenwich	27.9
Hackney	19.4
Hammersmith and Fulham	16.9
Haringey	21.5
Harrow	27.8
Havering	35.8
Hillingdon	32.5
Hounslow	24.2
Islington	19.6
Kensington and Chelsea	17.8
Kingston upon Thames	19.6
Lambeth	26.9
Lewisham	29.6
Merton	23.3
Newham	22.3
Redbridge	32.0
Richmond upon Thames	25.4
Southwark	26.7
Sutton	25.0
Tower hamlets	19.4
Waltham Forest	26.8
Wandsworth	30.8
Westminster, City of	25.5

Source:
ONS, Population Estimates Unit.

Occupational Therapists

Mr. McDonnell: To ask the Secretary of State for Health how many occupational therapists are employed by *(a)* the NHS and *(b)* local authorities; how many he estimates are employed by the private sector; and how many trainee occupational therapists are currently undertaking training at colleges and universities. [31225]

Mr. Milburn: There were 11,650 occupational therapists employed by the National Health Service hospital and community health services and 1,580 employed by local authorities in England in 1996 (latest available information).

The information requested on how many occupational therapists are employed by the private sector is not collected centrally. For the information requested on the numbers of trainee occupational therapists who are currently undertaking training at colleges and universities, I refer my hon. Friend to the College of Occupational Therapists.

London Hospitals

Mr. Maples: To ask the Secretary of State for Health if he consulted the Royal Colleges of Surgeons and

Physicians on the clinical costs and benefits of concentrating all services on the Royal London site in a new hospital before making his decision to keep Bart's Hospital open as a cancer and cardiac centre. [30994]

Mr. Milburn: No. However, the review was led by Sir Leslie Turnberg, who is a former President of the Royal College of Physicians.

Cannabis

Mr. Gordon Prentice: To ask the Secretary of State for Health what discussions he has had with the World Health Organisation concerning their research into the effects of the long term use of cannabis. [31042]

Mr. Boateng: The Department has had no discussions with the World Health Organisation about the document entitled "Cannabis: a health perspective and research agenda" which was published as a result of an Expert Group on Health Effects of Cannabis Use which met in Geneva in May 1995.

Residential and Nursing Homes

Mr. McDonnell: To ask the Secretary of State for Health (1) what plans the Government have to introduce a unified inspectorate for residential and nursing homes; [31216]

(2) what proposals the Government have for the inspection of residential and nursing homes for the elderly. [31224]

Mr. Boateng: We aim to create new independent arrangements for regulation and inspection which will harness the skills of both health and social services professionals to provide a better regulation service for all who receive care in residential care settings. We are currently considering various structural options for change. Our proposals will be set out in the White Paper we intend to publish later this year.

Millennium Compliance

Sir Paul Beresford: To ask the Secretary of State for Health if computers *(a)* serving NHS patient records and services and *(b)* providing salaries for NHS employees will be fully corrected to accommodate (i) the millennium change and (ii) 29 February 2000. [31616]

Mr. Milburn: A programme of activity is being undertaken by the National Health Service Executive to ensure that all potential risks associated with the millennium change and 29 February 2000 in computer systems for patient records and salaries for NHS employees are identified and either corrected or contingency plans established.

SOCIAL SECURITY

Child Care

Mr. Barnes: To ask the Secretary of State for Social Security what provision her Department makes for child care facilities for staff; what subsidy is provided for *(a)* nursery places and *(b)* holiday play schemes; if she will list the organisations used by her Department for child care; and if child care vouchers are made available to staff. [30005]

Mr. Field *[holding answer 19 February 1998]:* The Department and Agencies provide nursery places and holiday play schemes places for staff at a wide range of geographic locations. All nursery places and the majority of holiday play scheme places have a subsidy ranging from 30 to 50 per cent. There are over 600 nursery places across 34 nurseries and over 1,600 places across 56 Holiday Play Schemes. The names of all nursery providers are as listed. The names of the providers of Holiday Play Schemes are not held centrally and could be provided only at disproportionate cost. Child care vouchers are not currently available to staff.

The Department recognises that a whole series of measures are needed to enable staff to balance home and work responsibilities. Other child care initiatives include meeting family care expenses while staff are required to be at work outside normal working hours; sponsoring after school clubs; membership of child care information referral services; provision of a creche for the Department's summer school; special paid or unpaid leave to working parents to cover illness or break down of care arrangements; career breaks of up to five years for staff with caring responsibilities with a guarantee of a job on return. We also provide training courses on balancing home and work. A variety of working patterns are also available.

Departmental Nursery Providers

Acorn Nurseries
Beehive
Bonnie Babies
Bradford Community Creche
Brookhill Childcare Centre
Chics Nursery
Childcare Enterprises Limited
Childcare North Tyneside
Kinderquest
Kidsun Limited
Lilliput Day Nursery
Makefield Private Nursery
North Cheshire Local Authority
North Lindsey College
Park Lane College
Primetime
Secret Garden
Thomas Chipsey Day Nursery/Northampton School for Boys
Cygnets Nursery.

Mr. Jim Cunningham: To ask the Secretary of State for Social Security if she will make a statement on her Department's child care strategy. [31067]

Mr. Keith Bradley: The Government are committed to a National Child Care Strategy which will provide high quality, affordable and accessible child care. A consultation paper will be issued in the Spring.

National Insurance

Mr. Lilley: To ask the Secretary of State for Social Security if the three step increases in employers' national insurance were eliminated and this was financed by

raising the standard rate of NIC to 12 per cent., how many employees would be liable to *(a)* higher and *(b)* a lower marginal rate of contribution on employment than at present. [31391]

Mr. Denham: None.

Mr. Flynn: To ask the Secretary of State for Social Security what is the (i) maximum and (ii) expected amount of Treasury grant to the National Insurance Fund for 1997–98 and each subsequent year for which the grant is payable. [31597]

Mr. Denham: The information is set out in the table.

Treasury grant to the National Insurance Fund: maximum grant available and estimated grant required in 1997–98 and 1998–99

	1997–98		1998–99	
	Amount (£ million)	*Percentage of benefit expenditure*	*Amount (£ million)*	*Percentage of benefit expenditure*
Maximum Treasury grant available[1]	1,713	4.0	896	2.0
Estimated Treasury grant needed[2]	940	2.2	nil	nil

[1] The maximum Treasury Grant available each year is prescribed as a percentage of benefit expenditure in the relevant Social Security (Contributions) (Re-rating and National Insurance Fund Payments) Order.

[2] Estimates of the Treasury grant need in 1997–98 and 1998–99 are in Table 2 of the Report by the Government Actuary on the drafts of the Social Security Benefits Up-rating Order 1998 and the Social Security (Contributions) (Re-rating and National Insurance Fund Payments) Order 1998 (CM 3860). The estimates of benefit expenditure set out in the report have been used to calculate the maximum amount of Treasury grant available by Order.

Mr. Flynn: To ask the Secretary of State for Social Security what is the estimated reduction in employers' contributions to the National Insurance Fund for 1997–98 and each subsequent year up to 2000–01 resulting from the 0.2 per cent. reduction in the contribution rate in April 1997. [31598]

Mr. Denham: The information is set out in the table.

£ million

Year	*Reduction in employers' contributions*
1997–98	560
1998–99	590
1999–00	620
2000–01	650

Source:
Government Actuary's Department.

Mr. Flynn: To ask the Secretary of State for Social Security if she will publish her current estimate of national insurance contribution rates for 2000–01 and later years. [31599]

Mr. Denham: The latest published estimates of the National Insurance contribution rates required to produce sufficient income to meet the estimated expenditure from the National Insurance Fund in 2000–01 and later years are those in table 6 of the Government Actuary's report on the 3rd Quinquennial Review of the National Insurance Fund published in January 1995 (HC160), a copy of which is in the Library.

Retirement Pension

Mr. Alasdair Morgan: To ask the Secretary of State for Social Security if she will estimate the total saving in each of the last 10 years as a result of the state retirement pension being classified as a weekly instead of a daily benefit in *(a)* Dumfries and Galloway and *(b)* Scotland. [31593]

Mr. Denham: The information requested is not available.

Mr. Alasdair Morgan: To ask the Secretary of State for Social Security what plans she has to reclassify state retirement pension as a daily benefit. [31594]

Mr. Denham: Retirement Pension has been paid on a weekly basis since it was introduced in 1948. We have no plans to change the basis for payment, although we have, of course, promised to consider all representations on the future of the basic State pension received as part of the Pensions Review.

Residential Care Allowance

Mr. Burstow: To ask the Secretary of State for Social Security what plans she has to end the policy of not paying residential care allowance to people in council-owned and non-residential homes. [31470]

Mr. Keith Bradley: I refer the hon. Member to my written answer on 19 January 1998, *Official Report*, column *448*.

Family Credit

Mr. Lilley: To ask the Secretary of State for Social Security how many additional households would become eligible for family credit if the taper were reduced from 70p to 50p for each £1 of income. [31390]

Mr. Keith Bradley: It is estimated that around 400,000 families would become eligible for Family Credit if the taper was reduced from 70p to 50p for each £1 of income.

Source:
Based on the 1995–96 Family Resources Survey uprated to population estimates and to 1997–98 prices and benefit levels.

Millennium Compliance

Sir Paul Beresford: To ask the Secretary of State for Social Security if computers involved in the distribution of state pensions will be fully corrected to accommodate *(a)* the millennium change and *(b)* 29 February 2000. [31615]

Mr. Keith Bradley: Computers involved in the calculation and award of all benefits including State pensions will be fully able to accommodate both the millennium change and the 29 February 2000.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Maude: To ask the Minister without Portfolio (1) if he will make a statement on the effect that high wind speed will have on the construction of the Millennium Dome; [29702]

(2) what safety restrictions relating to wind speed have been imposed by the Health and Safety Executive to protect employees working at the Millennium Dome site in Greenwich. [29703]

Mr. Mandelson: I understand that, during the initial unfurling of the roof fabric for the Millennium Dome, which will account for only 10 per cent. of the roof installation schedule, there will be a 12 mph wind speed restriction. For the remainder of the operation, work can be carried out safely in wind speeds of up to 35 mph. The installation of the roof fabric is planned to start in April 1998, with a strict safety regime in place. Throughout the construction of the Dome, the New Millennium Experience Company's contractors will work closely with the HSE to ensure that the highest safety standards are applied to working practices in all weather conditions.

Millennium Experience

Mr. Mitchell: To ask the Minister without Portfolio if he will assess the advantages of locating the large-scale figure for the Millennium Experience outside the dome. [31249]

Mr. Mandelson: The large-scale figure is integral to the plans of the New Millennium Experience company (NMEC) for the inside of the Dome. The company have no plans to locate the figure outside the Dome.

DUCHY OF LANCASTER

Retirement Ages

Ms Perham: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the age of retirement in the Civil Service; and to what extent *(a)* policy and *(b)* the guidelines issued vary between Departments. [31107]

Dr. David Clark: The minimum retirement age for civil servants (i.e. the earliest age at which they can retire with full superannuation benefits) is 60 and staff have a right to retire then. However, government departments and agencies are free to set the normal retirement age for their own staff (i.e. the age at which they have to retire). This can be above 60. Departments and agencies must ensure that they apply their policy consistently to all staff at broadly the same level and they must be satisfied that staff retained beyond age 60 meet the normal standards of health and efficiency. In making such decisions, they will take into account all relevant factors such as the needs of management, present availability of staff and projected staffing requirements.

This policy is set out in Section 11.3 of the Civil Service Management Code, which sets the regulations and instructions to all departments and agencies regarding the terms and conditions of service of civil servants. Since departments and agencies can determine their own age retirement policies, some variation may occur, but must remain consistent with the Code.

LORD CHANCELLOR'S DEPARTMENT

Land Registration

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects all land to be registered. [29858]

Mr. Hoon: In England and Wales, there are currently 16.5 million registered titles out of an estimated total of some 22 million. The number of registered titles increases each year through the compulsory provisions which requires the registration of all conveyances and transfers of freehold land, and land held under leases for a term of more than 21 years. From 1 April 1998, the Land Registration Rules 1997 will extend the compulsory 'triggers' to include assents, vesting deeds, conveyances by way of gift, conveyances pursuant to a court order and first legal mortgages. This will accelerate the increase in the number of registered titles. However, land on which there is no change of ownership (such as that held by local authorities) may not be registered at all unless a voluntary application is made. It is, therefore, not possible to make any prediction on when all land in England and Wales will be registered.

SCOTLAND

Health Inequalities

Mr. David Marshall: To ask the Secretary of State for Scotland what assessment he has made of the ESRC Health Inequalities Programme conducted by the University of Bristol; and if he will make a statement. [29792]

Mr. Galbraith *[holding answer 23 February 1998]:* The Economic and Social Research Council (ESRC) Health Variations Programme of interdisciplinary research aims to improve understanding of the health inequalities which currently exist between socio-economic groups in the UK. The Programme has two Phases, and 13 projects are underway in Phase 1.

The 2 projects which are being taken forward at the University of Bristol focus on housing and community health, and on methods for studying socio-economic position and health in different ethnic groups. Both projects are ongoing. Their findings will contribute to the research outcome of the overall Programme scheduled for completion in 2001. Thereafter, ESRC will undertake an assessment of the Programme to which the UK health departments will have access.

The work of the ESRC in the area of health inequalities is welcome and will inform the Government's continuing policies for tackling health inequalities, a task to which they have given their full commitment.

Contaminated Land

Mrs. McKenna: To ask the Secretary of State for Scotland, pursuant to his answer of 22 December 1997, *Official Report*, columns *457–58*, when he will be able to launch the consultation on radioactively contaminated land. [32206]

Mr. Dewar: I am pleased to announce that I am today launching a consultation on radioactively contaminated land, jointly with my right hon. Friend the Minister for the Environment and my right hon. Friend the Secretary of State for Wales.

We are seeking views on the structure and principles that should underlie a regulatory regime for radioactively contaminated land. Copies of the consultation paper have been sent to the Chief Executives and Chief Environmental Health Officers of all local authorities, and to other interested parties, and a copy has been placed in the Library of the House. Responses to the consultation are requested by 1 June 1998.

Council Tax

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list the projected Band D council tax levels for 1998–99. [31382]

Mr. Macdonald: The council tax level for each council in 1998–99 will depend on local circumstances and decisions, and it is not possible to make reliable estimates at the individual council level. Scottish local authorities are, however, required by statute to set their council tax before 11 March.

Pre-school Voucher Scheme

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list the amount by which the 1998–99 revenue support grant has changed in relation to the 1997–98 figure as a result of the discontinuation of the pre-school voucher scheme in the 1998–99 academic year for each unitary and island authority in Scotland. [31392]

Mr. Wilson: The decision to end pre-school education vouchers has not in itself had any effect on revenue support grant for individual authorities. All grant funding for the education of children in the pre-school year under the Education (Scotland) Act 1996 will continue in 1998–99 to be outside Aggregate External Finance. However, £13.6 million has been transferred from AEF into the pre-school education grant programme in 1998–99 to prevent the double funding of local authorities for pre-school education places.

Local Government Finance

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list the current level of non-housing debt and the cost of servicing such debt in each unitary and island authority in Scotland; and what were the equivalent figures 12 months ago. [31466]

Mr. Macdonald: The available information is as shown. The footnotes to the tables explain the basis on which the information has been compiled:

The amounts of debt outstanding[1,2,3,4] on local authority general and trading funds

£000

Local authority	*31 March 1996*	*31 March 1997*
Aberdeen City	242,910	244,248
Aberdeenshire	199,048	207,105
Angus	58,566	62,576
Argyll and Bute	152,626	161,480
Clackmannanshire	40,592	42,026
Dumfries and Galloway	166,023	179,511
Dundee City	156,993	163,059
East Ayrshire	92,742	95,854
East Dunbartonshire	76,104	79,861
East Lothian	95,317	99,898
East Renfrewshire	54,836	56,186
Edinburgh City of	623,298	604,512
Eilean Siar	115,712	119,757
Falkirk	107,471	108,868
Fife	277,919	294,865
Glasgow City	954,761	984,904
Highland	296,058	316,377
Inverclyde	103,476	105,804
Midlothian	73,879	73,563
Moray	88,013	90,653
North Ayrshire	107,611	112,071
North Lanarkshire	255,910	265,546
Orkney	11,570	12,653
Perth and Kinross	91,207	92,150
Renfrewshire	137,757	147,151
Scottish Borders	123,010	128,252
Shetland[5]	2,322	2,453
South Ayrshire	87,562	89,209
South Lanarkshire	263,095	274,852
Stirling	95,725	101,300
West Dunbartonshire	96,704	99,919
West Lothian	138,162	139,598
Scotland	5,386,977	5,556,262

[1] Local Authorities provide the Scottish Office with annual information on the amount of debt outstanding at 31 March, on each of the main categories of account—General Services, Housing Revenue Account and Trading Services. General Services debt is further sub-divided into debt which is relevant for loan charges support and that which is non-relevant. For each of these accounts the amount recorded is the debt owed by the account to the local authority Loans Fund. These figures do not directly measure the total borrowings of the local authority.

[2] Water and Sewerage debt at 31 March 1996 has been excluded to maintain comparability.

[3] The debt figure comprises relevant and non-relevant General Fund Services and Trading Services debt. Some Non-Housing Revenue Account Housing debt is included with the relevant General Fund debt and cannot be netted off.

[4] Joint Board Debt which is relevant for loan charges support has been apportioned to the appropriate local authorities. No information is available to apportion non-relevant Joint Board debt of £45.341 million at 31 March 1996 and £46.040 million at 31 March 1997.

[5] Shetland is essentially debt free—the debt shown is only their apportionment of Joint Board debt.

Source:

Capital Debt Outstanding Return 1997, completed by all Local Authorities, Joint Boards and the Strathclyde Passenger Transport Executive.

Loan charges recorded on local authority general funds[1,2]

£000

Local authority	*Provisional for 1996–97*	*Estimate for 1997–98*
Aberdeen City	29,428	32,577
Aberdeenshire	23,598	25,505
Angus	8,076	9,193
Argyll and Bute	21,243	20,959
Clackmannanshire	4,366	5,449
Dumfries and Galloway	22,369	23,985
Dundee City	20,707	20,850
East Ayrshire	13,216	13,654
East Dunbartonshire	9,825	10,565
East Lothian	14,225	15,130

Loan charges recorded on local authority general funds[1,2]

£000

Local authority	Provisional for 1996–97	Estimate for 1997–98
East Renfrewshire	8,856	9,069
Edinburgh City of	80,628	80,726
Eilean Siar	17,323	18,172
Falkirk	15,690	16,366
Fife	36,205	38,651
Glasgow City	109,220	115,268
Highland	40,916	42,945
Inverclyde	13,616	13,886
Midlothian	10,874	10,481
Moray	12,507	12,707
North Ayrshire	13,902	16,394
North Lanarkshire	32,614	35,231
Orkney	5,334	5,853
Perth and Kinross	12,804	14,117
Renfrewshire	20,497	21,083
Scottish Borders	18,745	18,134
Shetland	0	0
South Ayrshire	10,408	11,671
South Lanarkshire	37,620	39,667
Stirling	12,287	13,302
West Dunbartonshire	11,441	12,567
West Lothian	18,244	19,145
Scotland	706,784	743,302

[1] The Loan Charges amounts are for the debt servicing costs of relevant General Fund debt only. Information is not available centrally on the costs of servicing non-relevant General Fund and trading services debt. Therefore, these amounts relate to a sub-set of the total given in the first table.

[2] These figures relate to transactions between the relevant accounts and the local authorities loans fund and do not provide information on the external borrowings or debt repayments of local authorities.

Source:

Provisional Outturn and Budget Estimate Return 1997 (POBE97).

Mr. Jenkin: To ask the Secretary of State for Scotland if he will list for each unitary and island authority in Scotland the current level of uncollected *(a)* community charge and *(b)* council tax income. [31381]

Mr. Macdonald: The current information is as follows:

(a) Uncollected Community Charge for Financial Years 1989–99 to 1992–93

£000

Authority	Total Community Charge[1] outstanding at 30 September 1997
Aberdeen City	10,199
Aberdeenshire	5,103
Angus	4,705
Argyll & Bute[2]	9,203
Clackmannanshire	2,453
Dumfries & Galloway	3,792
Dundee City	12,565
East Ayrshire	12,083
East Dunbartonshire	6,615
East Lothian	9,589
East Renfrewshire	4,056
Edinburgh City of	73,694
Eilean Siar	1,134
Falkirk	5,347
Fife	21,948
Glasgow City	139,315
Highland	11,300
Inverclyde	7,337
Midlothian	9,986
Moray	2,701
North Ayrshire	18,098
North Lanarkshire[2]	32,567
Orkney	106
Perth & Kinross	4,221
Renfrewshire[2]	18,584
Scottish Borders	3,102
Shetland	60
South Ayrshire	5,081
South Lanarkshire	35,636
Stirling	4,798
West Dunbartonshire	14,333
West Lothian	17,306
Scotland	507,017

[1] Includes outstanding Community Water Charges.

[2] These authorities have supplied only estimated amounts of Community Charge outstanding.

Source:

Statistical Return Council Tax and Community Charge Receipts, completed by all authorities.

(b) Uncollected Council Tax Income for Financial Years 1993–94 to 1996–97

£000

Authority	Total Council Tax Income[1] outstanding at 30 September 1997
Aberdeen City	11,899
Aberdeenshire	5,064
Angus	3,226
Argyll & Bute	5,100
Clackmannanshire	1,750
Dumfries & Galloway	5,018
Dundee City	9,058
East Ayrshire	6,825
East Dunbartonshire	5,652
East Lothian	5,638
East Renfrewshire	2,483
Edinburgh City of	37,848
Eilean Siar	1,126
Falkirk	4,186
Fife	13,863
Glasgow City	76,963
Highland	13,145
Inverclyde	4,713
Midlothian	4,128
Moray	1,788
North Ayrshire	7,810
North Lanarkshire	17,910
Orkney	272
Perth & Kinross	4,015
Renfrewshire	12,704
Scottish Borders	2,203
Shetland	417
South Ayrshire	5,659
South Lanarkshire	17,881
Stirling	2,751
West Dunbartonshire	10,515
West Lothian	8,287
Scotland	309,897

[1] Outstanding amounts include uncollected Council Water Charges for years up to and including 1995–96.

Source:

Statistical Return Council Tax and Community Charge Receipts completed by all authorities.

TREASURY

Ministerial Travel

Mr. Baker: To ask the Chancellor of the Exchequer if he will list the engagements he undertook in the United Kingdom in the course of his duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28940]

Mr. Gordon Brown *[holding answer 10 February 1998]:* I attended a number of engagements, travelling mostly by car.

EU Economic and Finance Council

Ms Lawrence: To ask the Chancellor of the Exchequer if he will make a statement on the Council Meeting of the Economic and Finance Ministers of the European Union held on 16 February. [30543]

Mr. Gordon Brown: I chaired the Economic and Finance Council—ECOFIN—of the European Union in Brussels on 16 February. The Economic Secretary represented the UK.

The Council held an orientation debate on economic policy issues to give guidance on the issues it wishes to see addressed in this year's Broad Economic Guidelines, on which the Commission will present a recommendation later in the year. There was general agreement on the need for further fiscal consolidation and for further structural reform in labour, product and service, and capital markets.

The extraordinary European Council on employment of 20 and 21 November in Luxembourg concluded that, in order to make the taxation system more employment-friendly,

"Member States will examine, without obligation, the advisability of reducing the rate of VAT on labour-intensive services not exposed to cross-border competition."

The Council considered the Commission's Communication following up this mandate, and agreed to put the issue to a technical group.

I took this opportunity to explain briefly to colleagues my intention to attend the EMI Council on 3 March, and to remind Ministers of the importance of ensuring compatibility of national legislation with the Treaty requirements for EMU. I also notified colleagues of my intention to organise a meeting with the Social Partners on the wider implications of the single currency around the 19 May ECOFIN.

It was agreed that the Commission should examine the possibility of arrangements enabling the European Investment Bank to lend to Bosnia and to report back to the Council.

ECOFIN Ministers also met Michel Camdessus, Managing Director of the International Monetary Fund, over lunch, and had a useful discussion of the world economic outlook with special reference to the financial situation in Asia and the response of the international community.

Public Corporations (Borrowing)

Mr. Kidney: To ask the Chancellor of the Exchequer what plans he has to give greater commercial freedom to public corporations to enable them to borrow private finance; and what assessment he has made of the potential additional resources that might be so accessed. [30550]

Mr. Geoffrey Robinson: The Government are keen to see PPPs develop between public corporations and the private sector, thereby accessing private sector expertise and finance to improve public services. The potential additional resources that could be addressed in this way will depend on the form of such partnerships.

Tax Self-assessment

Mr. Mitchell: To ask the Chancellor of the Exchequer if taxpayers required to fill in a self-assessed tax return who filed their return in time for the deadline but whose cheques are returned unpaid on first presentation will be liable for the penalty charge. [30522]

Dawn Primarolo: A penalty charge is incurred for the late filing of a return, not for a dishonoured cheque. But any taxpayer whose cheque is returned unpaid may be charged interest on the tax due until such time as payment is made in an acceptable form.

Channel Tunnel Rail Link

Mr. Baldry: To ask the Chancellor of the Exchequer what assessment he has made of the workings of the PFI rules in the case of London and Continental Railways and the Channel Tunnel Rail Link; and what plans he has to review those rules. [30938]

Mr. Geoffrey Robinson: The Channel Tunnel Rail Link project's difficulties are largely due to the unrealistic assumptions made by the London and Continental Railways' management about the Eurostar business in its bid, which should have been recognised by the last Government, but was not. As a result, this project is facing particular financial problems that are not relevant to other PFI deals.

With regard to PFI more generally, this Government commissioned an independent review of the policy as soon as they took office, and are currently in the process of implementing the 29 recommendations that resulted. I have every confidence that the new structures, processes and guidance we are putting in place will lead to increasing numbers of PFI contracts being signed, representing value for money for the taxpayer and welcome business for the private sector.

VAT

Sir Richard Body: To ask the Chancellor of the Exchequer what assessment he has made of Article 26 of the Agreement Between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the Gradual Abolition of Controls at the Common Frontiers [Dep 5505 (3s)] on the pace of harmonisation of VAT in the European Commission. [31221]

Dawn Primarolo: VAT legislation in European Community is subject to the unanimous agreement of all 15 Member States under Article 99 of the Treaty. The Schengen Agreement does not affect this requirement.

Ministerial Meetings

Mr. Randall: To ask the Chancellor of the Exchequer how many meetings have been requested with his Department's Ministers by *(a)* Labour and *(b)* Conservative hon. Members; and how many meetings have been granted in each category. [31294]

Mr. Gordon Brown: I and my Ministerial colleagues meet a number of hon. Members from both sides of the House during the course of our business.

Conferences

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31166]

Mrs. Liddell: Treasury officials attend numerous conferences both at home and abroad in pursuit of the Government's agenda. I would be surprised if they did not make either oral or written contributions on these occasions. However, statistics on such contributions could be compiled only at disproportionate cost.

Young Enterprise Initiative

Miss McIntosh: To ask the Chancellor of the Exchequer if he will make a statement concerning Mr. Alan Sugar's role in the Young Enterprise initiative. [30508]

Mr. Geoffrey Robinson *[holding answer 23 February 1998]:* At my request, Mr. Alan Sugar is touring Britain, speaking to audiences of 17–25 year old students to encourage them to go into business. The talks are being sponsored by HM Treasury and supported by Lloyds Bank financially and in other ways.

There are 12 events in total across the country, of which 5 have already happened. I attended the first presentation. The events to date have been well attended and had an enthusiastic response from the students who came. The main part of each event is a question and answer session so that students who might be interested in eventually going into business for themselves can ask questions of one of the UK's leading entrepreneurs.

Warranties

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer what discussions he has had with the Department of Trade and Industry concerning the protection of consumers from inadequate insurance or warranty packages in the travel insurance market and the motor vehicle warranty market. [31114]

Dawn Primarolo *[holding answer 25 February 1998]:* I have had no such discussions.

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer what assessment he has made of the trend in the provision of motor vehicle warranties, including non-insurance based warranties from *(a)* motor vehicle sellers, *(b)* direct insurance brokers, *(c)* credit card companies and *(d)* other non-specialist sources, since the introduction of higher rate insurance premium tax. [31112]

Dawn Primarolo *[holding answer 25 February 1998]:* I refer the hon. Member to the reply I gave him on 10 February 1998, *Official Report,* columns *136–37.* I have no information on the market share enjoyed by the categories of supplier listed in this question.

Windfall Tax

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer what assessment his Department has made of the impact on employment levels in the utility industries of the windfall tax. [29878]

Mr. Geoffrey Robinson: The Chancellor's judgment at the time of the July Budget was that, after consulting the regulators, the tax could be paid without any impact on prices, investment or the quality of service to customers or, in his view, on employment. Nothing has changed since then to alter that view.

Tax Law Rewrite Project

Mr. Timms: To ask the Chancellor of the Exchequer what progress has been made on the Tax Law Rewrite Project. [32052]

Dawn Primarolo: The Tax Law Rewrite project aims to bring clarity to our direct tax legislation, making the tax system more accessible to taxpayers and their advisers. The project is continuing to make good progress. The publication today of a second Technical Discussion Document, which takes forward the debate on 'purposive drafting', is a further milestone towards a clearer and more user-friendly tax system. Copies of the document have been placed in the Libraries of the House. 'Purposive drafting' describes a variety of techniques for making the underlying purpose of a block of legislation clearer to the reader.

I am keen that anyone with an interest takes this opportunity to comment on the role purposive techniques might play in rewriting tax legislation. The Government believe consultation with all those involved in taxation is the key to the success of the project to rewrite tax law. The publication of this document does not necessarily mean that the project will employ any of the approaches described in it. But we will keep the matter under review.

Labour Statistics

Mr. David Stewart: To ask the Chancellor of the Exchequer if he will make a statement on the changes he has made to the way in which labour market statistics are presented each month. [29899]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. David Stewart, dated 26 February 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on the changes ONS will make to the way in which labour market statistics are presented each month.

The ONS will introduce the improvements to Labour Market Statistics in April 1998. They are designed to both meet user needs and to improve public confidence in these statistics. The improvements are a result of a review carried out by the ONS and follow widespread consultation with users in May 1997.

Full details of these improvements are available in the February 1998 edition of *Labour Market Trends*. Copies of *Labour Market Trends* are available in the House of Commons Library. ONS will also be holding seminars for labour market statistics users to explain the changes and their implications over the coming months.

Mr. Woolas: To ask the Chancellor of the Exchequer if he will make a statement on the changes which have been made to the way in which labour market statistics are presented each month. [29902]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Phil Woolas, dated 26 February 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on the changes ONS will make to the way in which labour market statistics are presented each month.

The ONS will introduce the improvements to Labour Market Statistics in April 1998. They are designed to both meet user needs and to improve public confidence in these statistics. The improvements are a result of a review carried out by the ONS and follow widespread consultation with users in May 1997.

Full details of these improvements are available in the February 1998 edition of *Labour Market Trends*. Copies of *Labour Market Trends* are available in the House of Commons Library. ONS will also be holding seminars for labour market statistics users to explain the changes and their implications over the coming months.

Correspondence

Mrs. Ewing: To ask the Chancellor of the Exchequer what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28054]

Mr. Gordon Brown *[holding answer 10 February 1998]:* I am not aware that any letters in these languages have been sent to me. I would deal with any such letters case-by-case.

Taylor Task Force

Mr. Kirkwood: To ask the Chancellor of the Exchequer when and in what form, he will publish the report from the Taylor Task Force on Tax and Benefits. [29473]

Dawn Primarolo *[holding answer 23 February 1998]:* The work of Martin Taylor's taskforce will inform the Budget at which point a decision about the publication of the report will be made.

Mr. Kirkwood: To ask the Chancellor of the Exchequer if he will place in the Library a list of the written representations received by the Taylor Task Force on Tax and Benefits. [29475]

Dawn Primarolo *[holding answer 23 February 1998]:* There are no plans at present to do so.

Mr. Kirkwood: To ask the Chancellor of the Exchequer if he will list the special interest groups which submitted papers to the Taylor Task Force on Tax and Benefits. [29469]

Dawn Primarolo *[holding answer 23 February 1998]:* Martin Taylor has received representations from a range of groups.

Mr. Kirkwood: To ask the Chancellor of the Exchequer if he will list the membership of the Taylor Task Force on Tax and Benefits; and on how many occasions each official member of the Task Force attended meetings of the Task Force. [29470]

Dawn Primarolo *[holding answer 23 February 1998]:* Martin Taylor chairs a Task Force, on which the Treasury, Inland Revenue, the Department of Social Security and Department for Education and Employment are represented by senior officials. It is not the usual practice to name individual officials.

Mr. Kirkwood: To ask the Chancellor of the Exchequer if he will list each meeting the Taylor Task Force on Tax and Benefits had with representatives of non-government organisations and companies. [29471]

Dawn Primarolo *[holding answer 23 February 1998]:* The Taylor Task Force has met a number of non-government organisations and companies.

Mr. Kirkwood: To ask the Chancellor of the Exchequer if he will list each paper commissioned by the Taylor Task Force on Tax and Benefits from *(a)* inside and *(b)* outside government; and if he will place copies of those papers in the Library. [29472]

Dawn Primarolo *[holding answer 23 February 1998]:* The Taylor Task Force has commissioned a number of papers on a variety of subjects during its consideration of the tax and benefit system.

In-work Benefits

Mr. Kirkwood: To ask the Chancellor of the Exchequer what research he has *(a)* commissioned and *(b)* evaluated on the effect on the incentive to work of receiving in-work benefits through the pay packet rather than by giro. [29474]

Dawn Primarolo *[holding answer 23 February 1998]:* The Chancellor has not commissioned separate research but he has gathered a wide range of information in his consideration of a working family tax credit, from which he has concluded that it would have a number of attractions, including that it would demonstrate more clearly the rewards of work over welfare to those thinking of taking a job.

Official Entertainment

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what use has been made of 11 Downing street since 1 May 1997 to host receptions and meetings for Labour Party members from constituency parties and regions; and if he will make a statement. [24780]

Mr. Gordon Brown *[holding answer 23 January 1998]:* Any private receptions held have been in line with the Ministerial Code of Conduct. No public money has been used.

Mr. Bercow: To ask the Chancellor of the Exchequer how many receptions he has held at No. 11 Downing street since he took office; how many people have attended; and what was the total cost of these events. [25185]

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer (1) if he will list the receptions held in 11 Downing street since 1 May 1997, indicating *(a)* the

purpose of the event, *(b)* its cost to public funds and *(c)* any costs not payable from public funds; and if he will make a statement;

(2) if he will list the receptions scheduled to take place in 11 Downing Street over the next six months, indicating the purpose of each such event; and if he will make a statement. [24779]

Mr. Gordon Brown *[holding answer 23 February 1998]:* From time to time receptions are held at 11 Downing street. Arrangements for these receptions are in line with the Ministerial Code of Conduct.

EDUCATION AND EMPLOYMENT

New Deal

4. **Mr. Hesford:** To ask the Secretary of State for Education and Employment what steps he is taking to encourage employers to become involved in the new deal. [29881]

Mr. Blunkett: The Employment Service, the Task Force, many Private Sector secondees and, of course, our local partners like Training and Enterprise Councils and Chambers of Commerce, are actively involved in engaging the support of employers across the country.

28. **Miss Melanie Johnson:** To ask the Secretary of State for Education and Employment if he will make a statement on the measures he is taking to ensure the new deal matches the employment needs of businesses. [29909]

Mr. Andrew Smith: We are working with businesses at both local and National levels to ensure that New Deal helps meet their employment needs and the needs of young people. For example, on 9 February, with the construction industry we launched a special framework for New Deal that will help meet skill needs within that sector, and more generally we have appointed account managers to work with National employers to help support their involvement.

29. **Mr. Prosser:** To ask the Secretary of State for Education and Employment what representations he has received from the retail sector about the new deal proposals. [29911]

Mr. Andrew Smith: I refer my hon. Friend to the reply I gave earlier to my hon. Friend the Member for Edmonton (Mr. Love).

Mr. Hanson: To ask the Secretary of State for Education and Employment if he will make a statement on the number of companies and businesses participating in the new deal. [29904]

Mr. Andrew Smith: Businesses at local and National level are working with us to plan and deliver New Deal, for example through the New Deal Task Force. Over 1,100 companies have already signed Employer Agreements with more to follow.

Mr. Campbell-Savours: To ask the Secretary of State for Education and Employment what assessment he has made of the impact of the New Deal measures in Cumbria. [29885]

Mr. Alan Howarth: It is, of course, early days for this ambitious undertaking, but I am encouraged by the impressive start to New Deal Pathfinders including the one in Cumbria. Across the country we have already seen over 10,000 young people enter the Gateway, seen over 1,300 employer agreements signed and seen over 4,400 clients referred to unsubsidised jobs.

Sandye Place School

13. **Sir Nicholas Lyell:** To ask the Secretary of State for Education and Employment when he received the application for grant-maintained status from Sandye Place school; and when he will announce his decision. [29891]

Mr. Blunkett: The proposal for grant-maintained status was published by the governors of Sandye Place School on 18 April 1997. After giving careful consideration to all aspects of the proposal, it was rejected. The governors were informed of this decision on 12 February 1998.

Construction Industry

20. **Mr. Paul Clark:** To ask the Secretary of State for Education and Employment what representations relating to training he has received from businesses involved in the construction industry. [29898]

Dr. Howells: I regularly receive representations from businesses involved in the construction industry on a variety of issues relating to training.

Child Care

21. **Mr. Stinchcombe:** To ask the Secretary of State for Education and Employment what plans he has to improve the quality and quantity of child care places. [29900]

Mr. Alan Howarth: We have already developed plans to spend the first tranches of the £300 million childcare package announced by the Chancellor of the Exchequer on 25 November, 1997, *Official Report,* column 777. In 1998–99, for England, the £25 million receipts from the Windfall Tax will help support the expansion of childcare provision and the development of infrastructure and capacity to deliver quality provision in preparation for the huge expansion of out of school childcare when lottery funding comes on stream in 1999. We have made £50 million available to the Out of School Childcare Initiative over the next five years; in 1998–99 this will create 20,000 new places. We plan to launch a consultation document in the spring and the final national childcare strategy later in the year.

Corporal Punishment

22. **Mr. Hinchliffe:** To ask the Secretary of State for Education and Employment if he will introduce measures to abolish corporal punishment in independent schools. [29901]

Mr. Byers: We made clear in the Standing Committee on the School Standards and Framework Bill today that the Government would facilitate a free vote at Report Stage on amendments to outlaw corporal punishment in independent schools and nurseries.

Oxford and Cambridge (Financing)

23. **Mr. Lansley:** To ask the Secretary of State for Education and Employment if he will make a statement on the financing of Oxford and Cambridge universities. [29903]

Dr. Howells: We are still considering advice from the Higher Education Funding Council for England on the future funding arrangements for universities and colleges at Oxford and Cambridge. We hope to announce a decision shortly.

Minimum Space Standards (Schools)

25. **Mr. Rendel:** To ask the Secretary of State for Education and Employment what plans he has to reinstate minimum space standards in schools. [29906]

Mr. Byers: In place of the teaching area standards, the Department's Architects and Buildings Branch has published Building Bulletin 82 "Area Guidelines for Schools". This provides detailed recommendations for minimum and maximum teaching, recreation, administration and other areas. We intend to keep under review whether our guidance is meeting pupils' needs.

Teacher Training

26. **Mr. Bob Russell:** To ask the Secretary of State for Education and Employment what plans he has to encourage more students to become teachers. [29907]

Mr. Byers: Maintaining teacher recruitment is one of the major challenges facing the Government. Our response to the first report of the Education Select Committee on teacher recruitment, which was published on 29 January, includes details of the action we are taking to encourage more students to become teachers. The Government also support the promotional campaign being run by the Teacher Training Agency which aims to attract high quality candidates in sufficient numbers to meet the needs of schools.

Welfare to Work (Costs)

27. **Mr. Clifton-Brown:** To ask the Secretary of State for Education and Employment what estimate he has made of the cost of his welfare-to-work proposals in each of the next five years. [29908]

Mr. Alan Howarth: The current estimate of the cost of the Department for Education and Employment's Welfare to Work proposals is for the financial year ending April 1998; £92 million, in 1998 to 1999; £762 million, in 1999 to 2000; £775 million, in 2000 to 2001; £752 million and £751 million in 2001 to 2002.

Actual provision for any particular year will be decided in the light of the level of unemployment and experience of the programmes.

Primary School League Tables

30. **Mr. Gray:** To ask the Secretary of State for Education and Employment if he will make a statement on the recently published primary school league tables. [29912]

Mr. Byers: All local education authorities in England met the statutory requirement to publish primary school performance tables based on 1997 Key Stage 2 results by 23 January. Copies of the tables have been placed in the Library, and the core data for all schools in the country can be accessed on the Internet.

British Beef

31. **Mr. Charles Kennedy:** To ask the Secretary of State for Education and Employment if he will issue guidance to education authorities and governing bodies concerning the purchase of British beef; and if he will make a statement. [29913]

Mr. Byers: I see no reason to issue further guidance. Responsibility for determining the content of school meals rests with LEAs and the governing bodies of grant maintained schools. Measures are in place to ensure that beef that is legally supplied for catering purposes should pose no risk to health.

Pupil Expenditure (Worcestershire)

32. **Mr. Luff:** To ask the Secretary of State for Education and Employment by what percentage he estimates real expenditure per pupil in Worcestershire will change in the next financial year; and if he will make a statement. [29914]

Mr. Byers: The real terms change in the level of expenditure per pupil in Worcestershire depends on budget decisions taken by the County Council. Worcestershire's education SSA for 1998–99 represents an increase of some £7 million or 3.9 per cent. in cash terms after allowing for the effects of local government reorganisation.

Age Discrimination

33. **Mr. St. Aubyn:** To ask the Secretary of State for Education and Employment what steps he proposes to take to address the issue of age discrimination at work. [29915]

Mr. Andrew Smith: I am currently consulting widely on age discrimination in employment and how best to address it, and will continue to do so into the Spring.

Unemployed Asylum Seekers

Dr. Harris: To ask the Secretary of State for Education and Employment if he will make a statement on the progress of the design of the new deal for those aged over 25 years, particularly as it relates to unemployed asylum seekers and those without settled status who have exceptional leave to remain. [29893]

Mr. Andrew Smith: We are currently considering the detailed arrangements for the New Deal for long term unemployed adults. This will build on the New Deal approach which focuses on the needs of the individual.

This will hold true for those asylum seekers and people with exceptional leave to remain who qualify for the programme.

Pilot Employment Zones

Mr. Breed: To ask the Secretary of State for Education and Employment if he will make a statement on the progress to date in respect of the pilot employment zones. [29894]

Dr. Howells: From this month, prototype Employment Zones have been established in Glasgow, Liverpool and Sefton, North-West Wales, Plymouth and South Teesside. In these areas local partnerships will be testing out radical and innovative ideas to help long term unemployed adults get and keep jobs.

Small Primary Schools

Helen Jones: To ask the Secretary of State for Education and Employment if he will list *(a)* the number of small primary schools which, over the past five years, have been classified by OFSTED as failing schools, *(b)* the number of small primary schools which have been given good reports by OFSTED over the past five years and *(c)* the percentage of all schools inspected represented by each of the above figures. [31387]

Mr. Byers: This is a matter for HM Chief Inspector of Schools. I have asked him to write to my hon. Friend and to place a copy of his letter in the Library.

Higher Education Students

Mr. Paice: To ask the Secretary of State for Education and Employment what action he is taking to consult with local education authorities and others regarding the arrangements for administering means-testing and student support provisions for higher education students from 1999–2000. [31553]

Dr. Howells: We shall shortly be establishing an Advisory Committee whose members will include representatives from local education authorities, higher education institutions and students. It is envisaged that the Advisory Committee will meet for the first time in March. The Advisory Committee will meet for the first time in March. The Advisory Committee will liaise closely with an inter-departmental group of officials responsible for the planning of the project.

Assisted Places

Mr. Cawsey: To ask the Secretary of State for Education and Employment how many pupils living within the local education authority boundaries of *(a)* North Lincolnshire and *(b)* the East Riding of Yorkshire currently receive subsidised private education via the assisted places scheme; and how many will do so from 1 September. [31465]

Mr. Byers: Information about the local education authority area from which assisted pupils originate is not collected centrally. There are no schools participating in the assisted places scheme in the North Lincolnshire LEA area. Two schools participate in the East Riding of Yorkshire LEA area with 196 assisted pupils the current academic year 1997–98 and an estimated 166 assisted pupils at the start of the next academic year 1998–99.

Surplus School Places

Mr. Grogan: To ask the Secretary of State for Education and Employment what is his policy on surplus places in schools; and if he will publish the numbers and percentages of surplus places in each local education authority in England. [32053]

Mr. Byers: The focus of all our policies is raising standards. Surplus school places represent a poor use of resources, particularly where schools with surplus places are performing poorly or where parental preference is not being met elsewhere in the authority. The supply of, and demand for, places must be brought more closely into balance so that parental preference can be maximised and good quality education can be provided in the most cost-effective manner. The Audit Commission has drawn attention to this issue and, with District Auditors, is promoting good practice. Authorities should review their performance and, in line with Audit Commission recommendations, should focus initially on schools with 25 per cent. or more surplus places, having particular regard to standards at those schools.

The annual survey of surplus places provides the Department with an opportunity to monitor action by each authority. In the light of results of the 1997 survey, we will be writing to all local education authorities with schools with high levels of surplus, and the Funding Agency for Schools, asking for a detailed response on the justification for continuing to maintain such schools, particularly where performance is poor and there is evidence that parental preference for school places is not being met elsewhere in the authority. The Department recognises that authorities will want to take into account any unusual circumstances, for example geography and social make-up.

The following tables relate to the position as at January 1997 and set out the numbers of surplus places by local authority area, separately for primary and for secondary, together with the proportion that these represent of total capacity. In line with the approach we will be taking, they also include the numbers of schools which at that date had a surplus of 25 per cent. or more, and at least 30 surplus places, together with the proportion that these represent of the total number of schools. The data are drawn from the returns made during 1997 by local education authorities in respect of their schools and by the Funding Agency for Schools in respect of grant-maintained schools in stage 2 and 3 authority areas. Data on surplus places in the 376 grant-maintained schools in stage 1 authorities are not available. These returns indicate that there were just under 774,000 surplus school places in January 1997, representing 10 per cent. of the total capacity of 7.6 million places. There were also 2,696 schools with

surplus of 25 per cent. or more and at least 30 surplus places, representing 12 per cent. of the total number of schools.

Surplus places by local authority area (excluding GM schools in stage 1 authorities) at January 1997

LEA	Primary[1] Actual surplus[2] Number	Per cent	Primary[1] Schools with surplus of 25 per cent. or more[3] Number	Per cent
Barking	1,115	7	5	10
Barnet	1,273	5	1	1
Barnsley	1,391	7	7	8
Bath and North East Somerset	1,380	10	8	12
Bedfordshire	3,685	13	24	17
Berkshire	4,956	8	24	9
Bexley	1,394	7	4	7
Birmingham	7,380	7	21	6
Bolton	2,350	9	15	14
Bournemouth	395	4	2	8
Bradford	3,944	10	19	12
Brent	2,061	10	5	9
Brighton and Hove	2,224	12	11	18
Bromley	822	4	6	*8
Buckinghamshire	3,846	9	17	9
Bury	469	3	2	3
Calderdale	2,331	12	13	16
Cambridgeshire	5,467	9	25	10
Camden	632	6	1	2
Cheshire	12,198	13	79	19
City of Bristol	2,428	8	15	11
City of Derby	2,080	10	7	9
City of Kingston-upon-Hull	4,830	16	20	25
Cornwall	2,775	7	15	6
Corporation of London	9	4	0	0
Coventry	3,626	12	12	13
Croydon	1,538	6	5	5
Cumbria	5,050	12	49	18
Darlington	582	6	3	8
Derbyshire	6,432	10	41	12
Devon	8,285	9	43	10
Doncaster	4,466	14	24	21
Dorset	1,856	7	11	8
Dudley	2,824	10	7	9
Durham	6,537	13	55	22
Ealing	3,402	13	11	18
East Riding of Yorkshire	3,007	11	16	12
East Sussex	2,712	7	11	7
Enfield	492	2	1	2
Essex	12,311	8	46	*8
Gateshead	2,450	13	14	18
Gloucestershire	5,218	10	26	*10
Greenwich	2,251	11	4	6
Hackney	1,486	9	7	13
Hammersmith and Fulham[4]	1,342	14	7	19
Hampshire	9,136	9	39	9
Haringey	674	4	2	3
Harrow	1,457	7	3	5
Hartlepool	766	8	1	3
Havering	964	5	3	4
Hereford and Worcester	5,471	10	29	10
Hertfordshire	9,063	10	56	13
Hillingdon	1,417	7	2	*3
Hounslow	2,228	11	4	6
Isle of Wight	558	8	4	9
Isles of Scilly	115	46	3	75
Islington	1,655	10	6	11
Kensington and Chelsea	669	11	5	21
Kent	10,130	8	48	9
Kingston upon Thames	76	0	0	0
Kirklees	2,454	7	9	6
Knowsley	2,872	15	14	23
Lambeth	4,122	19	19	*25
Lancashire	10,813	8	66	11
Leeds	7,759	11	41	17
Leicester	3,182	11	11	13
Leicestershire	3,581	7	18	8
Lewisham	1,035	5	2	3
Lincolnshire	6,454	11	42	*15
Liverpool	7,985	16	42	25
Luton	2,274	11	12	18
Manchester	6,649	14	33	20
Merton	594	4	3	6
Middlesbrough	1,807	11	6	12
Milton Keynes	2,222	10	9	11
Newcastle upon Tyne	2,987	13	15	19
Newham	1,421	5	2	3
Norfolk	4,987	8	29	8
North East Lincolnshire	2,412	13	10	15
North Lincolnshire	1,822	12	13	18
North Somerset	886	6	3	4
North Tyneside	2,745	16	14	25
North Yorkshire	5,522	11	44	13
Northamptonshire	3,769	8	17	7
Northumberland	4,522	20	45	32
Nottinghamshire	8,539	9	49	12
Oldham	2,313	10	11	11
Oxfordshire	6,160	12	39	16
Poole	815	7	2	7
Portsmouth	1,535	10	8	15
Redbridge	319	2	0	0
Redcar and Cleveland	2,080	13	8	15
Richmond upon Thames	426	4	0	0
Rochdale	881	4	2	3
Rotherham	2,298	9	9	8
Rutland	723	23	6	35
Salford	2,939	12	17	19
Sandwell	1,547	6	5	5
Sefton	2,684	10	11	12
Sheffield	4,032	9	14	10
Shropshire	3,836	10	24	12
Solihull	1,790	9	5	7
Somerset	2,000	5	5	2
South Gloucestershire	1,456	11	4	4
South Tyneside	1,664	11	9	16
Southampton	2,883	14	17	25
Southwark	3,048	14	13	20
St Helens	1,612	10	11	18
Staffordshire	11,713	15	69	22
Stockport	2,185	8	10	9
Stockton on Tees	1,627	9	5	8
Stoké on Trent	3,702	14	16	18
Suffolk	4,461	9	25	10
Sunderland	3,741	12	17	18
Surrey	7,693	10	40	13
Sutton	122	0	0	0
Swindon	2,040	11	11	*15
Tameside	1,602	7	8	10
Tower Hamlets	2,123	10	5	7
Trafford	1,111	6	3	4
Wakefield	3,246	10	15	11
Walsall	2,625	10	12	12
Waltham Forest	1,704	8	4	6
Wandsworth	1,406	9	6	11
Warwickshire	6,647	14	42	22
West Sussex	4,832	8	16	7
Westminster	581	6	1	2
Wigan	3,938	13	22	19
Wiltshire	4,653	12	28	*13
Wirral	4,197	13	20	20
Wolverhampton	2,935	11	11	12
York	1,975	13	10	16
Total	422,997	10	2,128	12

LEA	Secondary: Actual surplus[2] Number	Per cent	Schools with surplus of 25 per cent. or more[3] Number	Per cent
Barking	409	4	0	0
Barnet	1,497	7	1	*5
Barnsley	1,636	11	2	14
Bath and North East Somerset	1,119	9	3	*23
Bedfordshire	5,480	14	12	*21
Berkshire	5,495	10	8	*14
Bexley	416	3	0	*0
Birmingham	7,787	11	14	*18
Bolton	1,515	8	2	*13
Bournemouth	772	8	1	*10
Bradford	3,772	8	11	*13
Brent	1,256	9	0	**0
Brighton and Hove	1,389	12	1	10
Bromley	324	2	0	**0
Buckinghamshire	2,448	9	4	*11
Bury	401	4	0	0
Calderdale	1,090	7	2	*13
Cambridgeshire	2,449	6	2	*5
Camden	978	9	1	*9
Cheshire	7,658	11	8	13
City of Bristol	3,542	18	7	32
City of Derby	2,915	18	3	*21
City of Kingston-upon-Hull	3,445	19	5	31
Cornwall	1,129	4	1	3
Corporation of London	—	—	—	—
Coventry	3,421	15	5	26
Croydon	1,379	9	1	*5
Cumbria	3,331	10	7	*17
Darlington	636	10	2	29
Derbyshire	5,197	11	8	*17
Devon	3,281	6	5	9
Doncaster	4,707	19	9	41
Dorset	2,172	8	3	*8
Dudley	1,712	9	3	*14
Durham	4,630	13	8	22
Ealing	541	4	0	*0
East Riding of Yorkshire	1,931	9	2	11
East Sussex	1,800	7	0	0
Enfield	1,522	8	0	*0
Essex	16,299	14	22	*21
Gateshead	2,948	21	5	42
Gloucestershire	2,748	8	5	*12
Greenwich	1,514	10	2	14
Hackney	1,307	15	3	33
Hammersmith and Fulham[4]	1,772	25	4	*50
Hampshire	6,075	9	8	*11
Haringey	933	9	0	0
Harrow	669	8	2	22
Hartlepool	827	12	0	0
Havering	2,109	13	4	*22
Hereford and Worcester	6,590	13	15	21
Hertfordshire	11,049	14	21	*24
Hillingdon	816	5	1	**7
Hounslow	811	5	0	*0
Isle of Wight	1,060	9	3	14
Isles of Scilly	130	55	1	100
Islington	1,107	13	1	11
Kensington and Chelsea	790	18	1	*25
Kent	14,061	12	25	*20
Kingston upon Thames	628	7	0	*0
Kirklees	2,587	10	4	13
Knowsley	1,601	15	1	10
Lambeth	2,663	29	4	*40
Lancashire	8,277	10	14	14
Leeds	5,312	11	9	21
Leicester	3,577	17	9	43
Leicestershire	5,387	12	10	20

LEA	Secondary: Actual surplus[2] Number	Per cent	Schools with surplus of 25 per cent. or more[3] Number	Per cent
Lewisham	2,594	20	5	38
Lincolnshire	4,419	10	7	*11
Liverpool	4,836	14	6	*18
Luton	889	7	0	*0
Manchester	6,609	23	12	43
Merton	1,132	13	1	*9
Middlesbrough	1,412	14	2	18
Milton Keynes	1,114	9	1	*11
Newcastle upon Tyne	2,661	13	5	24
Newham	1,744	11	2	15
Norfolk	4,732	10	6	*12
North East Lincolnshire	1,879	15	3	25
North Lincolnshire	1,563	13	3	21
North Somerset	1,019	8	1	10
North Tyneside	2,263	14	4	18
North Yorkshire	3,230	8	5	11
Northamptonshire	5,374	11	12	*19
Northumberland	3,156	10	14	23
Nottinghamshire	14,453	19	25	33
Oldham	1,055	6	1	7
Oxfordshire	4,911	12	9	20
Poole	408	5	1	*11
Portsmouth	142	2	2	*0
Redbridge	346	2	0	0
Redcar and Cleveland	1,431	12	3	23
Richmond upon Thames	262	3	1	13
Rochdale	2,402	15	5	*36
Rotherham	1,547	8	3	18
Rutland	219	10	0	**0
Salford	2,200	16	6	35
Sandwell	2,922	15	5	28
Sefton	2,733	13	5	23
Sheffield	2,884	10	4	16
Shropshire	2,395	9	4	*11
Solihull	739	5	1	8
Somerset	1,710	6	3	8
South Gloucestershire	1,009	7	1	7
South Tyneside	1,562	14	3	27
Southampton	671	6	0	*0
Southwark	1,529	14	3	*23
St Helens	1,635	12	2	17
Staffordshire	3,638	7	6	9
Stockport	1,619	10	1	7
Stockton on Tees	1,606	11	3	21
Stoke on Trent	1,226	9	2	13
Suffolk	5,604	10	12	15
Sunderland	2,381	11	4	24
Surrey	3,501	7	5	*10
Sutton	409	3	1	*8
Swindon	1,876	15	3	*27
Tameside	1,154	8	2	*11
Tower Hamlets	1,314	10	1	7
Trafford	1,417	9	2	*11
Wakefield	2,204	10	3	16
Walsall	1,856	9	2	*10
Waltham Forest	1,223	10	1	*6
Wandsworth	1,181	11	1	*11
Warwickshire	3,609	11	4	*11
West Sussex	5,609	12	17	18
Westminster	867	11	2	25
Wigan	1,434	7	4	19

LEA	Secondary: Actual surplus[2] Number	Per cent	Schools with surplus of 25 per cent. or more[3] Number	Per cent
Wiltshire	2,191	8	3	*9
Wirral	2,751	11	4	*17
Wolverhampton	2,078	12	3	*17
York	1,536	14	3	25
Total	350,823	11	568	16

* Stage two for planning purposes[5].

** Stage three for planning purposes[5].

[1] Primary figures shown surplus after taking account of any summer entry

[2] Actual surplus is defined as the difference between capacity and number on roll for all schools where capacity exceeds number on roll.

[3] Schools with less than 30 surplus places are not included.

[4] Secondary surplus figures for Hammersmith and Fulham do not take account of pupils registered at some secondary schools but who attend solely the William Morris Academy, which falls outside the scope of the return. To include such pupils would understate the surplus place position in the schools covered by the return.

[5] Stage 1 = LEA has sole responsibility for planning the supply of school places.

Stage 2 = LEA and the Funding Agency for Schools share responsibility for planning the supply of school places.

Stage 3 = The Funding Agency for Schools has sole responsibility for planning the supply of school places.

Film Industry

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many people were employed in the film industry in each of the last 10 years; and how many are currently employed. [29425]

Mr. Tom Clarke: I have been asked to reply.

The number of employees employed in the film industry in each of the years between 1987 and 1997 for which information is available is presented in the following table:

Employees in employment (GB) in the film industry

	Industry: Film production, distribution and exhibition (SIC 80 codes)
September 1987	30,000
September 1989	34,000

	Industry: Motion picture and video activities (SIC 92 codes)
September 1991	37,000
September 1993	30,000
September 1995	24,000
September 1996	29,000
September 1997 (provisional)	34,000

Sources:
Census of Employment, Annual Employment Survey, Short-term Turnover and Employment Surveys.

Information on the number of employees in employment in the film industry is available only for some of the last 10 years because the data source, the Census of Employment, was run on a biennial basis until 1995: it then became the Annual Employment Survey.

Changes in Standard Industrial Classification (SIC) mean that the information for September 1991 onwards, based on SIC 1992, is not directly comparable with the information for earlier years which is based on SIC 1980.

Accurate information on the number of self-employed people working in the film industry is not available.

Written Answers to Questions

Friday 27 February 1998

HOME DEPARTMENT

Recidivism

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department how many inmates re-offended within six months of release from prisons in Wales in 1997. [31365]

Mr. Michael: It is difficult to provide figures in precisely the form requested. Figures routinely available centrally are rates of reconviction for "standard list offences" within two years of release. The latest available figures are for prisoners discharged in 1993, when the reconviction rate for those released from prison in Wales was 60%.

Standard list offences include all indictable offences and some of the more serious summary offences (a complete list of standard list offences can be found in Appendices 4 and 5 of Criminal Statistics England and Wales, 1996, Cm 3764).

Domestic Violence

Ms Shipley: To ask the Secretary of State for the Home Department what measures were taken by the police during the last 12 months to raise public awareness of domestic violence. [31359]

Mr. Michael: Domestic violence is a serious crime which we are determined to tackle. All police forces now have a domestic violence policy and a unit with specific responsibility for domestic violence. How particular forces raise awareness of this issue is a matter for the chief officer of the individual police force. A new Inter-Departmental publicity campaign on domestic violence is currently under consideration by Ministers.

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department what steps he is taking to ensure the Animal Procedures Committee is giving full consideration to independent objections to the application for a project licence from Imutran before deciding whether to issue such a licence. [31690]

Mr. George Howarth: The Animal Procedures Committee does not issue licences, but it can advise the Secretary of State on matters relating to the Animals (Scientific Procedures) Act 1986.

We and the Committee are well aware of objections to xenotransplantation and related research using protected animals. The Committee itself contains a wide spread of opinion on this subject and two of its members sat on the Department of Health committee, chaired by Professor Kennedy, on the ethics of xenotransplantation.

The Home Office has also considered the views expressed in a report entitled "Animal-to-human organ transplants: A medical and legal perspective" which was recently submitted by Doctors and Lawyers for Responsible Medicine. Xenotransplantation Concern has also recently contacted the Home Office. Officials have invited the organisation to submit its concerns in writing.

The Animal Procedures Committee considered at its January meeting Imutran's application to continue an existing, licensed programme of work. It recommended, inter alia, that before deciding whether to grant the licence the Secretary of State should consult with the Department of Health and the United Kingdom Xenotransplantation Interim Regulatory Authority on the issues of the transmission of retro-viruses from pigs to humans and on whether clinical xenotransplantation was still perceived as a likely eventual outcome of the ongoing research. A final decision on Imutran's application will not be made until we have received their reply.

Mr. Baker: To ask the Secretary of State for the Home Department, pursuant to his answer of 19 January 1998, *Official Report*, column *387*, what percentage of procedures for animal testing approved by his Department led to published research in each of the last 10 years. [31748]

Mr. George Howarth: Records containing this information are not kept centrally.

Circuses

Mr. Baker: To ask the Secretary of State for the Home Department if he will make it his policy to amend the Zoo Licensing Act 1981 to bring circus permanent holding facilities within its scope. [31688]

Mr. George Howarth: I refer the hon. Member to the reply I gave to his Questions on 12 February 1998, *Official Report*, columns *346–47*.

There is already legislation which applies to circus winter training quarters: the Protection of Animals Act 1911 and the Performing Animals (Regulation) Act 1925.

The All Party Parliamentary Group for Animal Welfare is currently preparing a full report on the welfare of circus animals. In considering the legal framework required for circuses, the Government will examine carefully its recommendation.

National Anti-Vivisection Society

Mr. Baker: To ask the Secretary of State for the Home Department when he plans to reply to the letter of 24 October 1997 from the National Anti-Vivisection Society; and if he will place a copy of the correspondence in the Library. [31684]

Mr. George Howarth: I refer the hon. Member to the reply I gave on 27 November 1997, *Official Report*, columns *611–12*.

Rather than provide a written reply, my noble Friend Lord Williams of Mostyn and officials met representatives of the National Anti-Vivisection Society on 2 December and discussed with them the points made in their letter and in their report "Accountability".

Heroin

Mr. Flynn: To ask the Secretary of State for the Home Department what was the total value of seizures of heroin by *(a)* customs and *(b)* police in each of the last 10 years; and what percentage he estimates those figures represent of the totals of heroin consumed in the United Kingdom. [31485]

Mr. George Howarth: The value of heroin seized by Her Majesty's Customs and Excise in the last ten years was as follows:

Year	*Value (£ million—not inflation adjusted)*
1987	48.9
1988	59.3
1989	85.3
1990	81.2
1991	40.0
1992	51.6
1993	97.9
1994	57.4
1995	115.6
1996	59.3

Whilst Customs produce estimates of the value of their drug seizures, police forces do not make similar estimates. This is because value varies from time to time and from place to place, and is dependent on purity. Information on established street value is not collected centrally.

Since drug misuse is by its nature a clandestine activity, there is no reliable information on the estimated quantity of drugs consumed.

Firearms Compensation Scheme

Mr. Nicholls: To ask the Secretary of State for the Home Department what is his latest estimate of the eventual amount of compensation on Options A, B and C of the Firearms Compensation Scheme; and when he expects to be able to finalise payment, under each category. [30799]

Mr. Michael: Based on the values of the claims examined so far, we now believe the overall cost of the compensation schemes for large-calibre handguns and small-calibre pistols, including Home Office and police administrative costs, will be about £128 million. This figure is subject to further revision as the values of those items being claimed under the small-calibre Scheme are received in the Home Office Firearms Compensation Section, and the exact details of the claims under the large-calibre Scheme still to be registered, become known. The great majority of payments under Options A and B of the large-calibre compensation scheme should be completed by the end of March, and most, if not all, of the payments under Option C should be made by the end of the year. Payments under the statutory surrender scheme for small-calibre pistols should also be completed by the end of the year.

DEFENCE

Military Assistance (Foreign Governments)

Mr. Home Robertson: To ask the Secretary of State for Defence what is his policy on disclosure of details of military and related police assistance provided to foreign governments; and if he will make a statement. [32535]

Dr. Reid: Military and related police assistance is provided in support of a range of foreign and defence policy aims. It can be an important factor in the development of the United Kingdom's relations with countries in all parts of the world, and can make a significant contribution to regional stability by promoting military effectiveness, which helps to deter aggression. This assistance is a key element of defence diplomacy. All requests for military assistance are considered in the light of the Government's wider foreign policy.

Many foreign governments regard such assistance as contributing to their national Security and are thus sensitive about public disclosure of information about it. Because of this sensitivity it has been the practice of Ministers to decline to answer questions concerning the detail and nature of training assistance. This convention has continued to apply since the introduction of the Code of Practice on Access to Government Information, which recognises defence, security and international relations as reasons for withholding information.

My Department, in conjunction with the Foreign and Commonwealth office and others, has been considering this practice against the Government's commitment to openness. As a result, my hon. Friend, the Minister of State for Foreign and Commonwealth Affairs and I, have decided that the public interest would be served by greater disclosure of the details of military and related police assistance provided to foreign governments. In future, details of the amount of assistance provided by our Armed Forces will be produced annually and published in my Department's Performance Report, starting with that to be produced following the end of this financial year. These details will include the numbers of overseas personnel trained, by country, the numbers of United Kingdom personnel involved in providing training or assistance overseas, again by country, and levels of any subsidies provided by my Department. My hon. Friend will publish details of the training subsidy programme funded by the Foreign and Commonwealth Office. This information will also be made available to the public on request.

All other requests for information in relation to training and assistance provided will, with immediate effect, be considered on their individual merits, but with a presumption towards disclosure unless this would be against the public interest as governed by the Code of Practice on Access to Government Information. In practice it is possible that information may need to be withheld where foreign countries have legitimate security concerns, where our bilateral relations might be damaged or significantly weakened by disclosure, or where disclosure would harm our own national security. We would also not normally intend to make available personal details of students or training personnel, for reasons of personal privacy, or provide information which might threaten the safety of individuals. Where specific harm could be demonstrated by a contractor to his sales prospects as a result of releasing information on military

assistance, this would be weighed against the public interest in deciding to what extent disclosure should proceed. But the amount of information withheld will be kept to the minimum.

This new practice represents an appropriate balance between the need to ensure that genuine defence and foreign policy interests are protected, and legitimate Parliamentary and public interest in these matters. It will ensure that significantly more information is available than has previously been the case.

I will be writing to those Members who have been given holding responses to questions about the details of our military assistance programmes while the review has been underway, and will place copies of my letters in the Library of the House.

Political Advisers (Support Staff)

Mr. Bercow: To ask the Secretary of State for Defence how many secretarial and support staff work full-time in support of his political advisers in his Department. [25192]

Mr. George Robertson *[holding answer 23 January 1998]:* One.

Overseas Visits

Mr. Bercow: To ask the Secretary of State for Defence how many overseas visits have been made by his Department's political advisers at public expense since 1 May. [25169]

Mr. George Robertson *[holding answer 23 January 1998]:* Four.

Marchwood Military Port

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the future land and accommodation requirements for Marchwood Military Port. [31304]

Mr. Spellar: An assessment of future land and accommodation requirements for Marchwood Military Port will be made once the future forces structures, deployment time frames and sustainment requirements of a deployed force have been agreed as part of ongoing Strategic Defence Review work.

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to dispose of land at Marchwood Military Port. [31305]

Mr. Spellar: There is no current intention to dispose of land at Marchwood Military Port.

Peacekeeping

Mr. Beard: To ask the Secretary of State for Defence if he will make a statement on the rules for the roulement of army, navy and RAF forces in peacekeeping deployments. [31343]

Dr. Reid: There are no hard and fast rules for the roulement of British forces engaged in peacekeeping deployments. We do, however, take very seriously indeed the need to minimise the disruption caused by overseas deployments. In general, we aim, where possible, to rotate personnel engaged in peacekeeping operations at intervals of between two and nine months.

In all cases, consideration of the length of any given deployment reflects the nature of the task, the size of the pool from which the deployed personnel are drawn and the time elapsed since the last deployment (of either the individual or unit). Other factors may, however, cause certain categories of personnel to be rotated more frequently than others. The specialist surgeons, physicians and anaesthetists deployed to Bosnia, for example, are frequently rotated, thereby allowing them to maintain currency in specialist skills that cannot be trained for in theatre. Conversely, where individuals or units with more unique capabilities are deployed, and where their skills cannot easily be replaced in theatre, such personnel may be rotated less frequently than others.

Foreign Service Men and Women

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Defence how many foreign service men and women are currently stationed in *(a)* the United Kingdom and *(b)* Wales. [31368]

Dr. Reid: This information is not held centrally. However, from the records that are available, the information requested is as follows:

United Kingdom: 12,249

Wales: 11.

These figures include overseas personnel on training courses in the UK; United States and other NATO personnel based in the UK; military personnel attached to Embassies and High Commissions; and foreign personnel serving on exchange appointments with our Armed Forces.

Strategic Defence Review

Mr. Clifton-Brown: To ask the Secretary of State for Defence if he will make it his policy to announce the outcome of the Strategic Defence Review before 31 July. [31455]

Mr. George Robertson: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Walsall, South (Mr. George) on 25 November 1997, *Official Report*, columns *499–500.*

Army Legal Services

Mr. Key: To ask the Secretary of State for Defence how many qualified lawyers are employed by Army Legal Services *(a)* in the UK, *(b)* in Germany and *(c)* elsewhere; and if he will make a statement. [31475]

Dr. Reid *[holding answer 26 February 1998]:* There are presently 41 qualified lawyers employed as Army officers in the UK, 15 in Germany and five elsewhere. The establishment is expected to increase over the next year to approximately 70, reflecting an increased workload, consequent upon changes to national and European legislation and a major reorganisation of the Army disciplinary system arising out of the Armed Forces Act 1996.

Iraq

Mr. Corbyn: To ask the Secretary of State for Defence what has been the total deployment of *(a)* Navy, *(b)* RAF and *(c)* Army personnel and equipment around Iraq since the start of the current crisis. [31486]

Mr. George Robertson: Since the start of the current crisis in mid-January, the UK's military presence in the Gulf region has been augmented by some 1,000 RN, 600 RAF and 50 Army personnel as a result of the deployment of HMS Invincible with her complement of RN and RAF Harrier aircraft, the RFA Fort Victoria, and a detachment of Tornado aircraft to Kuwait. Additional support aircraft have also been deployed to Bahrain.

Middle East

Mr. Corbyn: To ask the Secretary of State for Defence what the total additional cost of deployment of service personnel and equipment in the Middle East has been to date. [31487]

Dr. Reid: Up to 24 February 1998, the total additional cost to the MOD of the United Kingdom forces currently deployed in the Gulf amounted to £3.2 million.

Military Personnel

Mr. Corbyn: To ask the Secretary of State for Defence what military personnel on non-NATO duties have been stationed in *(a)* Turkey and *(b)* Iraq in each of the last three years; and if he will make a statement. [31490]

Dr. Reid: Operation Warden, the UK contribution to coalition air patrols at the northern no-fly-zone over Iraq was established in 1991. Since then, there have been, at any one time, an average of 185 UK military personnel based in Turkey supporting the operation. Two military officers are employed in the Defence Section of the British Embassy in Ankara.

Five UK military personnel were based in Zakho in northern Iraq as part of the military coordination committee (which provided a military presence to reassure Kurdish areas of northern Iraq and to liaise with aid agencies in the area) between 1991 and September 1996. One member of the UK armed forces is based in the Baghdad monitoring and verification Centre as part of the UN Special Commission (UNSCOM) aerial inspection team. A number of other UK military personnel have served with UNSCOM on inspection duties for short periods of time.

Conscientious Objection

Mr. Corbyn: To ask the Secretary of State for Defence if he will establish an Advisory Committee on Conscientious Objection for members of the British armed forces; and if he will make a statement. [31675]

Dr. Reid: The Advisory Committee on Conscientious Objectors, which is a Non-Departmental Public Body, was established by administrative action in 1970. It is responsible for advising the Secretary of State for Defence on all claims of conscientious objection to further service made by officers and other ranks of the Armed Forces whose applications for permission to retire, or to resign their commissions, or for discharge, have been refused by the Service authorities.

INTERNATIONAL DEVELOPMENT

Indonesia (Forest Fires)

Mr. Baker: To ask the Secretary of State for International Development what action she has taken to protect indigenous people and the wider environment in the area subject to forest fires in Indonesia. [31682]

Clare Short: Protection from present fires in Indonesia is of course the responsibility of the Indonesian authorities. We are helping pilot improvements to the way forests are managed that will give poor forest-dependent people a greater say, and will be seeking changes to the incentives that encourage forest to be converted to other uses.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for International Development how many works of art she has borrowed for use in her offices; which organisations she has borrowed these works from; what the insurance value is of these works; what guidance she received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31566]

Clare Short: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport today.

Democratic Republic of the Congo

Mr. Timms: To ask the Secretary of State for International Development what estimate she has made of the total official debt owed by the Democratic Republic of the Congo; and what was the amount spent by the Democratic Republic of the Congo and the former Zaire on *(a)* debt service, *(b)* health and *(c)* education, in terms of (i) US dollars, (ii) US dollars per capita, (iii) percentage of GNP and (iv) percentage of government expenditure, in each of the last three years. [31669]

Clare Short: Reliable budgetary statistics are not available. However, the World Bank estimated total outstanding debt in 1996 at US$ 12.8 billion, equivalent to 200% of GNP. It was 36% in arrears. There is little detailed information on public expenditure. The World Bank is mounting a mission next month to tackle this. We hope to provide an expert for the team.

Rwanda

Mr. Timms: To ask the Secretary of State for International Development what estimate she has made of the total official debt owed by Rwanda; and what was the amount spent by Rwanda on *(a)* debt service, *(b)* health and *(c)* education in terms of (i) US dollars, (ii) US dollars per capita, (iii) percentage of GNP and (iv) percentage of government expenditure in each of the last three years. [31670]

Clare Short: Reliable budgetary statistics are not readily available. However, the World Bank estimates total external debt, including arrears at about US$1 billion (84 per cent. of GDP), and the domestic debt including arrears at US$223 million. In 1997, debt service payments accounted for 12 per cent. of the budget. Spending on the

social sectors has increased in recent years, representing 43 per cent. of recurrent expenditure in 1997, compared to 23 per cent. in 1996. In addition, over 50 per cent. of the development budget is allocated to the social sectors.

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for International Development if she will list those visits made within the United Kingdom since 1 May on which *(a)* she and *(b)* other Ministers within her Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23760]

Clare Short: Neither myself or my hon. Friend, the Parliamentary Under-Secretary of State, have been accompanied under Rule 83 of the Ministerial code.

SOCIAL SECURITY

Stroke Victims

Helen Jones: To ask the Secretary of State for Social Security what steps she intends to take to ensure that officers from the Benefits Agency are trained in dealing with stroke victims. [31388]

Mr. Keith Bradley: This is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to to my hon. Friend.

Letter from Peter Mathison to Helen Jones, dated 26 February 1998:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking what steps she intends to take to ensure that officers from the Benefits Agency (BA) are trained in dealing with stroke victims.

The BA aims to ensure that all our customers have equal access to the benefits system, and that wherever possible, our services can accommodate their individual needs. It is our policy to work in partnership with organisations from the voluntary sector to identify areas where improvements could be made and to work together to make the necessary changes.

Each of our managers is responsible for providing training which will help staff to meet the needs of their customers. We actively encourage them to use the expertise and support available from organisations in the voluntary sector. To assist managers, we have provided them with information on the awareness programmes and services available from a range of organisations.

We would be interested to know if stroke victims are experiencing particular difficulties in accessing the services provided and if this is the case we would welcome consultation with their representative organisations to seek ways to address the problem. Please contact the Customer Liaison Team, Room 2E22, Quarry House, Quarry Hill, Leeds LS2 7UA.

I hope you find this reply helpful.

Lone Parents

Mr. Webb: To ask the Secretary of State for Social Security what account was taken of the barriers to employment faced by lone parents with disabled children in receipt of the carer's premium when deciding to abolish the lone parent premium for income support. [31858]

Mr. Keith Bradley: The benefits system recognises that parents who are caring for a disabled child have additional costs. That is why Income Support includes a carer premium and disabled child premium which may be paid in addition to any other premium. The premiums are also available to working lone parents who qualify for Housing Benefit and/or Council Tax Benefit.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for Social Security how many works of art she has borrowed for use in her offices; which organisations she has borrowed these works from; what the insurance value is of these works; what guidance she received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31569]

Mr. Field: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport today.

Income Support (Mortgage Interest)

Mr. Webb: To ask the Secretary of State for Social Security for what reasons the standard interest rate used for income support mortgage interest payments excludes lenders who are not building societies. [31881]

Mr. Keith Bradley: Building societies continue to provide a broad range of products in a very competitive market. The standard rate is based on variable rates of mortgage interest and excludes discounted and fixed rate mortgages which are available to many borrowers.

Correspondence

Mr. Lidington: To ask the Secretary of State for Social Security when her Department expects to reply to the letter dated 20 September 1997, from N. G. Wells of Applegarth, Water End Road, Beacons Bottom, High Wycombe, Buckinghamshire, which was forwarded to her from HM Treasury on 6 October 1997. [31672]

Mr. Denham: A reply was sent on 26 February and will be copied to the hon. Member.

Social Security Expenditure

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to her answer of 24 February 1998, *Official Report*, column *217*, relating to social security expenditure, if she will express the figures in 1996–97 prices using the gross domestic product deflator; and if she will provide figures for the years after 1996–97 for which departmental public expenditure plans exist. [31882]

Mr. Field: The information is set out in the table.

£ million

Year	*Total Social Security (1996–97 prices)*	*Cyclical Social Security (1996–97 prices)*
1978–79	51,072	5,020
1979–80	51,691	4,491
1980–81	52,857	6,049

£ million

Year	Total Social Security (1996–97 prices)	Cyclical Social Security (1996–97 prices)
1981–82	58,838	8,170
1982–83	62,577	9,803
1983–84	66,819	11,059
1984–85	68,916	11,832
1985–86	71,124	12,534
1986–87	74,391	13,083
1987–88	74,077	11,832
1988–89	70,591	9,656
1989–90	70,120	8,397
1990–91	72,476	9,121
1991–92	79,812	12,058
1992–93	86,867	14,143
1993–94	92,327	14,816
1994–95	92,396	14,485
1995–96	94,916	14,292
1996–97	96,716	13,736
1997–98	96,703	13,160
1998–99	97,302	12,918
1999–2000	98,312	12,932

Notes:

1. Figures have been taken from the 1997 Social Security Departmental Report as well as earlier equivalent publications. The figures shown include the cost of administration as well as additional local authority expenditure on Housing, Community Charge and Council Tax Benefits.

2. The figures for 1996–97 are estimates of expenditure in that year. Revised figures for the years 1996–97 to 1998–99 will be included in the 1998 Social Security Departmental Report. Figures for subsequent years will not be included as they are subject to the findings of the Comprehensive Spending Review, the results of which are expected later this year.

SCOTLAND

Scottish Parliament

Mr. Jenkin: To ask the Secretary of State for Scotland what share of the cost of clearing the Holyrood site is to be borne by the purchaser and what share will be met from public funds, with respect to (i) known asbestos hazard and (ii) unforeseen asbestos hazard. [30853]

Mr. McLeish: Asbestos within the existing buildings at Holyrood is stable and safe if it is handled appropriately. It will be removed by Scottish and Newcastle at their expense, or by the main contractor at no extra cost to public funds. The commercial arrangements for dealing with any unforeseen conditions on the site were set out in the reply given by my right hon. Friend to the hon. Member on 17 February 1998, *Official Report*, column *581*.

Funicular Railway, Cairngorm

Mr. Randall: To ask the Secretary of State for Scotland when the baseline survey on areas likely to be affected by the proposed funicular railway on Cairngorm began; and if he will request Scottish Natural Heritage and the Highland Council to publish their results and engage in public consultation prior to its approval. [31230]

Mr. Macdonald: The baseline survey began in September 1997 and will be carried out over a 12 month period. The survey is intended to provide a factual description of the existing condition of an area delineated under the terms of the S50 Agreement involving the Highland Council and the developer. Scottish Natural Heritage and the Highland Council intend to make the survey results publicly available, unless there are good reasons for withholding certain information, for example to safeguard the location of specific nest sites. SNH and the Council will consult over the survey results if they consider it necessary but the information will essentially be factual and uncontentious.

Mr. Randall: To ask the Secretary of State for Scotland if he will list the areas protected by the S.50 agreement relating to the proposed funicular railway on Cairngorm. [31241]

Mr. Macdonald: The agreement to which Scottish Natural Heritage is a party and the associated Visitor Management Plan will provide protection for land around Cairngorm including parts of the Cairngorms Special Protection Area and candidate Special Area of Conservation and the related SSSIs. These areas include woodland, moorland and montane habitats stretching from Loch Morlich to the montane plateau.

Mr. Randall: To ask the Secretary of State for Scotland what meetings *(a)* he and *(b)* his officials have had with officials of the European Commission to discuss (i) the boundaries of the SPA/SAC on Cairngorm and (ii) the proposed funicular railway on Cairngorm. [31237]

Mr. Macdonald: Neither my hon. Friend nor any of his officials have had formal discussions with officials of the European Commission to discuss the boundaries of the Cairngorms SPA or candidate SAC.

The award of ERDF grant to the proposed funicular railway has been discussed by his officials with the Commission officials on many occasions, as is usual for all large projects. The latest discussion took place on 19 January 1998.

Mr. Randall: To ask the Secretary of State for Scotland if he will request *(a)* Highland Council and *(b)* Scottish Natural Heritage to publish the proposed monitoring scheme for the funicular railway on Cairngorm and to consult the public and interested parties prior to its approval. [31245]

Mr. Macdonald: Both the Highland Council and Scottish Natural Heritage have expressed their intention to undertake a public consultation on the proposed monitoring scheme.

Mr. Randall: To ask the Secretary of State for Scotland when he consulted the Chairman of the Cairngorms Partnership on the proposed Cairngorm funicular; and what advice he was given. [31214]

Mr. Macdonald: Consideration of the planning application for the proposed Cairngorm funicular was a matter for the planning authority, the Highland Council, which granted planning approval on 27 March 1997. My right hon. Friend had no reason to consult the Chairman of the Cairngorms Partnership on this subject.

Scottish Executive

Mrs. McKenna: To ask the Secretary of State for Scotland if he will make a statement regarding the non-statutory agreements to be drawn up between departments of the United Kingdom Government and the Scottish Executive. [32205]

Mr. Dewar: The White Paper, "Scotland's Parliament" noted that the Scottish Executive and Departments of the UK Government will need to develop mutual understandings covering the appropriate exchange of information, advance notification and joint working.

The Government have produced guidance for departments setting out the main principles which might govern such non-statutory agreements. Their aim will be to ensure that the business of government in Scotland and at the UK level is conducted smoothly, by setting the ground rules for administrative co-operation and exchange of information. Their purpose is not to create legal obligations or restrictions on any party, or to constrain the discretion of the Scottish Executive, or Parliament, or that of UK Government Departments.

Work on draft concordats will proceed before devolution, but they cannot be agreed until the Scottish Executive is established. The coverage of each agreement would be a matter for the Scottish Executive and the UK Government to agree. Likely common topics include: consultation arrangements in relation to proposals for legislation and executive action; exchange of policy papers, analysis and statistics; participation in working groups and official committees; liaison on EU and international matters; and consultation about UK/GB public bodies.

Copies of the guidance have been placed in the libraries of both Houses of Parliament.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how many works of art he has borrowed for use in his offices and official residence; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31559]

Mr. Dewar: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport today.

FOREIGN AND COMMONWEALTH AFFAIRS

Empty Properties

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs what is his estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) his Department, (ii) his agencies and (iii) other public bodies for which he has responsibility, in (A) 1995–96, (B) 1996–97, (C) 1997–98 to date and (D) 1997–98 full year. [26663]

Mr. Fatchett *[holding answer 5 February 1998]:* The cost to the FCO for empty or under-utilised properties in the UK has been: (A) 1995–96: £178,617; (B) 1996–97: £131,051; (C) 1997–98: £541,500 and (D) 1997–98 full year projection: £770,162. 1997–98 figures include the Old Admiralty Building in Central London which was vacated in November 1997 pending refurbishment beginning this month.

The FCO's Agency Wilton Park, has no empty or under-utilised properties.

In respect of the Overseas Estate and FCO's non-Departmental public bodies, the information requested could be provided only at disproportionate cost.

Conferences

Mr. Malcolm Bruce: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27799]

Mr. Tony Lloyd *[holding answer 5 February 1998]:* This Department has held the following international conferences since 1 May 1997:

24–27 October 1997: Commonwealth Heads of Government Meeting (CHOGM). CHOGM's are held every two years to enable Commonwealth Heads of Government to discuss key issues, and give political direction to the work of the Commonwealth. We were glad to host CHOGM as a demonstration of our commitment to the Commonwealth. The estimated cost is £7,05 million inclusive of VAT.

2–4 December 1997: The London Conference on Nazi Gold. The aim was to pool international information on gold looted by the Nazi's from countries and individuals and what subsequently happened to it. The conference established a sound body of fact which Governments and other decision takers can use as a basis for future actions. The estimated cost is £300,000 inclusive of VAT.

8 January 1998: UK/EU Commissioners Meeting. The purpose was to discuss priorities for the UK Presidency of the European Union. The estimated cost is £76,767 exclusive of VAT.

12–13 February 1998: UK/Caribbean Forum. The Forum achieved its objective, a fresh opportunity for the UK, at an early stage in its EU Presidency, to demonstrate its interest and concern for the problems of the Commonwealth Caribbean. The estimated cost was £150,000 inclusive of VAT.

Libya

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on man-made river projects in Libya; and if he will make a statement. [31358]

Mr. Fatchett: The Great Man Made River (GMMR) is a Libyan Government Project to transport water by pipeline from underground acquifers in the central desert to the coastal areas to provide water for irrigation, industry and domestic consumption.

Mr. Flight: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about the Libyan facility at Tarhuna; and if he will make a statement. [31357]

Mr. Fatchett: We are concerned about recurring media reports of the development of a chemical weapons plant at Tarhuna in Libya. We follow developments closely. We look to Libya to allay suspicions of its involvement with chemical weapons, including by accession to the 1993 Chemical Weapons Convention which came into force in April 1997.

Tibet

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to secure the release of the Panchen Lama, Gedhun Choekyi Nyima; what recent representations he has made to the Chinese authorities on this matter; and if he will make a statement. [31689]

Mr. Fatchett: Nyima's case is one of a list of individual cases raised with Chinese leaders by my right hon. Friend the Foreign Secretary when he visited China in January. Nyima's case was also raised during the latest round of EU/China talks on 24 February. We are concerned about his continued detention.

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to secure compliance with the outstanding UN resolutions in respect of Tibet. [31687]

Mr. Fatchett: We continue to share the concerns about human rights in Tibet which have been the subject of past UN resolutions. We will continue to raise the issue with the Chinese at every opportunity. My right hon. Friend the Foreign Secretary did this most recently when he met Chinese leaders in January.

Sierra Leone

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has undertaken with representatives of the rival groups in Sierra Leone; and if he will make a statement. [31676]

Mr. Tony Lloyd: I refer my hon. Friend to the answer I gave him on 23 February 1998, *Official Report*, column *34*.

It is our view that the legitimate government of President Kabbah should be restored to power in Sierra Leone. We have called for the restoration of the democratically elected President, the establishment of a broadly based government and for all parties to move to a process of disarmament and demobilisation.

I discussed the situation in Sierra Leone with President Kabbah on 20 February 1998. Our Deputy High Commissioner returned on a reconnaissance visit to Freetown on 23 February 1998 and is in contact with various groups in the city. It remains our belief that there is a need for rapid United Nations engagement, which we are discussing with members of the UN Security Council and the Secretariat.

The Commonwealth Ministerial Action group will discuss the situation in Sierra Leone at its meeting on 2–3 March.

Turkey

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what monitoring of Turkey's armed activities in Iraq have been undertaken by FCO officials; and what representations have been made to the government of Turkey. [31489]

Mr. Doug Henderson: We are aware of recent reports of Turkish military activity in northern Iraq. These have however been denied by the Turkish Government and the Kurdistan Democratic Party (KDP). The Patriotic Union of Kurdistan (PUK) have offered no confirmation of these reports.

As for the previous military activity in northern Iraq undertaken by Turkey in October last year, I raised our concerns with the Turkish Foreign Minister in Ankara. I stressed then that Turkey's intervention on behalf of the KDP was at odds with Turkey's role as co-sponsor of the Ankara process of reconciliation.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for Foreign and Commonwealth Affairs how many works of art he has borrowed for use in his offices and official residence; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31563]

Mr. Fatchett: I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State for Culture, Media and Sport today.

EU Presidency

Mr. David Heath: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the estimated cost to the Exchequer of the United Kingdom holding the EU Presidency. [31393]

Mr. Doug Henderson: The information requested is not readily available and could be provided only at disproportionate cost.

However, the current estimated forecast cost to the FCO for the European Council and other FCO-led Presidency events stands at £11.337 million (excluding VAT).

PRIME MINISTER

Official Hospitality

Mr. Garnier: To ask the Prime Minister what is the maximum number of guests that can be accommodated for *(a)* official receptions and *(b)* official lunches or dinners at 10 Downing street in the state reception and dining rooms. [31452]

The Prime Minister: Downing street can accommodate usually no more than 200 people at a general reception, and at most 65 at a lunch or dinner in the State Dining Room.

Works of Art

Ms Roseanna Cunningham: To ask the Prime Minister how many works of art he has borrowed for use in his offices and official residence; which organisations

he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31554]

The Prime Minister: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport today.

TREASURY

Insurance Premium Tax

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer what representations he has received concerning the provision of inadequate *(a)* travel insurance and *(b)* motor vehicle warranties from non-specialist sources since the introduction of higher insurance premium tax. [31113]

Dawn Primarolo *[holding answer 25 February 1998]:* I have received no such representations about motor vehicle warranties. Some travel agents have included within their representations against the higher rate of insurance premium tax concerns about the service provided by non-travel specialist outlets to buyers of travel insurance.

Official Entertainment

Mr. Burns: To ask the Chancellor of the Exchequer (1) if he will make a statement on the number of welfare-to-work receptions he plans to hold at 11 Downing street in 1998, including the dates of the proposed receptions, how much each reception is budgeted to cost, and who will be paying for each reception; [31681]

(2) if he will list the welfare-to-work receptions he has held at 11 Downing street since 1 May 1997, stating the dates of the receptions, how much each reception cost and who paid for each reception. [31680]

Mr. Gordon Brown: I refer the hon. Member to the reply given to the hon. Member for Gordon (Mr. Bruce) on 26 February 1998, *Official Report,* columns *358–59.*

Barn Conversions (VAT)

Mr. Shaw: To ask the Chancellor of the Exchequer if he will estimate the amount of revenue forgone by the Exchequer since barn conversions were zero-rated for VAT. [30972]

Dawn Primarolo: Specific details for barn conversions are not available.

GDP Statistics (Staffordshire)

Ms Walley: To ask the Chancellor of the Exchequer if he will give per capita gross domestic product figures for Staffordshire as a proportion of the EU average in *(a)* 1993, *(b)* 1994 and *(c)* 1995; and if he will make a statement. [31322]

Mrs. Roche: I have been asked to reply.

The latest figures published by Eurostat (the Statistical Office of the European Community) are for 1994, and were published in April 1997. These show that the GDP per head for Staffordshire in 1993 and 1994 was 78 and 77 per cent. respectively of the European Union average. Figures for 1995, together with revisions for earlier years, are expected to be published by Eurostat in March 1998.

PRESIDENT OF THE COUNCIL

Works of Art

Ms Roseanna Cunningham: To ask the President of the Council how many works of art she has borrowed for use in her offices; which organisations she has borrowed these works from; what the insurance value is of these works; what guidance she received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31568]

Mrs. Ann Taylor: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport today.

CULTURE, MEDIA AND SPORT

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for Culture, Media and Sport how many works of art he has borrowed for use in his offices; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31557]

Mr. Chris Smith: I am replying on behalf of all the Ministers to whom the hon. Member has addressed her questions.

A total of 186 works of art have been borrowed since 1 May 1997 from or via the Government Art Collection (GAC) for the offices and official residences of the Ministers named in the hon. Member's questions. The basis on which the GAC has made works of art available is exactly the same as under the previous administration.

Other than the GAC, the following organisations have lent works of art via the GAC:

Arts Council

National Galleries of Scotland

Glasgow Museums and Galleries

Tate Gallery

Henry Moore Foundation

The United Oxford and Cambridge University Clubs; and

one private trust which has asked to remain anonymous.

Under the normal Treasury rules by which the Government bear their own risk, the Government Art Collection does not insure its own works of art, so it has no insurance value for any of these works, or those from national collections. Such works form the vast majority of loans. In general, works on loan from private lenders and from institutions that are not directly Government-funded are covered by the Government Indemnity Scheme.

Formal advice on the selection of works of art is given by the Government Art Collection, and where appropriate from staff and representatives of the other lending organisations.

It is normal practice to make works available for public exhibition on request from organisers of appropriate exhibitions. Since 1 May 1997, from the offices and official residences of the Ministers named in the hon. Member's question, three requests for works to be included in temporary public exhibitions have been received and met, and a further three are scheduled in the near future.

Works in all Government offices are changed as and when circumstances require. A small proportion is changed on a regular scheduled basis.

Correspondence

Mrs. Ewing: To ask the Secretary of State for Culture, Media and Sport what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28066]

Mr. Tom Clarke *[holding answer 10 February 1998]:* My Department's policy is to attempt to reply in the language of the letter received.

Insurance Companies

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport from which insurance companies his Department's library has sought the most recent annual report and accounts in the last year. [31323]

Mr. Chris Smith: The Library keeps full records of requests for information only for two months. During this period the DCMS Library has sought the 1996 annual report and accounts from Benfield Reinsurance.

New Opportunities Fund

Mr. Tyrie: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 23 February 1998, *Official Report*, column *28*, on the new opportunities fund, for what reason the Minister for Arts described the National Lottery Bill [*Lords*] as the statutory authority for the shadow accounts in his oral answer of 16 February 1998, *Official Report*, column 750. [31484]

Mr. Chris Smith *[holding answer 26 February 1998]:* My hon. Friend the Minister for Arts was seeking to explain that the National Lottery Bill, if and when it is passed, will provide statutory authority for the reallocation of funds between the good causes which the shadow accounts prefigure. Neither the distributing bodies nor my Department need any specific statutory authority to maintain those shadow accounts.

Film Commissions

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport which regions of Britain are served by a regional film commission. [31530]

Mr. Chris Smith *[holding answer 26 February 1998]:* In addition to the British Film Commission, there are 24 film commissions serving the whole of the UK.

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what plans he has to provide financial support to the London Film Commission. [31529]

Mr. Chris Smith *[holding answer 26 February 1998]:* I am currently considering this matter with the London Film Commission.

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what representations he has received from the Creative Taskforce and the Film Industry Review Group concerning the future of the London Film Commission. [31528]

Mr. Chris Smith: The Film Policy Review Group considered the position of the UK network of film commissions, including the London Film Commission (LFC), during its deliberations. The review's conclusions will be published on 25 March.

Documents considered by the Creative Industries Taskforce have also noted the role of the LFC within the context of film industry support.

Mr. Maude: To ask the Secretary of State for Culture, Media and Sport what representations he has received regarding the future of the London Film Commission. [31527]

Mr. Chris Smith *[holding answer 26 February 1998]:* I have received representations regarding the future of the London Film Commission (LFC) from Mr. David Potter and Ms Christabel Albery of the LFC, the hon. Member for Surrey, East (Mr. Ainsworth), Mr. Richard Ross, Vice President of Production at Universal Studios, and from the right hon. Member himself.

EDUCATION AND EMPLOYMENT

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for Education and Employment how many works of art he has borrowed for use in his offices; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31562]

Dr. Howells: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport today.

Student Loans

Mr. Don Foster: To ask the Secretary of State for Education and Employment how many students applied for student loans in 1996–97; how many students who

graduated in each year between 1989 and 1997 are in debt to the Student Loans Company; and if he will make a statement. [30843]

Dr. Howells: These are matters for the Student Loans Company. I have asked the Chief Executive to write to the hon. Member with the information requested.

Class Sizes

Mr. Don Foster: To ask the Secretary of State for Education and Employment how many children at Key Stage 1 are in classes of 30 children or more. [31855]

Mr. Byers: 681,092 pupils were in Key Stage 1 classes of 30 or more pupils taught by one teacher in maintained primary schools in England in January 1997.

New Deal

Mr. Webb: To ask the Secretary of State for Education and Employment if it is his intention to continue with the New Deal programme once the revenue from the windfall tax is exhausted. [31857]

Mr. Andrew Smith: Money from the Windfall tax will finance the New Deal for the full Parliament. We will be monitoring and evaluating the New Deal carefully and will take decisions about the future based on evaluation evidence and the availability of resources.

Further Education Funding Council

Mr. Olner: To ask the Secretary of State for Education and Employment when he proposes to undertake a quinquennial review of the Further Education Funding Council for England. [32272]

Dr. Howells: In accordance with the Government's policy of quinquennial reviews of non-departmental public bodies, the Department will conduct a thorough review of the Further Education Funding Council in 1998. The first stage of the review will take the form of a "prior options" study with the following terms of reference:

(i) to review the Further Education Funding Council's functions, and the likely need in future for those functions;

(ii) to consider the powers, terms of reference, constitutional status, membership and activities of the Further Education Funding Council;

(iii) to consider whether some or all of the functions of the Further Education Funding Council can be performed through other means;

(iv) to review the efficiency and effectiveness of the Further Education Funding Council in carrying out its functions.

This study is now underway and I should welcome comments from interested parties. Comments, which may be made public unless respondents specifically request otherwise, should be sent by Tuesday 31 March to: Mr. Adrian Shaw, Divisional Manager Further Education Division, Department for Education and Employment, Room 1.82, Sanctuary Buildings, Great Smith Street, London SW1P 3BT.

Royal Ballet School

Judy Mallaber: To ask the Secretary of State for Education and Employment what actions he is taking regarding the concerns expressed about the standards of pupil welfare at the Royal Ballet School. [32273]

Mr. Byers: We have taken firm steps to deal with those concerns. Richmond upon Thames Social Services Department has reported to me on the findings of its inspection of pupil welfare arrangements at the Royal Ballet School. It has recommended that the School should develop written policies and procedures for implementing equal opportunities and for dealing with complaints and with bullying; improve its pastoral support system and its methods of communicating with parents; review aspects of its approach to ballet teaching and pupil assessment; and enhance staff supervision, support and training. The Government endorse these recommendations. We have asked the School to prepare an action plan to implement these recommendations within a specified timescale, and the Social Services Department to monitor progress and undertake a follow-up inspection in the Autumn. We are also inviting OFSTED to undertake a full inspection of other aspects of the School's working during 1998–99.

WALES

Teachers

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many teachers who left the teaching profession in Wales last year, by education authority, did so on grounds of stress and ill health. [31367]

Mr. Hain: The following table shows the latest available data on the number of teacher retirements due to ill-health. Details of stress-related retirements are not held centrally:

Number of teacher retirements due to ill-health 1996/97[1]

LEA[2]	*Maintained Schools*[3]	*Other*[4]
Clwyd	21	1
Dyfed	25	2
Gwent	16	2
Gwynedd (Pre LGR)	9	4
Mid Glamorgan	28	4
Powys	8	1
South Glamorgan	5	3
West Glamorgan	10	2
Anglesey	8	0
Gwynedd (Post LGR)	11	2
Conwy	5	2
Denbighshire	8	0
Flintshire	4	1
Wrexham	8	1
Powys	8	0
Ceredigion	22	1
Pembrokeshire	9	0
Carmarthenshire	17	2

Number of teacher retirements due to ill-health 1996/97[1]

LEA[2]	*Maintained Schools*[3]	*Other*[4]
Swansea	35	1
Neath & Port Talbot	17	4
Bridgend	16	1
Vale of Glamorgan	11	0
Rhondda, Cynon, Taff	38	2
Merthyr Tydfil	10	0
Caerphilly	21	0
Blaenau Gwent	3	0
Torfaen	5	0
Monmouthshire	7	3
Newport	18	0
Cardiff	22	1
Wales	425	40

[1] Source: Teacher Pensions Agency's Database of Teacher Records

[2] The LEA given is the last known employer. Those included under the old LEAs are teachers who discontinued teaching prior to local government reform but did not take official retirement until 1996/97.

[3] Includes maintained nursery, primary, secondary and special schools.

[4] Includes further and higher education and some independent schools.

Welsh Assembly

Mr. Gareth Thomas: To ask the Secretary of State for Wales if he will make a statement regarding the concordats to be drawn up between departments of the United Kingdom Government and the National Assembly for Wales. [32534]

Mr. Ron Davies: The White Paper "A Voice for Wales" noted that the Assembly would need to work in close partnership with those Whitehall departments responsible for developing policies or preparing secondary legislation for England, on matters which in Wales, would be the responsibility of the Assembly. It also noted that the Assembly's officials and their Whitehall counterparts would need to consult each other on a range of issues; the basis of the consultations would be set out in concordats.

The Government have produced guidance setting out the principles which might govern the concordats. Copies of the guidance have been placed in the Libraries of both Houses of Parliament.

Sea Empress

Mr. Gareth Thomas: To ask the Secretary of State for Wales when he expects to respond to the Report of the 'Sea Empress' Environmental Evaluation Committee. [32533]

Mr. Ron Davies: I welcome the Report, copies of which have been placed in the Library of the House. I am grateful to the Committee, under the Chairmanship of Professor Ron Edwards, for their work. I would welcome comments on the recommendations by the end of March and hope to be able to respond to the Report in May.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for Wales how many works of art he has borrowed for use in his offices; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31565]

Mr. Ron Davies: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport today. In addition, there are four works of art from the National Museums and Galleries of Wales in my office in Cardiff.

ATTORNEY-GENERAL

Conferences

Mr. Gordon Prentice: To ask the Attorney-General how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31182]

The Attorney-General: Figures are not kept centrally but from an examination of records in Treasury Solicitor's Department and in my own Department the position for 1997 would appear to be as follows:

Treasury Solicitor's Department

During 1997 the Treasury Solicitor's Department sent 22 delegates to a variety of seminars and conferences all of which were in the United Kingdom. Two delegates (9 per cent.) made oral contributions. No written contributions were made.

Legal Secretariat to the Law Officers

During 1997 officials in my own Department attended three conferences. One of these was in the UK and two were overseas accompanying myself. No oral or written contributions were made by the officials.

In relation to the prosecuting Departments the information could be obtained only at disproportionate cost.

Iraq

Mr. Alan Simpson: To ask the Attorney-General what advice he has issued to the Government on the legality of an attack by the United Kingdom on Iraq under existing United Nations resolutions. [31228]

The Attorney-General: There is a long-standing convention, followed by successive Law Officers, that neither the substance of the Law Officers' advice, nor the fact they have been consulted, is disclosed outside Government. I see no reason for departure from that convention on this occasion.

LORD CHANCELLOR'S DEPARTMENT

Computer Systems

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list by computer system, the contractors employed by *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility, for work on major computer systems commissioned between (i) 1993–94 and (ii) 1997–98. [31856]

Mr. Hoon: The major computer systems commissioned by the Department, its agencies and non-departmental bodies between 1993–94 and 1997–98 and the main contractors employed on their development are shown in the following table:

Organisation	*Major systems commissioned 1993–94 to 1997–98*	*Main contractors*
Lord Chancellor's Department Headquarters	NEXUS Office Automation System	Headquarters staff specified and purchased software and hardware with assistance from a number of contractors.
Court Service	CCBC County Court Processing System	Digital Equipment Co. Ltd; Hoskyns Group plc (CAP GEMINI); Myriad Computer Services Ltd.
	BACCHUS Case Management System	Admiral Computing Ltd.
	MIDAS Management Information and Accounting System	Digital Equipment Co. Ltd; Grasshopper Computers Ltd.
	MANIFEST Accommodation Management System	Digital Equipment Co. Ltd; Information Initiatives Ltd; CSS Trident
	SOAP Office Automation System	Court Service staff specified and purchased software and hardware with assistance from a number of contractors.
Public Trust Office	REACS Receivership Accounting System	Miles 33 plc.
	AAS Accruals Accounting System	K2 Ltd.
	Management Information System	Intellect Ltd. (software) Siemens Nixdorf (hardware)
	OASIS Office Automation System	Public Trust Office staff specified and purchased software and hardware with assistance from a number of contractors.
Public Record Office	Records Information System	Logica
	Internal Communications Network	PRO staff specified and purchased software and hardware. Minimal use of contractors.
Northern Ireland Court Service	Belfast and Newtownabbey Magistrates Court System	ICL
	Court Funds Office System	ICS Computing Ltd.
	Chancery Division System	Vision
	Fee Collection System	ICL
	Resource Accounting System	Siemens Nixdorf
	Central Office System	ICL
	Fixed Penalty System	MDIS
	Personnel & Payroll System	Cyborg Systems
	PHOENIX Legal Aid Department System	ICL
Legal Aid Board	Corporate Information System	Designed and developed in-house using a combination of permanent staff and a range of individual computer specialists.

HEALTH

Care of the Elderly

Mr. McDonnell: To ask the Secretary of State for Health how many residential homes caring for the elderly there are in each London borough. [31217]

Mr. Boateng: The information requested is published in "Community Care statistics Residential personal social services for adults Detailed statistics", copies of which are in the Library. Tables L4 and L8 of the latest volume, as at March 1997, cover homes primarily for elderly and elderly mentally ill clients. Some homes primarily for other client groups may also accommodate a minority of elderly clients.

Ambulance Service

Mr. Gibb: To ask the Secretary of State for Health (1) how many volunteer drivers for the Ambulance Service receive expenses which exceed the national average wage; [31354]

(2) how many volunteer drivers in the Ambulance Service work more than 30 hours per week. [31355]

Mr. Boateng: Volunteer drivers are used by the ambulance service as a means of transporting non-emergency patients. They are paid by the mile and ambulance services do not keep records of hours worked. The amounts earned are not collected by the Department but it is likely that the vast majority receive expenses amounting to less than the national average wage.

Xenotransplantation

Mr. Baker: To ask the Secretary of State for Health what criteria will be applied to determine whether the disease transmission risks associated with xenotransplantation are of a magnitude to rule out the commencement of clinical trials. [31686]

Mr. Boateng: The rapid rate of progress in the scientific knowledge surrounding xenotransplantation is such that any set criteria used to determine disease transmission risks would quickly become outdated. Nevertheless, the safety of the individuals concerned and of the public in general must be foremost in the consideration of any proposal to undertake a xenotransplantation procedure. Our position remains that clinical trials in xenotransplantation involving humans will be allowed to take place only when we are fully satisfied that the risks associated with such procedures are acceptable, taking account of all the available evidence at the time.

We are advised by the United Kingdom Xenotransplantation Interim Regulatory Authority (UKXIRA) on these issues and on the acceptability of applications to undertake clinical trials in xenotransplantation involving humans. Any application will be assessed on its own merits and will be expected to include a full assessment of the microbiological risk of the proposed procedure. The UKXIRA will be assisted in its deliberations by independent assessors who will offer expert advice in all the relevant fields. The Advisory Committee on Dangerous Pathogens has agreed to set up a subgroup to look at the risks of various types of xenotransplant and will be a further source of advice to the UKXIRA.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for Health how many works of art he has borrowed for use in his offices; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31564]

Ms Jowell: I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport today.

NHS Trust Boards

Mr. Simon Hughes: To ask the Secretary of State for Health if he will state *(a)* for each NHS trust and *(b)* nationally, of the nominations received from hon. Members and local authorities for non-executive positions on NHS trust boards, the numbers who are members of the (i) Labour, (ii) Conservative and (iii) Liberal Democrat parties. [31851]

Mr. Milburn: Information is not collected on the party membership of nominees or of those subsequently appointed to trust boards.

Eye Examinations

Mr. Jenkin: To ask the Secretary of State for Health what plans he has to review the availability of domiciliary eye examinations in special schools for children with learning difficulties; and if he will make a statement. [31774]

Mr. Boateng: There are no plans specifically to review the availability of domiciliary eye examinations for children at special schools. We are reviewing the domiciliary sight test scheme which, because it provides for visits to patients only at their place of residence, does not cover children at non-residential schools.

CABINET OFFICE

Official Transport

Mr. Baker: To ask the Minister without Portfolio how many engagements he undertook in January which required official transport. [31778]

Mr. Mandelson: I have meetings with ministerial colleagues and others which require official transport in London on most working days.

DUCHY OF LANCASTER

Freemasons

Mr. Steinberg: To ask the Chancellor of the Duchy of Lancaster if he will extend the proposed registration of Freemasons into all areas of public life. [31013]

Dr. David Clark: Many public sector organisations have adopted codes of conduct which make provisions for the disclosure of private interests of their members and staff. Such codes reflect the specific circumstances of individual organisations, and seek to balance the privacy of individuals and the interests of the public. The main provisions are as follows:

Civil Servants. The conduct rules for civil servants require staff to disclose any interests, including membership of the freemasons, which conflict with their official duties. Civil servants in the Crown Prosecution Service will be covered by the arrangements proposed by the Home Secretary for the criminal justice system.

Executive non-departmental public bodies. Codes of conduct for staff and board members are mandatory and should include rules for publicly declaring potential conflicts of interest.

NHS Bodies. Codes of accountability for NHS Boards contain rules on publicly declaring conflicts of interest which arise in the course of conducting NHS business.

TECs and LECs. Codes of practice, employee handbooks, and guides for directors contain guidance relating to handling of potential conflicts of interest.

Further and higher education institutions. Governing bodies have issued guidance on declaring potential conflicts of interest.

The existing national code of local government conduct makes provision for the handling of non-pecuniary interests of local councillors. My right hon. Friend the Secretary of State for the Environment, Transport and the Regions, has also been considering with the Local Government Association and other interested bodies how best to develop a new ethical framework designed to ensure the highest standards of conduct by all those involved in local government. He intends to publish his proposals in the next month, and revisions will be considered in the light of these.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Aviation

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions if he will commission independent research into the economic value in terms of regional regeneration of the aviation industry to the United Kingdom. [29929]

Ms Glenda Jackson: The need for research to evaluate the potential contribution from the development of regional airports to the regeneration of the regional economy which they serve is being addressed as part of the preparations for the Integrated Transport White Paper.

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions if, following the consultation exercise on integrated transport policy, he will develop a long-term national aviation strategy for inclusion in the Transport White Paper. [29932]

Ms Glenda Jackson: The Integrated Transport White Paper to be published later this year will establish an overall framework of integrated transport policies within which policy relevant to specific modes, including aviation, can be developed subsequently.

Air Misses

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the answer of 21 January 1998, *Official Report*, column *549*, on air misses, how many air misses took place in the United Kingdom in each of the last 10 years in categories (i) A (real risk of collision), (ii) B (possible risk of collision) and (iii) C (slight risk of collision). [30418]

Ms Glenda Jackson: The Civil Aviation Authority (CAA) has supplied the following breakdown of Air Proximity (Airprox) incidents in UK airspace in each of the last 10 years for which figures are available. The figures include both civil and military incidents. The totals differ from those provided in the *Official Report*, 21 January 1998, column *549*, because the latter, which were taken from the CAA Annual Report and Accounts 1996–97 page 71, excluded military incidents. The definitions of categories have been adjusted to reflect the formal definitions used in Airprox reports. I have arranged for a copy of Aircraft Proximity Reports (Airprox C) Volume Twelve to be placed in the Library.

	Category A		*Category B*		*Category C*	
Year	*Airprox P*	*Airprox C*	*Airprox P*	*Airprox C*	*Airprox P*	*Airprox C*
1987	20	—	58	—	113	—
1988	33	—	59	—	120	—
1989	30	—	55	—	118	—
1990	25	—	51	—	119	—
1991	21	1	53	18	68	49
1992	22	4	39	13	95	46
1993	12	3	66	13	89	34
1994	12	3	51	11	91	44
1995	16	1	40	17	95	38
1996	30	7	36	22	74	42

Notes:

1. Airprox (P)—reported by pilots—and Airprox (C)—reported by air traffic controllers—are categorised as A (Risk of collision); B (Safety not assured); and C (No risk of collision).
2. Airprox (C) data are only available from 1991.
3. Copies of the 4-monthly "Analysis of Airprox (P) in the UK" are placed in the Library of the House.

Regional Airports

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library all responses to his Department's consultation on international access to regional airports. [30310]

Ms Glenda Jackson *[holding answer 19 February 1998]:* No. In conducting the consultation exercise the Department made it clear to those organisations consulted that their responses would be treated on a commercially confidential basis. To place those responses in the House Library would breach that undertaking.

Mr. Stringer: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a list of *(a)* airlines and *(b)* other organisations which have been consulted by his Department for their views on international access to regional airports. [30309]

Ms Glenda Jackson *[holding answer 19 February 1998]:* The following airlines and organisations were included in the consultation exercise, on the basis that they either operated to, or in the case of airports had regular services to, international destinations beyond the European Economic Area:

Airtours International Limited
Air 2000 Limited
Air UK Limited (now KLM UK)
Birmingham International Airport Limited
Britannia Airways Limited
British Airports Authority plc
British Airways plc
British Mediterranean Airways Limited
British Midland Airways Limited
Caledonian Airways Limited
Civil Aviation Authority
Easyjet Limited
GB Airways Limited
Manchester Airport plc
Monarch Airlines Limited
Virgin Atlantic Airways Limited.

Travellers

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the cost to local authorities of cleaning up areas which have been temporarily inhabited by travellers. [31049]

Mr. Raynsford: The cost to local authorities of cleaning up traveller sites is not collected centrally.

My Department provides guidance to local authorities in Circular no. 18/94 "Gypsy Sites Policy and Unauthorised Camping" advising that they should consider providing emergency stopping places for gipsies who visit their area regularly. The provision of such sites, perhaps with basic sanitary and refuse collection facilities, may deter gipsies from camping on more unsuitable public and private land.

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the current number of travellers in the North West Region. [31053]

Mr. Raynsford: My Department publishes a biannual count of caravans occupied by gipsies (defined in law as "persons of nomadic habit of life, whatever their race or origin"). The latest available figures show a total of 1,188 gipsy caravans in the North West on 16 July 1997. Of these, 395 vans were on authorised council sites; 448 were on authorised privately owned sites; and 345 were on unauthorised sites. My Department does not hold details about the numbers of gipsies, or other travellers, themselves.

Greater London Authority

Mr. Randall: To ask the Secretary of State for the Environment, Transport and the Regions if he will list, by Government department, each quango and department committee to be subsumed by the proposed Greater London Authority and in each case their budgets for 1996–97. [31457]

Mr. Raynsford: We will set out our proposals for the Greater London Authority in a White Paper to be published in the week beginning 23 March.

Housing Provision

Mr. Gummer: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his oral statement of 23 February 1998, *Official Report*, columns 21–25, if he will set out the range of percentage reductions in housing provision allocation which he would be prepared to uphold. [31483]

Mr. Caborn *[holding answer 26 February 1998]:* Each case will need to be assessed on its merits, including especially the arguments put forward by the regional planning conference and taking into account national policies. Our policy document "Planning for the Communities of the Future" describes our proposals for the treatment of this issue and the recently published consultation paper on improving regional planning guidance describes improvements to the process.

Environmental Appraisal

Mr. David Heath: To ask the Secretary of State for the Environment, Transport and the Regions what advice his Department has given to other departments about improving the environmental appraisal of their policies. [31394]

Mr. Meacher: At their first meeting following the Election, on 31 July 1997, Green Ministers committed themselves to ensure that environmental issues were considered in the development of all Government policies. They also agreed that the Department of the Environment, Transport and the Regions (DETR) should produce new guidance to help Government Departments improve the environmental appraisal of their policies.

Details of current and proposed guidance by DETR to Government Departments on environmental appraisal are set out in the answer which I gave to the hon. Member for Truro and St. Austell (Mr. Taylor) on 16 February 1998, *Official Report*, column *460*.

Right to Roam

Mr. Jack: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the reasons for giving the Ramblers Association and the Country Landowners Association, on 24 February, copies of the Consultation Document on the Right to Roam before it was available to hon. Members in the Vote Office. [31849]

Mr. Meacher: I refer the right hon. Member to the statement I made in response to a question by the hon. Member for South Suffolk (Mr. Yeo) on 25 February 1998, *Official Report*, column 369.

Local Government Finance (Essex)

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what is the projected total revenue support grant for Essex as a percentage of the projected total standard spending assessment for Essex for the year 1998–99 and for each of the preceding five years. [31775]

Mr. Raynsford: The information for Essex County Council is:

Year	RSG £ million	SSA £ million	RSG as a percentage of SSA
1993–94	386.223	936.163	41.3
1994–95	442.710	987.652	44.8
1995–96	395.253	923.590	42.8
1996–97	388.509	967.944	40.1
1997–98	406.350	985.682	41.2
1998–99	330.056	836.353	39.6

For 1998–99 Essex County Council will be reorganised so figures are not directly comparable with earlier years. The figures are not adjusted to take account of varying local authority functions over the period.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what is the projected total education standard spending assessment for Essex as a percentage of projected total SSA for Essex for the year 1998–99 and for each of the preceding five years. [31776]

Mr. Raynsford: The education standard spending assessment as a proportion of the total standard spending assessment for Essex County Council for 1998–99 and each of the preceding five years is shown in the table. For 1998–99 Essex County Council will be reorganised so figures are not directly comparable with earlier years. The figures are not adjusted to take account of varying local authority functions over the period.

Year	Education SSA as a percentage of total SSA
1998–99	59.4
1997–98	58.0
1996–97	58.6
1995–96	58.5
1994–95	55.5
1993–94	56.7

Local Government Finance (Buckinghamshire)

Mr. Lidington: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for (i) Buckinghamshire County Council, (ii) Milton Keynes Borough Council, (iii) Aylesbury Vale District Council, (iv) Chiltern District Council, (v) South Buckinghamshire District Council and (vi) Wycombe District Council and for each major service block within each council *(a)* the standard spending assessment for 1997–98, *(b)* the SSA for 1998–99 and *(c)* the notional SSA for 1998–99 calculated on the basis of the 1997–98 SSA formula, but using the 1998–99 SSA control totals; and if he will express these figures in each case as (1) cash totals and (2) SSA per head of population in the relevant local authority area. [31671]

Mr. Raynsford: Tables showing these figures have been placed in the House of Commons Library.

Airport Noise

Ann Keen: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to issue a consultation paper on night restrictions at Heathrow, Gatwick and Stansted; when he intends to publish the results on night noise contours; and if he intends to undertake further research into sleep disturbance. [32604]

Ms Glenda Jackson: I am publishing today a consultation paper on the night restrictions for Heathrow, Gatwick and Stansted Airports. We want the consultation to be as open and accessible as possible; therefore this will be a two stage process. This preliminary consultation to seek views on all aspects of the regime is the first stage. When we have considered the responses to this consultation, we will make detailed proposals for the next regime. There will then be another consultation on these proposals before a decision is made.

We believe this two stage process will help us formulate proposals to find the right balance between environmental and economic interests. Because of the need to allow time for consultees, especially representative bodies, to make their responses, this will delay the introduction of the next night restrictions regime beyond October 1998. For winter 1998–99, the movements limits and noise quotas for the three airports will be the same as they are for winter 1997–98. For summer 1999, we are inviting comments on our intention that the movements limits and noise quotas will be the same as those for summer 1998, In the light of those comments we shall then give further consideration to the movements limits and noise quotas for summer 1999. The hours of the restrictions, the system for classifying aircraft and other aspects of the regime will remain as they are at present until the new regime is introduced.

A report on night noise contours is being published today. Its main conclusion is that there is not enough research evidence at present to underpin scientifically robust night contours relating noise to annoyance. One major area that the report identifies for further investigation is the effect of sleep disturbance at the beginning and end of the night, in particular, the significance of sleep disturbance in determining annoyance. I am therefore announcing today a research trial on sleep disturbance. Its aim will be to assess methodology and analytical techniques, to determine whether to proceed to a full scale study of either sleep prevention or total sleep loss.

Copies of the consultation paper and of the report on night noise contours will be placed in the House Library. The closing date for responses to the consultation paper is 29 May 1998.

Recycling

Mr. Singh: To ask the Secretary of State for the Environment, Transport and the Regions when he will be publishing the revised guidance to local authorities on the preparation and revision of recycling plans. [32605]

Mr. Meacher: My hon. Friend the Member for Bridgend (Mr. Griffiths), the Parliamentary Under-Secretary of State for Wales, will be launching the revised guidance in Cardiff on Monday 2 March. Copies will be sent to all waste collection authorities later that week and copies will also be placed in the Library of the House.

In addition, I am directing all waste collection authorities in England to investigate if their present plans need updating. Where an authority identifies the need to revise its plan, I hope that the revised plan can be in place by the end of the year.

The Government are keen for local authorities to make every effort to achieve the target of recovering value from 40 per cent. of municipal waste by 2005. While many authorities have developed advanced and successful systems, others have yet fully to consider the need for, and the potential benefits of, recycling.

This Department and the Welsh Office received 81 responses to the consultation on the report of the Review Group on the Local Authority Role in Recycling. A list of responses received has been placed in the Library of the House copies of individual responses may be obtained through my Department's Library.

Traffic and Parking (London)

Ms Hodge: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to issue new traffic management and parking guidance for London. [32297]

Ms Glenda Jackson: We have today published new Traffic Management and Parking Guidance for the London local authorities, the Traffic Director for London and the Highways Agency. Copies have been placed in the Library. The new Guidance establishes the framework for traffic management measures and parking controls across London and aims to make them serve a wider set of environmental, social and economic priorities, and to encourage greater use of alternatives to the car.

In particular, the Guidance includes new aims for red routes and parking control initiatives both of which seek to encourage a shift from the use of the car for personal travel to public transport, walking or cycling; and to traffic management programmes which reduce accidents, congestion, pollution and car dependency.

This new approach heralds a shift away from preoccupation with vehicles and instead places the emphasis on moving people and goods. The guidance gives greater priority to the needs of buses, pedestrians, cyclists and people with disabilities in traffic management and parking.

TRADE AND INDUSTRY

Winter Fuel Payments

Mr. Alan Simpson: To ask the President of the Board of Trade, pursuant to her answer of 12 December 1997, *Official Report*, column *730*, what estimates she has made regarding the proportion of pensioners who will use the extra finance allocated in the Chancellor's pre-Budget statement to reduce existing fuel bills. [22366]

Mr. Battle: The extra money is being given by my right hon. Friend the Chancellor, with the intention that it will help pensioners with their winter fuel bills. Pensioners themselves will choose whether to use the money to finance extra energy consumption or to help pay existing bills.

Millennium Compliance

Mr. Redwood: To ask the President of the Board of Trade what is the cost of the Millennium Hotline. [26389]

Mrs. Beckett *[holding answer 30 January 1998]:* I understand from Action 2000 that the Hotline is run on a fully commercial basis by a specialist contractor selected through competition. The cost was negotiated and reflects the normal market rate for the service offered. The contract is due for review at the end of March 1998.

Coal Miners (Compensation)

Mr. Boswell: To ask the President of the Board of Trade what estimate she has made of additional compensation to coalminers in the light of the recent legal judgment on respiratory disease; and if this can be accommodated within planned totals for departmental spending. [26183]

Mr. Battle *[holding answer 29 January 1998]:* The Government are seeking urgent advice from experts on the implications of the judgment and how best to take matters forward. It is too early to say what the total cost of compensation is likely to be, as there is no way of knowing how many claims might be received and for what conditions. The DTI, in conjunction with the plaintiffs' solicitors, is currently devising arrangements to allow relevant claims to be processed systematically and valid claims to be settled as soon as is practicable.

Wave Power

Ms Wa[illegible]: To ask the President of the Board of Trade what plans she has to extend non-fossil fuel obligation support to wave power in the United Kingdom; and if she will make a statement. [27118]

Mr. Battle: My review of new and renewable energy policy will review the current status of all new and renewable energy technologies to assess their potential to contribute towards meeting our future energy needs and environmental objectives. Scotland may offer particular opportunities for wave energy. Accordingly, in his announcement of proposals for the third Scottish Renewables Order (SRO-3), the Minister for Education and Industry, Scottish Office indicated that he may make limited capacity available for wave power subject to the price and quality of the bids submitted.

Condensing Gas Boilers

Mr. Alan W. Williams: To ask the President of the Board of Trade how many condensing gas boilers were fitted in houses in the UK *(a)* in 1980, *(b)* in 1990 and *(c)* at the latest available date. [28974]

Mr. Battle: There are no official figures on the installation of domestic gas condensing boilers. However estimates by the Energy Saving Trust show that no such boiler were installed in 1980, between 3,000 and 5,000 were installed in 1990, and approximately 35,000 were installed in 1997.

Exports (Middle East)

Mr. Gordon Prentice: To ask the President of the Board of Trade if she will commission research into

the amount paid in commissions by United Kingdom industry and commerce to secure contracts in the Middle East. [27489]

Mrs. Roche: I have no plans to undertake research into commissions paid by UK industry in respect of commercial transactions.

Mr. Gordon Prentice: To ask the President of the Board of Trade what guidance she gives to exporters concerning the payment of commissions to secure contracts in the Middle East. [27488]

Mrs. Roche: The payment of commissions is a commercial matter. Overseas Trade Services provides information on business laws, regulations and practices in overseas markets.

Arms Sales

Dr. Tonge: To ask the President of the Board of Trade if she will list the arms for which licences for export to *(a)* Morocco, *(b)* Somalia, *(c)* Western Sahara, *(d)* Uganda, *(e)* Mozambique, *(f)* Zimbabwe, *(g)* Zambia, *(h)* Botswana, *(i)* Nambia and *(j)* Liberia have been granted since 1 May 1997. [28000]

Mrs. Roche: The Export Control Organisation's databases have been interrogated and the results are as follows.

Between 2 May 1997 and 12 January 1998, 60 standard individual licences and 5 Open Individual Export Licences were issued to export goods controlled under entries in Part III of Schedule I to the Export of Goods (Control) Order (the so-called "Military List") to end-users in the specified countries.

The entry in the legislation under which the export of goods is controlled is known as their rating. Individual export licences can cover a range of countries as well as a range of goods, controlled under several entries in the legislation. Where this is so the licence is included in the Table in the total shown against each of the relevant countries and ratings.

Standard individual export licences issued between 2 May 1997 and 12 January 1998 covering goods on the Military List

	Number of licences covering goods with this rating						
Country	*ML1*	*ML2*	*ML3*	*ML4*	*ML5*	*ML6*	*ML10*
Morocco	6	2	0	0	0	0	1
Somalia	0	0	0	0	0	0	0
Uganda	1	0	0	0	0	0	0
Mozambique	0	0	0	0	0	1	0
Zimbabwe	9	1	2	1	3	3	7
Zambia	4	1	3	0	0	0	0
Botswana	1	3	2	2	2	0	0
Namibia	0	0	0	0	0	1	0
Liberia	0	0	0	0	0	0	0

	Number of licences covering goods with this rating			
Country	*ML11*	*ML15*	*ML18*	*ML22*
Morocco	2	0	1	1
Somalia	0	0	0	0
Uganda	0	0	0	0
Mozambique	0	0	0	0
Zimbabwe	2	1	0	0
Zambia	0	0	0	0
Botswana	0	0	0	0
Namibia	3	0	0	0
Liberia	0	0	0	0

Open individual export licences (OIELs) issued between 2 May 1997 and 12 January 1998 covering goods on the Military List

	Number of licences covering goods with this rating			
Country	*ML1*	*ML5*	*ML10*	*ML11*
Morocco	0	0	0	0
Somalia	0	0	0	0
Uganda	0	0	0	0
Mozambique	0	0	0	0
Zimbabwe	0	0	1	1
Zambia	1	1	0	0
Botswana	0	1	1	1
Namibia	0	0	0	1
Liberia	0	0	0	0

In addition, one Media OIEL was issued during the period. Media OIELs are Open Individual Export Licences that authorise the export to any destination of protective clothing for the protection of aid agency workers and journalists when working in areas of conflict.

This information should be considered in light of my answer to my hon. Friend the Member for Don Valley (Caroline Flint), 30 October 1997, *Official Report*, columns *870–71*.

The Western Sahara is a territory, not an internationally recognised country. Ownership is disputed between Morocco and the Polisario Front. The UN plans to hold a referendum for the inhabitants of the territory to choose between independence and integration with Morocco later this year.

Ann Clwyd: To ask the President of the Board of Trade if she will list the arms for which export licences have been granted since 1 May 1997 to *(a)* Saudi Arabia, *(b)* Yemen, *(c)* Oman, *(d)* United Arab Emirates, *(e)* Qatar, *(f)* Bahrain and *(g)* Kuwait. [28630]

Mrs. Roche: The Export Control Organisation's databases have been interrogated and the results are as follows.

Between 2 May 1997 and 12 January 1998, 329 standard individual licences and 10 Open Individual Export Licences were issued to export goods controlled under entries in Part III of Schedule 1 to the Export of Goods (Control) Order (the so-called "Military List") to end users in the specified countries.

The entry in the legislation under which the export of goods is controlled is known as their rating. Individual export licences can cover a range of countries as well as a range of goods, controlled under several entries in the legislation. Where this is so the licence is included in the Table in the total shown against each of the relevant countries and ratings.

Standard individual export licences issued between 2 May 1997 and 12 January 1998 covering goods on the Military List

	Saudi Arabia	Yemen	Oman	United Arab Emirates	Qatar	Bahrain	Kuwait
Number of licences covering goods with this rating							
ML1	2	0	20	28	6	6	5
ML2	1	0	4	10	8	0	5
ML3	0	0	8	15	7	1	5
ML4	3	0	6	11	6	1	3
ML5	1	0	6	7	1	1	3
ML6	3	0	0	6	8	1	2
ML7	0	0	0	1	1	0	4
ML8	0	0	0	1	0	0	1
ML9	3	1	1	2	0	0	1
ML10	2	0	9	32	6	0	0
ML11	13	1	14	12	8	2	12
ML13	0	0	0	0	0	1	0
ML14	1	0	3	4	1	0	2
ML15	1	0	3	4	1	0	4
ML16	0	0	0	1	0	0	0
ML18	2	0	2	2	1	0	0
ML21	2	0	1	1	0	0	0
ML22	0	0	0	0	0	0	3
PL5001	0	0	0	2	0	0	0
PL5002	0	0	0	1	0	0	1
PL5006	1	0	2	2	3	0	2
PL5017	1	0	0	1	3	0	5
PL5018	0	0	0	4	3	0	0
PL5021	0	0	0	3	1	0	0

Open individual export licences issued between 2 May 1997 and 12 January 1998 covering goods on the Military List

	Saudi Arabia	Yemen	Oman	United Arab Emirates	Qatar	Bahrain	Kuwait
Number of licences covering goods with this rating							
ML4	0	0	0	1	0	0	0
ML5	0	0	2	1	0	0	1
ML9	1	0	1	2	0	0	1
ML10	2	0	1	2	0	0	1
ML11	1	0	1	0	0	0	1
ML14	0	0	1	0	0	0	0
ML15	1	0	0	0	0	0	0

In addition, one Media OIEL was issued during the period. Media OIELs are Open Individual Export Licences that authorise the export to any destination of protective clothing for the protection of aid agency workers and journalists working in areas of conflict.

This information should be considered in light of my answer to my hon. Friend the Member for Don Valley (Caroline Flint) of 30 October 1997, *Official Report*, columns *870–71*.

Ms Oona King: To ask the President of the Board of Trade if she will list the arms for which licences for exports to *(a)* Armenia, *(b)* Azerbaijan, *(c)* Macedonia, *(d)* Croatia, *(e)* Serbia, *(f)* Estonia, *(g)* Tajikistan, *(h)* Turkmenistan, *(i)* Uzbekistan, *(j)* Kazakhstan and *(k)* Kyrgyzstan have been granted since 1 May 1997. [28802]

Mrs. Roche: The Export Control Organisation's databases have been interrogated and the results are as follows.

The entry in the legislation under which the export of goods is controlled is known as their rating. Between 2 May 1997 and 12 January 1998, 2 standard individual licences were issued for the export of goods controlled under entries in Part III of Schedule 1 to the Export of Goods (Control) Order (the so-called "Military List") to end users or consignees in the specified countries. One of these covered goods with a rating of ML1 and the destination was Estonia; the other covered goods with a rating of ML8 and the destination was Azerbaijan.

In the same period, one "Media" Open Individual Export Licence was issued authorising the export of protective clothing, mainly for the protection of aid agency workers and journalists when working in areas of conflict. No other Open Individual Export Licence was issued covering goods on the Military List and the specified destinations.

This information should be considered in light of my answer to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

Commercial Contracts (Saudi Arabia)

Mr. Gordon Prentice: To ask the President of the Board of Trade if she will make representations to the Government of Saudi Arabia to ensure greater transparency in the payment of commissions on commercial contracts. [28711]

Mrs. Roche: The payment of commissions is a commercial matter for companies.

I have no plans to make representations to the Saudi Arabian Government.

Global Environmental Services

Mr. Matthew Taylor: To ask the President of the Board of Trade what estimate her Department has made of the value of the global environmental services market; and what measures she has undertaken to promote the interests of United Kingdom companies in this sector. [29016]

Mr. Battle: The UK environmental industry has tremendous potential to generate new technologies to boost the UK economy while at the same time finding solutions to environmental problems. The world market for environmental equipment and services was estimated as being worth approximately $280 billion (US) in 1997.

The Government provide support for the environmental goods and services industry through the Joint DTI/DETR Environmental Markets Unit (JEMU). JEMU consulted the industry last summer on proposals for a three year strategy for promoting and supporting the industry at home and overseas. Following consultation, JEMU has developed the strategy in the form of a business plan. This document sets out a programme of work for the next three years and is expected to be published on 18 March.

Digital Telephone Reception

Mr. Gareth Thomas: To ask the President of the Board of Trade what steps she has taken to improve digital telephone reception in Scotland. [30402]

Mrs. Roche *[holding answer 19 February 1998]:* As a result of the introduction of the opening of the market, cable operators now provide digital services in competition to BT to many people living in Scotland. Licences were granted to operators in 1997 to provide radio fixed access services to many areas in the UK including many parts of Scotland. Radio fixed access technology is being introduced to provide digital services across Scotland.

Mobile operators have also rolled out digital networks in the Central Belt and East Coast of Scotland, and there are plans to roll out to remote rural areas over the next two years.

The Government therefore have already taken steps to improve the provision of digital telecommunication services in Scotland. As competition develops further, access to and choice of digital services may well increase.

Electricity Regulator

Mr. Bill O'Brien: To ask the President of the Board of Trade when she next meets the Regulator for the Electricity Industry if she will ask him to reply to the letters of 24 October 1997 and 1 December 1997 sent by the hon. Member for Normanton to his office. [31037]

Mr. Battle: This is a matter for OFFER. However, I understand that the Director General of Electricity Supply will reply to my hon. Friend in the next few days.

Minerals '98 Conference

Mr. Baker: To ask the President of the Board of Trade what sum her Department has provided to help fund the Minerals '98 Conference; and on what basis this money was provided. [30605]

Mr. Battle *[holding answer 23 February 1998]:* The non-energy minerals sector is worth £2 billion a year. The Minerals '98 programme will demonstrate the vital role of this sector in the economy and encourage debate on achieving a sustainable UK minerals industry.

We are providing a grant of up to £64,000 to support the comprehensive programme of activities which constitutes Minerals '98.

Retail Electricity Companies

Mr. Boswell: To ask the President of the Board of Trade what assessment she has made of the impact on consumers of the deferral of retail electricity competition; and what compensatory action is proposed in connection with returns to regional electricity companies. [25484]

Mr. Battle *[holding answer 26 January 1998]:* The Director General of Electricity Supply has reported that a deferral is necessary to ensure that the systems which will allow customers to choose their own electricity suppliers are thoroughly tested and reliable. Compensatory arrangements for delays to the introduction of retail electricity competition are included in the electricity supply price controls which will run from April 1998. These are a matter for the Director General of Electricity Supply.

NORTHERN IRELAND

Children (Custody)

Mr. McNamara: To ask the Secretary of State for Northern Ireland for what reasons she proposes to repeal the requirement on Northern Irish courts to consider the religious persuasion of a child before placing him or her in a custodial institution. [31622]

Mr. Ingram: At present approximately 50 per cent. of children in custody are held in secure accommodation for both Protestant and Catholic boys at Lisnevin. Under the Criminal Justice Order (NI) 1996, custodial orders must reflect the seriousness of offending. The prospective Criminal Justice (Children) Order would reduce the circumstances when children may be remanded in custody. The combined effect should be a reduction to the more serious and persistent offenders and those given custodial orders. Many of these will require secure accommodation and this, rather than religion, will be the principal criterion in deciding to which Centre a boy will be placed.

Police Authority

Mr. Godman: To ask the Secretary of State for Northern Ireland when she expects to publish the discussion paper on the future composition of the Police Authority; and if she will make a statement. [27007]

Marjorie Mowlam *[holding answer 4 February 1998]:* I refer my hon. Friend to the reply I gave my hon. Friend the Member for Harrow, East (Mr. McNulty) on 9 February 1998, *Official Report*, columns *54–5*.

Millennium

Mr. Salter: To ask the Secretary of State for Northern Ireland how expenditure by the Department of the Environment for Northern Ireland on preparations for events celebrating the new Millennium will be funded. [32400]

Marjorie Mowlam: The Department of the Environment is empowered by Parliamentary approval through Supply Estimates and the confirming Appropriation Orders to provide financial support to certain events promoting Northern Ireland. The events celebrating the new Millennium should also promote Northern Ireland's image in a positive manner. However, as they may be novel and different from current promotional activities, Parliament's approval for expenditure in the current financial year on preparations for such events will be sought in a Supplementary Estimate for the Environmental and Other Services Vote (Department of the Environment Vote 4). Pending that approval expenditure up to an estimated £60,000 will be met by repayable advances from the Civil Contingencies Fund. I am also examining the possibility of seeking Parliament's approval for new legislation which would specifically authorise such expenditure.

Valuation and Lands Agency

Mr. Barnes: To ask the Secretary of State for Northern Ireland what plans she has for a quinquennial review of the Valuation and Lands Agency. [32536]

Mr. Paul Murphy: A review group under the chairmanship of a senior official in the Department of Finance and Personnel, and whose membership includes both customers of the Valuation and Lands Agency and an independent person, has commenced a quinquennial review of the Agency. The group will evaluate the agency's performance, the options for carrying out its functions and the operation of its relationships with the Department of Finance and Personnel. It is planned that the review will be completed in the Autumn and the outcome will be announced in Parliament.

Children (Criminal Law)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she has undertaken *(a)* a policy appraisal and *(b)* a fair treatment analysis of the proposed changes in criminal law legislation regarding children. [31623]

Mr. Ingram: Yes. A PAFT analysis was undertaken.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what independent complaints mechanism will be available to children and concerned adults complaining of maladministration or unfair treatment under the proposed Criminal Justice (Children) (Northern Ireland) Order. [31629]

Mr. Ingram: Children, and those concerned with their welfare, will, in addition to the usual remedies, have recourse to the child protection procedures established in accordance with guidelines issued by the Department of Health and Social Services. In addition, the treatment and welfare of children in juvenile justice centres will be subject to independent inspection by the Social Services Inspectorate of DHSS and children will have regular access to Independent Representatives employed by NIACRO.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what research has been undertaken by her Department into the likely impact of mixing Catholic and Protestant children in the manner proposed by the Criminal Justice (Children) (Northern Ireland) Order. [31628]

Mr. Ingram: Since its inception in 1973, Lisnevin has provided secure accommodation for both Catholic and Protestant boys. Mixing boys of both religions has not given rise to any significant problems.

Training Schools

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many *(a)* Catholic and *(b)* Protestant children are currently in each training school; and what were the figures in each of the previous five years. [31641]

Mr. Ingram: The following is the information:

	Rathgael		*St. Patrick's*		*St. Joseph's*		*Lisnevin*	
	Protestant	*Catholic*	*Protestant*	*Catholic*	*Protestant*	*Catholic*	*Protestant*	*Catholic*
Current	29	3	—	9	—	—	13	15
April 1997-December 1997	19	4	—	10	—	—	14	17
1996–97	50	12	—	37	—	29	14	16
1995–96	69	7	—	45	—	36	18	13
1994–95	72	2	—	51	—	26	16	20

Notes:

1. The current figures are those at 24 February 1998.

2. The figures for the earlier years are the averages over the period—April to March.

3. The figures for the period from 1994–95 to 1996–97 include children who had been ordered to be detained for reasons of care, protection and education.

4. Figures prior to 1994–95 are not available.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will identify the *(a)* qualifications, *(b)* gender and *(c)* perceived religious composition of staff at each grade in each training school. [31624]

Mr. Ingram: The following is the information:

	Religion			Gender	
	Protestant	*R/Catholic*	*None*	*Male*	*Female*
Rathgael:					
Managers, Administration, Professional, Technical	53	8	10	45	26
Clerical, Support, Others	28	9	11	14	34
St. Patrick's:					
Managers, Administration, Professional, Technical	2	36	0	29	9
Clerical, Support, Others	0	18	0	5	13
St. Joseph's:					
Managers, Administration, Professional, Technical	1	3	0	0	4
Clerical, Support, Others	0.5	0.2	0	0.2	0.5
Lisnevin:					
Managers, Administration, Professional, Technical	41	21	3	45	20
Clerical, Support, Others	36	3	0	13	26

Notes:
1. Training School staff hold qualifications in social work, child care, youth and community and/or teaching.
2. To give fuller details would allow individuals to be identified.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will make a statement on how the open training schools are classified for use for certain religious groups and the date on which such classifications or changes in classifications were made under the Children and Young Persons (Northern Ireland) Act 1986. [31625]

Mr. Ingram: As St. Patrick's, St. Joseph's and Rathgael (formerly Malone and Whiteabbey) Training Schools were approved before the Children and Young Persons (Northern Ireland) Act was commenced, it was not necessary to classify them under section 137 of that Act. However St. Patrick's Training School is regarded as providing accommodation primarily for Catholic boys while Middletown Justice Centre is classified for use primarily by Catholic girls. Rathgael is not classified by religious denomination, but as most Catholic boys and girls in the open system are accommodated at St. Patrick's and Middletown Catholic Training Schools, in practice most of the children referred to it are Protestant.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what research has been undertaken by her Department into bullying, *(a)* sectarian and *(b)* other, in training schools. [31627]

Mr. Ingram: Bullying in Training Schools has not been identified as a persistent problem and no research has been carried out.

Anglo-Irish Secretariat

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland how many British civil servants and at what grades are attached to the Anglo-Irish Secretariat at Maryfield. [31313]

Marjorie Mowlam *[holding answer 26 February 1998]:* Fourteen members of the Home and the Northern Ireland Civil Services are currently employed on the British Side of the Anglo-Irish Secretariat, comprising one member of the Senior Civil Service, three managerial grades, four secretarial and administrative grades and six support grade staff.

Written Answers to Questions

Monday 2 March 1998

PRIME MINISTER

City of London Corporation

Mr. Redwood: To ask the Prime Minister what discussions his Office has had with the City of London Corporation since 1 January. [30929]

The Prime Minister *[holding answer 23 February 1998]:* The City of London Corporation asked my office informally last autumn whether we would be content for Chancellor Kohl to be presented with the Freedom of the City of London. I did not initiate this process, but I was delighted that they wished to do this. Following confirmation from my office that I was content and Chancellor Kohl's own agreement, the Corporation formally agreed a recommendation to this effect on 4 December 1997. Since 1 January this year, my office has been in contact with the Corporation authorities on the practical arrangements, including my own involvement.

Iraq

Mr. Dalyell: To ask the Prime Minister, pursuant to his oral answer of 24 February 1998, *Official Report*, columns 182–83, on Iraq, which of the Arab ambassadors whom he met on 23 February expressed the gratitude of their Government for the British and American stance on the threat of military action against Iraq. [32242]

The Prime Minister: The Ambassadors acknowledged the key role which the UK had played in the success of the UN Secretary-General's mission which, we hope, marks the resumption of full Iraqi co-operation with UNSCOM. It is also widely recognised, in the region and elsewhere, that this would not have been possible without the threat of force.

Mr. Dalyell: To ask the Prime Minister, pursuant to his oral answers to the hon. Member for Workington (Mr. Campbell-Savours) of 24 February 1998, *Official Report*, column 184, and to the hon. Member for North-East Derbyshire (Mr. Barnes), *Official Report*, column 186, on the opposition in Iraq, if he will list the organisations *(a)* to which he referred and *(b)* with which the Minister of State has been in contact (i) in Iraq and (ii) based outside Iraq. [32245]

The Prime Minister: The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Leeds, Central (Mr. Fatchett) has met representatives of the following Iraqi organisations:

(i) based in Iraq;

Patriotic Union of Kurdistan

Islamic Movement of Iraqi Kurdistan

Assyrian Democratic Movement.

(ii) headquarters outside Iraq;

Iraqi National Congress

Iraqi National Accord

Supreme Council for the Islamic Revolution in Iraq

Iraqi Constitutional Monarchy Movement

Islamic Accord Movement

National Reform Movement

Association of Iraqi Democrats

Iraqi Democratic Party.

Ministerial Responsibilities

Mr. Streeter: To ask the Prime Minister if he will make a statement on the allocation of responsibility for Government policy in respect of European affairs between the Minister for Europe and the Minister without Portfolio. [32197]

The Prime Minister: The Minister of State, Foreign and Commonwealth Office, my hon. Friend the Member for Newcastle upon Tyne, North (Mr. Henderson), has ministerial responsibility in the Foreign and Commonwealth Office for European Union matters. My hon. Friend the Minister without Portfolio is a member of the ministerial sub-committee on European Affairs ((E)DOP), and assists me and other ministerial colleagues on the strategic implementation of Government policy and its effective presentation.

State Opening of Parliament

Mr. Flynn: To ask the Prime Minister what proposals he has to *(a)* modernise and *(b)* reduce the cost of arrangements for the State opening of Parliament. [30858]

The Prime Minister *[holding answer 24 February 1998]:* The ceremony, which should reflect the importance of the occasion, is the responsibility of the Earl Marshal. Expenditure for the next State Opening of Parliament is likely to be in line with previous expenditure on the ceremony.

CULTURE, MEDIA AND SPORT

British Library

Mr. Swinney: To ask the Secretary of State for Culture, Media and Sport what is his latest estimate of the building costs of the new building for the British Library; and if he will estimate the value of contracts associated with this construction sourced with companies in *(a)* London, *(b)* the South East of England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland. [30064]

Mr. Fisher *[holding answer 18 February 1998]:* The construction project budget for the new British Library building at St. Pancras is £511.1 million. Negotiations continue with some contractors on their final accounts and it is not possible to estimate the final building costs until all these accounts have been settled. Nor is it possible, for this reason, to estimate the value of the contracts by the specific geographical areas set out in the question.

ATTORNEY-GENERAL

Prosecutions (Sussex)

Mr. Baker: To ask the Attorney-General how many and what percentage of cases forwarded by the Sussex Police to the Crown Prosecution Service for prosecution were turned down *(a)* for evidential reasons and *(b)* for other reasons in each year from 1994 to 1997. [31922]

The Attorney-General: The table shows the number of defendants whose cases were discontinued by the Crown Prosecution Service in Sussex, and discontinuance as a proportion of cases completed in Magistrates' Courts in each of the last four years:

Year	*Discontinued*	*Discontinuance as percentage of completed cases*
1994	3,246	12.2
1995	3,146	11.2
1996	3,023	11.2
1997	3,468	12.3

No central records are held of the reasons for which cases are discontinued. This information is held on individual case files, and could be obtained only at disproportionate cost. During November 1994, a survey was conducted of all cases discontinued by the Crown Prosecution Service nationally. This survey showed that the reasons for discontinuance were as follows:

Reason for discontinuance	*Percentage of all cases discontinued*
Insufficient evidence	43
Prosecution not in the public interest	28
Prosecution unable to proceed (eg. because witnesses failed to attend court or refused to give evidence)	19
Defendant's driving documents produced at the hearing	10

DUCHY OF LANCASTER

Central Computer and Telecommunications Agency

Mrs. Dunwoody: To ask the Chancellor of the Duchy of Lancaster (1) what was the number of staff employed by the CCTA for each of the last five years; [31283]

(2) what is the current budget for the CCTA; and what was the budget for each of the last five years. [31280]

Mr. Kilfoyle: The cash expenditure and appropriations-in-aid of and the number of staff employed by the Central Computer and Telecommunications Agency (CCTA) in the current year and previous five years are:

	£000	*£000*	*£000*	
	Expenditure	*Appropriations in-aid*	*Net total*	*Staff numbers at end year*
1992–93	49,487	35,205	14,282	380
1993–94	48,466	35,791	12,675	381
1994–95	37,854	20,775	17,079	290
1995–96	31,884	20,450	11,434	265
1996–97	26,460	24,440	2,020	177
1997–98[1]	23,400	23,675	–275	179

[1] The actual outturn data are shown for 1992–93 to 1996–97, the data for 1997–98 are current forecasts.

Computer Systems

Mrs. Dunwoody: To ask the Chancellor of the Duchy of Lancaster what actions are taken by the CCTA to ensure that computer systems introduced by Government Departments and agencies meet requirements in terms of value for money and efficiency. [31281]

Mr. Kilfoyle: Responsibility for the subject of the question has been delegated to the Central Computer and Telecommunications Agency (CCTA) under its Chief Executive Bob Assirati. I have asked him to arrange for a reply to be given.

Letter from Bob Assirati to Mrs. Gwyneth Dunwoody, dated 26 February 1998:

I am replying on behalf of the Chancellor of the Duchy of Lancaster, Dr. David Clark, to your Parliamentary Question enquiring on what actions are taken by CCTA to ensure that computer systems introduced by Government departments and agencies meet requirements of value for money and efficiency.

The responsibility for ensuring that computer systems introduced by Government Departments and Agencies meet requirements in terms of value for money and efficiency lies with the individual departments and agencies. CCTA acts in an advisory and support capacity on a full cost recovery basis to those departments which seek its advice. They are free to seek support from any source they wish but virtually all make use of CCTA services. Major areas of advice include procurement and contract management, project management, post-implementation reviews, and the use of new technologies including the Internet.

CCTA also manages arrangements which enable departments to make savings when procuring IT equipment and services. These include the Government Telecommunications Services (GTS), the Government Catalogue (GCat) for IT products, and the Services Catalogue (SCAT) for IT services.

Age Discrimination

Ms Perham: To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the Government's policy in respect of age discrimination in staff promotion; and what guidelines are issued by *(a)* his Department and *(b)* other Departments. [31106]

Dr. David Clark: Civil Service equal opportunities policy (as set out in the Civil Service Management Code (April 1996)) provides that all eligible people must have equality of opportunity for employment and advancement on the basis of their suitability for the work. There must be no unfair discrimination on the basis of age, disability, gender, marital status, sexual orientation, race, colour, nationality, ethnic or national origin, or (in Northern Ireland) community background.

Departments and agencies are required to develop their guidelines on promotion in line with this policy, as indeed my own Department has done.

My Department is currently working on guidance which will be issued to departments and agencies to help them avoid unfair discrimination on the basis of age.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Official Entertainment

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions how many receptions have been held in his Department since he took office; how many people have attended; and what was the total cost of these events. [25160]

Angela Eagle *[holding answer 23 January 1998]:* Four official receptions have been held. Approximately 170 people attended. The total cost was about £1,200.

Departmental Buildings

Mr. Swinney: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the location and running costs of each of his Department's buildings. [30136]

Ms Glenda Jackson *[holding answer 18 February 1998]:* The information has been placed in the library.

Drink Driving

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many people killed in road accidents in England and Wales during 1997, were found to be over the approved drink limit. [30573]

Ms Glenda Jackson: In 1995, the latest year for which detailed analysis of drink drive accidents is available, an estimated 280 drivers and riders of motor-vehicles who were over the legal limit for blood alcohol died in road accidents in England and Wales. It is estimated that there were 490 fatalities in England and Wales in that year in accidents involving a motor-vehicle driver or rider who was over the legal limit.

Public Transport (London)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to improve public transport services in the south-west London area; and if he will make a statement. [30570]

Ms Glenda Jackson: My Department is providing financial support to a range of public transport services in south-west London. They include the cross-borough SWELTRAC initiatives to improve public transport along key corridors between Croydon and Heathrow; a range of measures on the London Bus Priority Network comprising dedicated bus lanes and priority signalling; the "Countdown" passenger information system, which is being extended with a further 300 bus stops programmed for this year including sites in Wandsworth, Putney, Earlsfield and Tooting. Works are also in hand on the Croydon Tramlink project, linking Wimbledon to Croydon, programmed for completion by the end of 1999. Modernisation of the Northern Line to Morden is ongoing and new privately financed trains are being introduced shortly. In addition South West Trains is committed to a £90 million investment in new rolling stock for their services, while Thameslink Trains are enhancing station facilities on the Wimbledon loop.

Noise Warnings

Dr. Vis: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce legislation (1) to provide for noise warnings to be displayed on *(a)* ghetto blasters, *(b)* hi-fi equipment and *(c)* personal stereos and (2) for dance events to be prohibited from playing music at levels above 85 decibels. [30739]

Mr. Meacher: Risks from noise exposure to people who work at music events are covered by the Noise at Work Regulations 1989, while the health and safety of members of the public who attend is governed by the general requirements of the Health and Safety at Work etc. Act 1974.

In 1993 the Health and Safety Commission, the Home Office and the Scottish Office published a "Guide to Health, Safety and Welfare at Pop Concerts and Similar Events". That guidance recommended that audiences should not be allowed within 3 metres of any speaker at outdoor events and that audiences should be advised in advance if the sound level is likely to exceed 96 dB(A).

The Government do not consider it appropriate to extend legislation to provide warnings on music equipment that is for personal use.

Strategic Roads Review

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the results of the strategic roads review. [31210]

Ms Glenda Jackson: The results of the roads review will be published later this year, after the publication of the Integrated Transport White Paper.

Civil Aviation Authority

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the occasions that the CAA has been called on to use funds from the ATOL bonding scheme for each of the last five years, indicating the companies and amounts involved. [31191]

Ms Glenda Jackson: The information requested constitutes a rather lengthy document. I have therefore arranged for it to be placed in the House Library.

Rail Franchises

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to extend the length of the franchises for the existing rail operators. [31212]

Ms Glenda Jackson: Any requests for franchise extensions would be considered on their merits. As I told the House on 28 October 1997, *Official Report*, column *806*,

"there would need to be very convincing arguments of public interest and value for money"

before the Government could

"justify the renegotiation of contracts which were freely entered into following a competitive process".

Car Clocking

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made in his review of the problem of car clocking; and when he expects to bring forward legislation on this matter. [31187]

Ms Glenda Jackson: The Government recognise the seriousness of the offence of clocking. A voluntary mileage recording system, administered by the Driver and Vehicle Licensing Agency, was introduced in 1992. Recent changes to the vehicle registration system have brought about a welcome increase in compliance. A review to consider whether this system should become mandatory has concluded that there should be no change at present. The subject will be kept under review in the light of further experience of the voluntary system.

Hedges

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to give additional powers to planning authorities to enable them to intervene in disputes between neighbours caused by *(a)* Leylandii trees and *(b)* other excessively high boundaries; and if he will make a statement. [30800]

Mr. Caborn: Planning permission is already required where a fence, wall or gate would be over one metre high and next to a highway used by vehicles, or over two metres elsewhere.

I am considering whether some form of Government intervention in relation to Leylandii trees and other high boundary hedges is necessary.

Diabetics (Vehicle Licences)

Mr. O'Hara: To ask the Secretary of State for the Environment, Transport and the Regions if he will reduce the vehicle licence fee for diabetics by an appropriate amount in recognition of their being precluded by the second EC directive on vehicle licensing from driving certain classes of heavier vehicles. [30849]

Ms Glenda Jackson: No. The Directive does not change the rights of insulin-dependent diabetics to drive the large majority of vehicles in the private and light goods category. We do not believe that a concessionary rate of Vehicle Excise Duty would be appropriate in these circumstances, especially since the keeper—who is responsible for paying VED—and the driver of a vehicle are not necessarily the same person.

Waste Management

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment his Department has made of occasions where incorrect waste landspreading has taken place during the last five years; and if he will list the relevant sites; and if he will make a statement; [31303]

(2) what period of notice for the pre-notification requirement for waste landspreading he plans to set; and what plans he has (i) to require the submission of information on *(a)* the agricultural and ecological impact on the proposed site and *(b)* the proposed methods and equipment to be used for the landspreading and (ii) to introduce a fee payable for each pre-notification made to fund the Environment Agency's periodic inspections of the landspread sites; [31301]

(3) what powers the Environment Agency have to prevent or suspend landspreading; and if he will make a statement. [31302]

Angela Eagle: Under section 33 of the Environmental Protection Act 1990, it is unlawful to deposit, recover or dispose of controlled waste without a waste management licence, contrary to the conditions of a licence or in a way which causes pollution of the environment or harm to human health. Where someone purports to be carrying out an activity which is exempt from waste management licensing but fails to comply with the conditions of the exemption, that person may be prosecuted under section 33 of the 1990 Act for carrying out a licensable activity without a licence. The Environment Agency is responsible in England and Wales for the enforcement of these provisions.

The conditions of the current exemption for the landspreading of specified wastes are set out in paragraph 7 of Schedule 3 to the Waste Management Licensing Regulations 1994. The Water Research Centre and the Agricultural Development and Advisory Service (ADAS) have been commissioned to develop further the criteria that determine in what circumstances the spreading of particular wastes benefits agriculture or result in ecological improvement. The original research project has been extended by the Environment Agency and is now expected to be completed by the end of April 1998.

We intend to review the scope and conditions of the current exemption in the light of the results of the research project with the aim of ensuring that the objectives of protecting the environment and human health continue to be fulfilled. The Environment Agency has made no recommendations to the Department on the revision of the current exemption; and we have been advised that no such recommendations will be made until the research project has been completed and the Agency has considered its findings. For these reasons, no decisions have yet been taken on matters such as pre-notification or the submission of information.

Most landspreading of waste is carried out under the terms of the exemption from waste management licensing to which I have referred. I am advised that the Environment Agency does not maintain a central record of occasions or sites on which waste may have been landspread in a manner which is inconsistent with the terms of the exemption.

Irish Sea

Mr. Ainger: To ask the Secretary of State for the Environment, Transport and the Regions (1) what is the current status of the Risk Assessment and

Collaborative Emergency Response project in the Irish Sea within the INTERREG programme; if the Marine Safety Agency is supporting this operation; and if he will make a statement; [31260]

(2) if he will make a statement on the Marine Safety Agency and Coastguard involvement in the Vessel Traffic Management Information System of the RACER project in the Irish Sea; and what is the policy of those agencies on the inclusion of VTMIS in the RACER project; [31261]

Ms Glenda Jackson *[holding answer 25 February 1998]:* On the UK side, this project comes under the Welsh Office. The Coastguard Agency and the Marine Safety Agency (MSA) have been consulted about the project's development and have given support, with the proviso that they can offer no financial assistance and only limited resource assistance, other than the occasional meeting. MSA also express an initial reservation about the value of the Vessel Traffic Management Information System (VTMIS) aspect of the project. This is because an information service such as this could give a wrong perception that all shipping movements in the area were under observation and that this could relieve participants of some of their obligations for their own safety.

After further consideration, MSA is now willing to support the inclusion of the VTMIS in the Risk Assessment and Collaborative Emergency Response in the Irish Sea project but would wish to view the outcome of the project in the light of its reservation.

Buildings Insulation

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if he will assess the benefits of measures to promote the use of external wall insulation for buildings not covered by Article 4 of the Planning Regulations. [31336]

Angela Eagle: My Department and the Energy Saving Trust keep under ongoing review the value of promoting a range of energy efficiency measures, including the use of external wall insulation for buildings.

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if he will give additional funding to the Energy Saving Trust to promote the use of external wall insulation. [31337]

Angela Eagle: My right hon. Friend the Minister for the Environment told the House on 28 January 1998, *Official Report*, column *232*, that the Government had allocated an additional £5.5 million to the Energy Saving Trust, to enable it to maintain and develop its energy efficiency programmes. The Trust is now preparing its business plan for 1998–99, and will be submitting it to me and Ministerial colleagues shortly. In preparing its proposals, the Trust considers the full range of options for the promotion of energy efficiency, including external wall insulation.

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions how many homes he estimates have received external wall insulation. [31401]

Angela Eagle: External wall insulation is a composite system consisting of insulation material protected by render, cladding or hung tiles. This type of insulation is more effective where the exterior of a building needs repair or a major renovation is planned. It provides extra insulation and weatherproofing and improves appearance.

The industry estimate that in the last 20 years between 100,000 and 150,000 homes in the UK have had their external walls insulated in this way.

Building Conversions

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce incentives to increase the number of conversions and renovations of buildings for domestic habitation. [31335]

Mr. Raynsford: Under the Capital Receipts Initiative, we have taken action to make nearly £800 million of additional resources available to local authorities in England in 1997–98 and 1998–99 for investment in housing and housing-related regeneration schemes. About 80 per cent. of capital allocations under the Initiative in 1998–99 are expected to be invested in existing public and private sector housing.

The Housing Corporation's Approved Development Programme also provides funding to registered social landlords to carry out conversion and renovation work to existing housing. In 1998–99, over £130 million is being allocated to be spent in this way from the Approved Development Programme.

My right hon. Friend the Deputy Prime Minister and Secretary of State for the Environment, Transport and the Regions made a statement to the House on Monday 23 February 1998, *Official Report*, columns 21–25, outlining the Government's preferred options for handling the issue of household growth. That statement reaffirmed our commitment to developing strategies for sustainable patterns of development which make the maximum use of previously developed land and better use of existing homes. It also gave a commitment to consider whether various economic instruments could sensibly be developed to help achieve our policy objectives.

Future levels of investment in housing are being considered as part of our Comprehensive Spending Review.

Housing Development (Nottinghamshire)

Mr. Kenneth Clarke: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his oral statement of 23 February 1998, *Official Report*, column 29, on planning, if he will re-open the allocation of proposed housing developments between different local planning authorities in Nottinghamshire made in the latest structure plan for the county. [31458]

Mr. Caborn: No. The Nottinghamshire Structure Plan is the adopted plan for the area and sets out housing allocations for individual districts within the County. District local plans are required by law to be in general conformity with the structure plan. Any proposal to review the structure plan is a matter for Nottinghamshire County Council.

Air Safety

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce a scheme similar to that operated by the Federal Aviation Administration to publicise the dangers of unexpected turbulence when flying. [31254]

Ms Glenda Jackson *[holding answer 25 February 1998]:* None. The US Federal Aviation Administration have been running a campaign to raise passenger awareness of the dangers of turbulence for just over a year. It is not yet clear what effect that campaign has had.

The safety briefings on UK registered aircraft already advise passengers to wear their seat belts at all times and consequently there are very few injuries to passengers resulting from the effects of turbulence.

House Building

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the effect of his announcement of a new target for housebuilding on recycled land on proposals for a new town in Wychavon; and if he will make a statement. [31513]

Mr. Raynsford: The creation of a new settlement to meet housing demand is only one of a number of options which will be considered by the new Worcestershire County Council in producing the structure plan for the county covering the period 1996–2011. The options will no doubt be considered by the county council in the light of the statement made by my right hon. Friend the Secretary of State in the House on 23 February 1998, Official Report, columns 21–25.

Motorway Services (Solihull)

Mr. John M. Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on proposals for a motorway service station on the M42 at Solihull. [31464]

Ms Glenda Jackson: A planning application has been submitted to Solihull Metropolitan Borough Council in respect of proposed motorway service area between junctions 5/6 of the M42, near Solihull. The Highways Agency has been consulted and is currently considering the impact the development will have on the operation and safety of the M42.

"Modernising Planning"

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions how many representations he has received concerning his document, "Modernising Planning". [31612]

Mr. Raynsford: The "Modernising Planning" policy statement, which we published in January, announced the Government's intention to consult on various elements of the planning system in due course. The first of these consultation exercises, on Regional Planning Guidance, will run until 17 April. We have received two letters commenting on the policy statement itself.

Planning Appeals

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what was the backlog of planning appeal cases for each local authority area on 1 February. [31613]

Mr. Raynsford: I have asked the Chief Executive of the Planning Inspectorate, Mr. Chris Shepley, to write to my hon. Friend.

Letter from C. J. Shepley to Mr. Keith Vaz, dated 2 March 1998:

The Secretary of State has asked me to reply to your Question about the backlog of planning appeals for each local authority area on 1 February.

Due to technical difficulties, the information requested is not currently obtainable. I will ensure, however, that the information is sent to you as soon as possible and, as the tables are too long to be printed in the Official Report, arrangements will be made for a copy to be deposited in the Library. I expect to be able to do this within the next two weeks.

Planning Inspectors

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about the time taken to appoint inspectors to planning inquiries. [31614]

Mr. Raynsford: Since 1 May 1997, four representations have been received about the time taken to appoint Inspectors to planning inquiries. In the same period, more than 1,600 inquiries have been arranged by the Planning Inspectorate.

Gipsy Sites

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions if it is his policy, that where a local authority has refused permission for houses to be built on a greenfield site for use by local people, the local authority should not allow a gipsy or travellers' site to be established on that land. [31890]

Mr. Caborn: The Department's Circular 1/94 "Gypsy Sites and Planning" gives local authorities advice about the planning aspects of sites for gipsy caravans. The Circular puts gipsies on the same level in planning law as everyone else. It is designed to ensure that applications for gipsy caravan sites are treated in the same way as any other form of development. Each application for planning permission is decided on its own merit in the light of its individual circumstances. It is for each local planning authority to decide what may be an appropriate gipsy site policy for their area.

Mr. Sayeed: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the planning application for a gipsy site on land where permission to build houses has previously been refused at Chapel End Road, Houghton Conquest, Bedfordshire. [31891]

Mr. Caborn: The application was determined by Mid Bedfordshire District Council on 24 February and has been refused.

Railfreight Grants

Mr. Stott: To ask the Secretary of State for the Environment, Transport and the Regions how many railfreight grants have been awarded in the past six months; and what plans he has to improve the grant scheme. [31762]

Dr. Strang: I am today announcing the award since July 1997 of seven new freight grants worth a total of almost £5m. The grants include £1.8m to the Port of Felixstowe to help to finance additional cranes and terminal infrastructure; and three separate grants to Freightliner worth over £1.5m.

We are anxious to make full use of the grant scheme to get more freight on rail and inland waterways. In 1996–97, awards totalled £15 million. This year, the £30 million budget will be substantially taken up. To reinforce this success, the funds available in 1998–99 will be increased to £40 million.

Planning Applications

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his oral statement of 23 February 1998, *Official Report*, column 24, if his policy of a sequential approach to the location of new housing applies *(a)* forthwith, *(b)* in respect of current planning applications and *(c)* in respect of planning applications being considered at public inquiry. [31777]

Mr. Raynsford *[holding answer 27 February 1998]:* The policy document issued by my right hon. Friend the Deputy Prime Minister on Monday 23 February ("Planning for the Communities of the Future", Cmd 3885) explains at paragraph 63 that the Government will be consulting interested parties over the development of specific guidance on a sequential approach. Meanwhile, National planning policy guidance already encourages authorities to make full and effective use of previously developed land for new housing development.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions how many works of art he has borrowed for use in his offices; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31555]

Ms Glenda Jackson *[holding answer 27 February 1998]:* I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport on 27 February 1998, *Official Report*, columns *388–89*.

Hedgerows

Mr. Hurst: To ask the Secretary of State for the Environment, Transport and the Regions how many prosecutions for unlawful destruction of hedgerows were initiated in 1997. [32236]

Angela Eagle: This information is not available centrally.

Motorway Roadworks

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions what guidance is issued to contractors in relation to the provision of warning signs and notice of junction closures when carrying out motorway roadworks. [31772]

Ms Glenda Jackson *[holding answer 27 February 1998]:* I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Mark Oaten, dated 2 March 1998:

The Transport Minister, Glenda Jackson, has asked me to reply to your recent question about the provision of warning signs and notice of junction closures when carrying out motorway roadworks.

It may be helpful if I explained that The Highways Agency has delegated authority under section 14 of the Road Traffic Regulation Act 1984, to close temporarily a road or junction in appropriate circumstances. The procedures associated with such action are set out in the Road Traffic (Temporary Restrictions) Procedure Regulations 1992. These require us to publish in one or more local newspapers, not less than seven days in advance, our intention to make an order under the 1984 Act. Once the order is made (ie signed by an appropriate Highways Agency officer), a further notice must be published stating the reason for the closure, when the closure will take place, and what alternative routes will be available. These alternative routes will have been discussed and agreed with the police and the local highway authority.

In addition to these statutory requirements, the Highways Agency will, depending on the significance of the closure, alert other statutory bodies, emergency services, motoring organisations, public transport operators, local radio, large local businesses, etc. In some cases, information leaflets will be produced and distributed widely. Information signs are also sometimes placed at appropriate roadside locations to warn road users of a forthcoming restriction. Such signs must comply with the Traffic Signs Regulations and General Directions 1994 (TSRGD) and the Department of the Environment, Transport and the Regions' own Traffic Signs Manual (TSM).

In putting the closure in place, it is the roadworks contractor's responsibility to provide appropriate warning signs and information to road users about diversion routes. These will be stipulated in the contract and must also comply with the detailed regulations and guidance given in TSRGD and TSM.

Coalfield Task Force

Mr. Redwood: To ask the Secretary of State for the Environment, Transport and the Regions which areas the Coalfield Task Force is examining in drawing up its programme of action. [31852]

Mr. Caborn *[holding answer 27 February 1998]:* The Task Force's terms of reference state that the geographical focus of their work should be areas of England which continue to experience acute problems as a result of the run-down of the coal industry during the 1980s and 1990s. However, the Task Force is conscious of the difficulties in drawing precise boundaries to define former coalfield communities and has placed no restrictions on the evidence it has taken and the visits it has made.

Mr. Redwood: To ask the Secretary of State for the Environment, Transport and the Regions what assumptions about pit closures and mining job losses the Coalfield Task Force has made in planning its work. [31859]

Mr. Caborn *[holding answer 27 February 1998]:* The Secretary of State has asked the Task Force to consider what more might be done to breathe life back into communities where pits have already closed. It has therefore not been necessary to make any such assumptions in planning their work.

Mr. Redwood: To ask the Secretary of State for the Environment, Transport and the Regions how much money will be spent in the next three years on the Coalfield Task Force's Action Programme. [31853]

Mr. Caborn *[holding answer 27 February 1998]:* The Secretary of State will chair a national conference in the Spring to launch an action plan in response to the recommendations of the Coalfield Task Force. The Task Force has not yet formulated its recommendations so it is too early to anticipate any resource implications. The Task Force's terms of reference state that it will work within public expenditure constraints.

Road Traffic

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the compatibility of the Government's support for *(a)* Trans-European road networks and *(b)* road traffic reduction measures. [31925]

Ms Glenda Jackson: The Ireland/UK/Benelux section of the Trans-European Road Network forms a key trade link between the mainland of Europe, the UK and Ireland. Within the UK, the network consists of well-established major routes. Our support for the Network in no way precludes consideration of traffic reduction measures as part of an integrated transport policy.

Confined Spaces Regulations

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many representations he received in respect of the Confined Spaces Regulations; and what account has been taken of these. [31926]

Angela Eagle: The Confined Spaces Regulations were made following advice from the Health and Safety Commission after consultation. Since these Regulations came into force on 28 January 1998, no representations have been received.

Housing

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* empty local authority homes, *(b)* empty private homes, *(c)* empty Government homes, *(d)* empty flats above shops, *(e)* vacant offices suitable for conversion into homes and *(f)* other non-residential premises suitable for conversion into homes there are in each region in England. [32223]

Mr. Raynsford: Estimates of the numbers of vacant dwellings in England on 1 April in 1997, the latest date for which figures are available, are as set out. No data are held centrally on empty flats over shops, nor on vacant offices or other non-residential premises suitable for conversion into homes.

	Vacant dwellings
Local authority[1]	81,200
Registered Social Landlords[2]	26,800
Other public sector[3]	19,000
Of which government departments	16,000
Private sector[3]	640,000
Total	767,000

Sources:
[1] HIP1 returns from local authorities.
[2] Housing Corporation HAR10/1 returns from housing associations and other Registered Social Landlords housing associations.
[3] Government Departments and HIP1 returns from local authorities.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how much money his Department has allocated in the current financial year to fill *(a)* empty local authority homes, *(b)* empty private homes, *(c)* empty Government homes, *(d)* empty flats above shops, *(e)* vacant offices suitable for conversion into homes and *(f)* other non-residential premises suitable for conversion into homes in each region in England. [32224]

Mr. Raynsford: The resources my Department makes available to local authorities for housing purposes are generally not hypothecated for expenditure on particular policies. It is for local authorities to determine their own priorities in targeting the resources available to make the best use of the housing stock in their areas. To assist local authorities and increase investment in housing, we have made additional resources available through the Capital Receipts Initiative for housing and housing related regeneration.

My Department has provided a grant of £102,000 to the Empty Homes Agency for the period 1995/96–1997/98 to work with local authorities to develop and implement empty property strategies. By April 1998, we expect some 200 authorities to have strategies in place. Subject to Parliamentary approval of my Department's estimates, we have agreed to provide a further three-year grant to the Agency to work with authorities to bring more redundant commercial property into residential use and to make better use of empty properties in rural areas. We are also considering how economic instruments could be developed to help meet sustainable development objectives, including maximising use of existing buildings.

Road Traffic (Short Journeys)

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions (1) what percentage of traffic on *(a)* trunk roads and *(b)* motorways comprises vehicles undertaking a journey of (i) 10 miles or less and (ii) five miles or less; [31788]

(2) what percentage of traffic on local roads comprises vehicles conducting a journey of *(a)* five miles or less and *(b)* two miles or less. [31789]

Ms Glenda Jackson: This information is not available. Information on journey length is derived from the National Travel Survey. Respondents to such household surveys cannot apportion their journeys to road classes.

Department of Transport (Fees) (Amendment) Order

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the correspondence referred to by the Under-Secretary of State the hon. Member for Hampstead and Highgate (Ms Jackson), in the letter to the hon. Member for Christchurch dated 13 February 1998 which was exchanged between his Department, the Treasury and the Office for National Statistics relating to the proposed allocation of costs to different functions for the purpose of calculating fees under regulations to be introduced under the Department of Transport (Fees) (Amendment) Order 1998. [32043]

Ms Glenda Jackson: No. However, I will place in the Library a copy of the table of cost allocations agreed between my Department, the Treasury and the Office for National Statistics following the correspondence referred to in my letter of 13 February to the hon. Member for Christchurch.

Driver Records

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions what is the cost of setting up and maintaining a driver record until the age of 70 years. [32042]

Ms Glenda Jackson: The information is not available in the form requested.

In 1996–97, the cost of the Driving Licence system covering under 70s, over 70s and vocational licensing was £30.4 million. In 1996–97, the Driver and Vehicle Licensing Agency held some 37 million driver records and handled just over 814,000 first applications for provisional licences.

The current range of fees is set to recover the cost of operating the Driver Licence system taking one year with another. The fees from the first applications brought in some £17 million. The rest of the cost was covered by fees from over 70s or by other fees e.g. for duplicate licences or vocational licences.

Local Government Services

Mr. Ivan Henderson: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish the consultation paper on best value in local government services. [32575]

Ms Armstrong: The consultation paper will be published tomorrow morning and copies will be placed in the Library in the usual way. I am arranging for a copy of the paper to be sent to all Members of Parliament.

Highways (Noise Pollution)

Mr. Letwin: To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's policy in relation to *(a)* increased levels of noise from existing highways and *(b)* compensation for living near to such highways. [32032]

Ms Glenda Jackson: There is no legal obligation to take measures to mitigate the impact of increased levels of noise from existing highways. Nor is there any requirement to provide compensation in such cases. Problems arising from Traffic noise are among the many issues being considered as part of the current transport policy review.

Leaded Petrol

Mr. Letwin: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy in respect of the use of leaded petrol by vintage and veteran vehicles; and if he will make a statement. [32033]

Ms Glenda Jackson: Despite concerns raised by owners of vintage and veteran vehicles about an EU proposal to ban leaded petrol from 1 January 2000, in practice very few old vehicles are unable to operate on unleaded petrol. Lead was not added to petrol until the 1920s and came into widespread use only after the second world war; it is not, therefore, a prerequisite for earlier vehicles. Nevertheless, the oil industry is developing a special grade of petrol for these and later vehicles which does not have the disadvantages to health that are attributable to lead. This grade of petrol is expected to be widely available from 1 January 2000.

To supplement this, the Government have negotiated a derogation for an on-going supply of leaded petrol, to a limit of 0.5 per cent. of total petrol sales, to be distributed through specialist interest groups. The Government will be liaising with organisations representing the interests of classic/historic vehicle owners and with the oil industry to ensure a smooth implementation of this provision.

Mr. Letwin: To ask the Secretary of State for the Environment, Transport and the Regions what assessment his Department has made of the level of pollution caused by leaded petrol relative to that caused by diesel. [32031]

Ms Glenda Jackson: The Government regularly assess pollution caused by road transport, having regard to the composition of the vehicle fleet and the emission standards which apply to vehicles of different types and ages. It is clear that the combustion of leaded petrol is still the largest source of airborne lead in most parts of the country, although emissions are declining as sales of leaded petrol decrease. There are no significant emissions of lead from diesel vehicles. Emissions of hydrocarbons, carbon monoxide and carbon dioxide from petrol vehicles are also higher than those from diesel equivalents. On the other hand diesel vehicles give rise to larger quantities of nitrogen oxides and particulates.

Telecommunications Masts

Ms McCafferty: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's policy on planning applications for mobile communication masts. [31887]

Mr. Raynsford: Planning policy on telecommunications is set out in Planning Policy Guidance note 8 (revised) (PPG8), supplemented by Appendix E to Circular 9/95 and by the answer given by my hon. Friend the Minister for the Regions, Regeneration and Planning on 4 November 1997. Where telecommunications development is subject to an application for planning permission, this will be decided by the local planning authority (or the Secretary of State on appeal) in the light of development plan policies and any other

material considerations. These would include PPG8 and the guidance provided in other material PPGs, as well as any relevant representations either for or against the proposal.

Regional Development Agencies

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to make the first appointments to the regional development agencies for the South West. [31396]

Mr. Caborn: The Bill setting up the Regional Development Agencies (RDAs) is currently before Parliament and board appointments cannot be made until the Bill has received Royal Assent. However, we have begun the process of identifying potential board members. An advertisement seeking self-nominations appeared in the press in January, and we are now inviting groups with an interest in the proposed activities of the RDAs to make nominations.

Formal appointments to boards will not be made until after Royal Assent to the RDAs Bill. Nonetheless, it is likely that we may wish to engage a potential chairman/woman for each board and probably one other board member on an advisory basis from about June or July to assist in the early development of the RDAs. The final selection of other board members and formal appointments will not be made until later in the year, with the agencies becoming fully operational on 1 April 1999.

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions what criteria he will use to select people to serve on regional development agencies; if those selected will be able to continue to serve as county or borough councillors; and if he will make a statement. [31397]

Mr. Caborn: The qualities which we are seeking in potential members of Regional Development Agency (RDA) boards and the factors which will be taken into account in making appointments are set out in the information pack made available to candidates. I have arranged for a copy of this information pack to be placed in the Library.

RDA board members will be able to continue as county or borough councillors. We intend to appoint boards of twelve members and that four of these should be local councillors.

Local Government Finance (Tewkesbury)

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the reasons underlying the changes in the grant settlement awarded to Tewkesbury Borough Council for *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99 and the standard spending assessment for the same years. [31399]

Mr. Raynsford: The change in an authority's standard spending assessment can be broken down into the effects of changes in the total amount of money distributed nationally, changes in the underlying data (for example, resident population) and changes in the method of distribution. Estimates of these changes are shown for Tewkesbury:

Per cent.

		caused by changes in		
	Total	*National totals*	*Data*	*Method of Distribution*
(a) 1996–97	−2.9	−1.6	+3.6	[1]-5.0
(b) 1997–98	−1.9	−1.7	−0.1	−0.1
(c) 1998–99	−5.1	+0.8	+0.6	[2]-6.5

[1] Introduction of new rent allowance element and changes in the concurrent service adjustment between shire district councils and shire county councils.

[2] Changes in composition of the indices in the All Other Services Block and changes in the treatment of debt.

The changes in the total of Revenue Support Grant and redistributed National Non-Domestic Rates broadly reflect the reduction in SSA for 1996–97 and 1997–98. The reduction in the total of Revenue Support Grant and redistributed National Non-Domestic Rates in 1998–99 exceeds the reduction in SSA. This reflects a shift in grant from shire districts to shire counties following changes in the SSA system in 1998–99, and a shift in the cost of local authority services from central government to council tax payers.

The amount of Revenue Support Grant and redistributed National Non-Domestic Rates for Tewkesbury in each year is such that if all local authorities were to spend at SSA then taxpayers in a given council tax band in Tewkesbury could face broadly the same council tax as council tax payers in the same band in other parts of England.

European Charter of Local Self-Government

Mr. Anthony D. Wright: To ask the Secretary of State for the Environment, Transport and the Regions what progress the United Kingdom has made towards ratifying the European Charter of Local Self-Government; and if he will make a statement. [32574]

Ms Armstrong: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has today laid the Charter, together with my Explanatory Memorandum, before the House, thereby beginning the process of ratification. Our signature of the Charter on 3 June 1997 made clear our support for the principles of democratic local government which the Charter enshrines. Ratification will commit us to uphold these principles.

Our system of democratically elected councils, leading their local communities and securing the delivery of local services, conforms with the Charter's principles. This will be reinforced by our agenda for modernising local government and reinvigorating local democracy.

NORTHERN IRELAND

Queen's Counsel

Mr. Gordon Prentice: To ask the Secretary of State for Northern Ireland by whom candidates for silk are interviewed. [31045]

Mr. Ingram: Candidates for silk in Northern Ireland are not interviewed.

Health and Food Safety Research

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what are the subjects of the health and food safety research projects in which the United Kingdom and the Republic of Ireland are co-operating. [30807]

Mr. Worthington: The United Kingdom is not co-operating with the Republic of Ireland in any health or food safety research projects.

Labour Relations Agency

Mr. McGrady: To ask the Secretary of State for Northern Ireland for what reasons a civil servant was asked to attend meetings of the Board of the Labour Relations Agency. [31311]

Mr. Ingram: The Labour Relations Agency requested the attendance of an official from the Department of Economic Development at their Board meetings, in an observer capacity only, to provide clarification on the Department's position if and when the Board required such advice.

Mr. McGrady: To ask the Secretary of State for Northern Ireland what steps are being taken to provide for greater openness and accountability by the Labour Relations Agency. [31308]

Mr. Ingram: Government are committed to improving openness and accountability in all its Non-Departmental Public Bodies. The Labour Relations Agency has indicated its acceptance of Government's approach and is working with the Department of Economic Development on a variety of measures to make it both more relevant and more accessible to the public it serves.

Radioactive Waste

Mr. McGrady: To ask the Secretary of State for Northern Ireland (1) what has been *(a)* the annual volume, *(b)* isotopic content and *(c)* origin of wastes received at each site designated for low-level radioactive waste since 1994; [31309]

(2) if she will list sites in Northern Ireland specified in authorisations issued under the Radioactive Substances Act 1993 to receive low-level radioactive waste. [31310]

Mr. Paul Murphy: Responsibility for these matters has been delegated to Environment and Heritage Service under its Chief Executive, Mr. Robert C Martin. I have asked him to arrange for a reply to be given.

Letter from Robert C. Martin to Mr. Eddie McGrady, dated 26 February 1998:

As Chief Executive of Environment and Heritage Service (EHS), I am responsible for all operational aspects of the environmental policies of the Department of the Environment for Northern Ireland. I am responding to the two Parliamentary Questions which you put down for answer on Tuesday, 3 March 1998, regarding authorisations issued under the Radioactive Act 1993 and details of low level radioactive waste.

Under the Radioactive Substances Act 1993 the Chief Radiochemical Inspector issues Certificates of Registration for premises to hold radioactive material and also Certificates of Authorisation for the accumulation and disposal of radioactive waste. Conditions are placed on operators to control the disposal of low level radioactive waste eg restrictions on the quantities of waste that can be held and the disposal routes chosen. Operators are required to notify the Chief Inspector in writing of the details of all such disposals. EHS's Industrial Pollution and Radiochemical Inspectorate (IPRI) routinely inspects premises to ensure compliance with imposed conditions.

Various disposal routes are used locally eg controlled discharge to drains, land burial and intermediate storage prior to disposal at authorised facilities such as Harwell and Drigg in GB. Operators are required to provide the Chief Inspector with details of all radioactive material received and amounts disposed of via the various disposal routes on an annual basis. Public Registers giving details of all Registrations and Authorisations in Northern Ireland are held by IPRI in a central register and by the relevant district council in their local office.

No 235

Only one landfill site at Dargan Road, located in the Belfast City Council area has been used for the disposal of low level radioactive waste since 1994.

The volume of radioactive waste disposed of each year at this site is approximately 50 cubic metres. Details of the activity are set out in the attached table.

No 236

There are 4 sites currently authorised by the Chief Radiochemical Inspector, under the Radioactive Substances Act 1993 to receive low level radioactive waste.

They are:

Culmore Point landfill site, near Londonderry;

Dargan Road landfill site, Belfast; and

Letterloan and Mayboy Road landfill, sites, both near Coleraine.

I trust you find this reply helpful.

Radionuclide	*Radioactivity 1994*	*Disposed 1995*	*(MBq) 1996*
Tritium	194.31	92.807	31.295
Carbon 14	9.924	6.03	736.276
Other isotopes with a half life less than 1 year	3,069.46	2,199.67	888.4
Other isotopes with a half life greater than 1 year	0	9.5	0
Waste technetium 99 columns	50	50	0

The radioactive waste deposited at Dargan Road landfill site came from local hospitals with some material from the local Universities.

Schools

Mr. McNamara: To ask the Secretary of State for Northern Ireland what is the current capital expenditure allocated to *(a)* integrated schools, *(b)* Catholic schools and *(c)* state schools; and what percentage of the pupil population they represent. [31632]

Mr. Worthington *[holding answer 27 February 1998]:* The information is not available in the form requested. The estimated capital expenditure on controller schools, voluntary schools and grant-maintained

integrated schools in the current financial year is set out in the table, together with the percentage of the Northern Ireland pupil population they represent.

Schools	Estimated Expenditure (£ million)	Percentage of school population
Controlled	27.0	44
Voluntary	27.0	54
Grant-maintained integrated	12.8	2

INTERNATIONAL DEVELOPMENT

Microcredit

Mr. Goggins: To ask the Secretary of State for International Development what plans she has to develop European policy on microcredit during the UK Presidency of the European Union. [31761]

Clare Short: My Department played an active role in an EC expert group on microfinance in the latter half of last year. My officials made a significant contribution towards the preparation of a Commission paper "Microfinance and Poverty Reduction" which was discussed by this group. This resulted in a Resolution on microfinance that was adopted by the Development Council last November.

During the UK Presidency, the Commission is charged to produce additional guidelines to assist the Commission in the design and implementation of microfinance projects. My officials will be in consultation with the Commission once these guidelines have been drafted. The key objective is to ensure that EC funds used to support microfinance projects are deployed to maximum effect to assist the poor on a sustainable basis.

Reproductive Health Care

Sir Alastair Goodlad: To ask the Secretary of State for International Development in which countries her Department is supporting projects to improve the quality of service in reproductive health care. [31754]

Clare Short: We help public and private reproductive health care providers in many countries to make high-quality, client oriented services more widely available to poor people. We also assist national authorities that set and monitor service delivery standards. We do this in collaboration with United Nations agencies, such as the World Health Organisation and the UN Population Fund, the EC, international non-governmental organisations and through direct bilateral investments.

The countries where we have significant bilateral co-operation to improve people's benefits from reproductive health include: Ghana, Malawi, Pakistan, India, Cambodia, Kazakhstan, Nigeria, Zimbabwe, Bangladesh, Russia, Bolivia, Tanzania, Zambia, Nepal, Brazil, Uganda, South Africa, Peru

India

Sir Alastair Goodlad: To ask the Secretary of State for International Development if she will make a statement on her Department's current support for health and population projects in India. [31756]

Clare Short: Health and population is a major priority for the Department for International Development (DFID) programme in India. In the current financial year we are spending about £20 million on projects to help improve the effectiveness of Indian health services; to control tuberculosis, HIV and malaria; to improve access to reproductive health care; and to eradicate polio. We are also supporting smaller scale projects through NGOs. In addition, we make a substantial contribution in this field through the European Union and multilateral agencies such as the World Bank.

Mixed Credits

Sir Alastair Goodlad: To ask the Secretary of State for International Development in which countries applications for mixed credits are currently under consideration; if she will list the projects; and if she will make a statement. [31842]

Clare Short: I have said previously that I would expect to use mixed credits only in the poorest countries. A number of ATP projects, received before that scheme was closed, are currently under consideration. The countries concerned are Bangladesh, Philippines and Vietnam.

Sir Alastair Goodlad: To ask the Secretary of State for International Development what applications for mixed credits for development projects have been approved by her Department since 1 May 1997. [31843]

Clare Short: Since 1 May I have approved two ATP projects which were under consideration in my Department at the time of the Election. They are: a project to supply Land Rovers to the Zimbabwe Police and a project to improve coal handling at the Port of Tianjin in China (though that project was subsequently ruled out under the OECD's tied aid eligibility criteria). There have been no new applications since 1 May.

Education Projects

Sir Alastair Goodlad: To ask the Secretary of State for International Development in which countries her Department is supporting projects for the improved provision of primary and adult basic education. [31755]

Clare Short: We have supported projects for the improved provision of primary or adult basic education in all of the countries listed in Table 1. Similar projects have been supported in a number of countries in the larger list in Table 2, but those have been categorised as "education" and not at a more specific level such as primary or adult basic education.

1: Primary and adult basic education

Afghanistan
Albania
Angola
Bangladesh
Belize
Bosnia and Herzegovina
Botswana
Brazil
Bulgaria
Cambodia
Caribbean
Egypt

Ethiopia
Gambia
Ghana
Honduras
India
Indonesia
Jordan
Kenya
Lebanon
Lithuania
Malawi
Namibia
Nepal
Pakistan
Romania
Sierra Leone
Solomon Islands
South Africa
South Pacific
Sri Lanka
Swaziland
Tanzania
Uganda
Vietnam
West Bank and Gaza Strip
Zambia

2: All education

Anguilla
Antigua and Barbuda
Armenia
Belarus
Bolivia
British Virgin Islands
Brunei
Cameroon
Chile
China
Colombia
Costa Rica
Cyprus
Czech Republic
Dominica
Ecuador
Eritrea
Estonia
Fiji
Gibraltar
Grenada
Guatemala
Guyana
Hungary
Ivory Coast
Jamaica
Kazakhstan
Kenya
Kiribati
Laos
Latvia
Lesotho
Madagascar
Malaysia
Maldives
Mauritius
Mexico
Mongolia
Montserrat
Mozambique
Nicaragua
Nigeria
Oman
Pakistan
Peru
Philippines
Poland
Russia
Senegal
Seychelles
Slovakia
Slovenia
St. Helena
St. Kitts-Nevis
St. Vincent and Grenadines
Thailand
Tonga
Trinidad and Tobago
Tristan da Cunha
Tunisia
Turkey
Turks and Caicos Islands
Ukraine
Vanuatu
Zimbabwe.

Russia

Sir Alastair Goodlad: To ask the Secretary of State for International Development what assistance her Department is giving to research into the causes of mortality in Russia; and if she will make a statement. [31753]

Clare Short: The Department for International Development (DFID) has funded a collaborative research project involving the London School of Hygiene and Tropical Medicine and the Russian Federation Academy of Sciences Centre for Demography and Human Ecology. The project, which ran from June 1996 to October 1997, investigated the rapid increase in mortality in Russia between 1990 and 1994. Male life expectancy at birth fell in this period by 6.2 years to 57.6.

The project has provided useful findings regarding the influence of alcohol on mortality. There is emerging evidence that binge drinking in the Russian tradition has specific effects on the heart and may be causing the very large number of cardiovascular deaths among men of working age. A *Lancet* article, outlining the project's findings in August 1997, attracted considerable interest and comment and is to be summarised in the 1998 WHO World Health Report.

The results of the research project have been widely disseminated in Russia. A conference was organised in Moscow in the autumn of 1997, which involved senior health policy and decision makers from federal and regional bodies. The conference, which took note of the social and economic stress that people in Russia are under, identified alcohol as a key priority for Ministry of Health action.

Following on from this work, DFID has recently approved funding for a 2 year collaborative study to examine the determinants of mortality in the Former Soviet Union.

Peru

Mr. Mullin: To ask the Secretary of State for International Development what aid she has given to help with the effects of the floods in Peru; and if she will make a statement. [31889]

Clare Short: My Department has given £100,000 through the British Embassy in Lima for the purchase of relief items such as tents and blankets and £30,735 through the United Nations Office for Co-ordination of Humanitarian Affairs for repairs to houses. We are also funding a long-term programme, administered through the Intermediate Technology Development Group, which aims to strengthen the Peruvians' capacity to cope with the range of natural hazards faced by the country, including floods. We have recently agreed to support an additional training component of this programme, specifically addressing the effects of El Nino.

Mozambique

Mr. Timms: To ask the Secretary of State for International Development what estimate she has made of the total official debt owed by Mozambique; and what was the amount spent by Mozambique on *(a)* debt service, *(b)* health and *(c)* education, in terms of (i) US dollars, (ii) US dollars per capita, (iii) percentage of GNP and (iv) percentage of government expenditure in each of the last three years. [31679]

Clare Short: We are able to obtain only the following details:

	Total official external debt (US$ million)	*Total debt service as a percentage of GNP*
1993	5,209	10
1994	5,651	11
1995	5,781	13

Percentage shares of Government of Mozambique recurrent expenditure

	Education	*Health*
1993	12	6
1994	10	5
1995	16	8

Intellectual Property Rights

Mr. Matthew Taylor: To ask the Secretary of State for International Development what assessment she has made of the effect of the decision in the Government White Paper on International Development to help developing countries implement the WTO Trade Related Aspects of Intellectual Property Rights Agreement on poor people in those countries. [31537]

Clare Short: Most developing countries are on track to implement their obligations under the Trade Related Aspects of Intellectual Property Rights (TRIPs) by the year 2000. Least Developed Countries (LDCs) are likely to request an extension of their implementation period beyond the agreed time frame up to 2006. The World Intellectual Property Organisation (WIPO) has primary responsibility for providing technical assistance to developing countries in the implementation of TRIPs, supported in some areas by WTO and UNCTAD. My officials are planning to visit WIPO, UNCTAD and WTO in April to discuss their programmes and to identify possible areas for collaboration. We will focus in particular on how TRIPs should be implemented and monitored with a view to maximising the beneficial impact on poor people.

Biodiversity

Mr. Matthew Taylor: To ask the Secretary of State for International Development if, at the Fourth Conference of the Parties of the Convention on Biological Diversity, the Government will encourage the Global Environment Facility's Implementing Agencies to integrate biodiversity into their mainstream operations and to report on this integration to the Fifth Conference. [31538]

Clare Short: The UK believes that the implementing agencies of the Global Environment Facility (GEF) could do more to integrate biodiversity and other global environmental issues into their mainstream operations. We have supported calls to this end made at past Conferences of the Parties to the Convention on Biological Diversity. The UK, in co-ordination with other donors, will continue to push for better integration at the Fourth Conference of the Parties. Decisions on how to take the issue forward subsequently will be a matter for the Conference of the Parties itself.

The UK will also continue to press for better integration of biodiversity by the GEF's implementing agencies at the governing Council of the GEF and in the respective governing bodies of the agencies concerned. Detailed decisions on how best to integrate biodiversity into mainstream operations rest with the agencies' governing bodies.

FOREIGN AND COMMONWEALTH AFFAIRS

Europe 2010 Dining Club

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the funding of the dining club Europe 2010 by the London office of the European Commission. [31265]

Mr. Doug Henderson: The European Commission Representation in London has funds which it can allocate to groups promoting debate on Europe. These moneys come from the budget for information and communication activities which is agreed by the Council of Ministers and

the European Parliament each year. But the Commission does not routinely provide Member States with details of individual grants made.

Visa Applications

Ms Drown: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list by country the *(a)* number and *(b)* proportion of applications for visitors visas that were refused in each of the last five years. [31662]

Mr. Fatchett: The numbers and proportions of visitors visa refused, worldwide, for the last 5 years, are as follows:

Year	Number of refusals	Percentage of applications
1997[1]	57,612	6.1
1996	78,424	5.9
1995	72,626	6.5
1994	64,566	6.2
1993	60,183	6.5

[1] Based on returns from 98 per cent. of Posts.

Migration and Visa Division of the Foreign and Commonwealth Office keep statistics giving a breakdown, by each Entry Clearance Issuing Post, of the number and proportion of visas refused at each Post. I will arrange for these to be sent to my hon. Friend.

Sierra Leone

Mr. Hoyle: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is planning to support the return of constitutional government to Sierra Leone. [31757]

Mr. Tony Lloyd: I refer the hon. Member to the answer I gave on 23 February 1998, *Official Report*, columns *34–35*.

We have consistently worked for the peaceful restoration of the democratically elected government of Sierra Leone. We have been in regular contact with the legitimate President, Ahmad Tejan Kabbah, with whom I last discussed the situation on 20 February. We and our EU partners have called for his immediate return to Sierra Leone. We are urgently discussing with the Economic Community of West African States (ECOWAS) and the United Nations the need for a broadly based Government under President Kabbah and for all parties to move to a process of disarmament and demobilisation.

HMS Cornwall arrived in Freetown on 1 March and is now providing technical assistance and support to humanitarian relief work in Sierra Leone.

Immigration

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs on what grounds Osho Miatso was refused a UK visitors visa in 1985. [31726]

Mr. Fatchett: From the limited information given, it has not been possible to trace an entry clearance application made in 1985 under the name of Osho Miatso. Records of visit visas which are refused are in any case normally destroyed after 5 years.

Sudan

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what new proposals he has to improve human rights in Sudan with particular reference to slavery. [31780]

Mr. Fatchett: We continue to put pressure on the Government of Sudan to respond to the concerns of the international community about human rights violations in Sudan, including the continuing and disturbing reported cases of abductions and slavery. We have urged the Government of Sudan to investigate those reports and encouraged them to take action against those responsible and to help in efforts to reunite families.

Schengen Agreement

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 18 June 1997, *Official Report*, column *179*, if he will list the Schengen documents he *(a)* has examined and *(b)* has requested to examine. [31275]

Ms Quin: I have been asked to reply.

We have received and examined the 1985 Schengen Agreement, the 1990 Schengen convention and the Accession Protocols. We have not yet received all Decisions and Declarations adopted by the Schengen Executive Committee and are seeking to obtain them.

LORD CHANCELLOR'S DEPARTMENT

Conferences

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31172]

Mr. Hoon: This information is not held centrally and could be obtained only at disproportionate cost.

Queen's Counsel

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 13 February 1998, *Official Report*, column *400*, how many High Court judges had their applications for silk rejected at their *(a)* fourth and *(b)* more than fourth attempts. [31215]

Mr. Hoon: Of the 97 High Court Judges at present in post, none had their applications for silk rejected at their fourth and future attempts.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 13 February 1998, *Official Report*, column *400*, concerning the number of unsuccessful applications for silk made by an individual before taking silk; what assessment he has made of the *(a)* advantages and *(b)* disadvantages of placing a limit on the number of applications which can be made. [31082]

Mr. Hoon: My noble and learned Friend the Lord Chancellor considers that the balance of advantage is against placing a limit on the number of applications which can be made for silk. Practitioners should be able to retain the right to apply for silk as often as they wish.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the average number of applications for silk before an appointment is made. [31092]

Mr. Hoon: The average number of applications for silk made by those who were successful in the 1997 silk round was 2.57.

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 12 February 1998, *Official Report*, column *300*, regarding consultations on the suitability of applicants for silk, if he will list those consultees who are not members of the judiciary. [31184]

Mr. Hoon: I have listed those consultees who are not members of the judiciary.

Consulted at Meetings

Circuit Leaders

- South Eastern: M. Lawson QC
- The Leader of the South Eastern Circuit consults the Chairmen of the Bar Messes on the South Eastern Circuit:
- D. Spens QC
- D. Day QC
- D. Stokes QC
- R. Camden-Pratt QC
- J. Baughan QC
- N. Sweeney
- H. Green QC
- G. Khayat QC
- A. Patience QC
- R. Amlot QC
- Midland & Oxford: J. Hunt QC
- Northern: R. Henriques QC
- North Eastern: M. Swift QC
- Western: N. Pascoe QC
- Wales and Chester: J. Griffith Williams QC

Officers of the Bar Council

- Chairman and Vice-Chairman: R. Owen QC and H. Hallett QC

Consulted in writing

EC and International Law

- Legal Adviser, FCO: Sir Franklin Berman KMG QC
- Advocate General of the Court of Justice of the EC: F. G. Jacobs QC
- EC Law Silks: N. Forwood QC

Specialist Bar Association Chairmen

- Chairman, Administrative Law Bar Association: M. Supperstone QC
- Chairman, Chancery Bar Association: N. Patten QC
- Chairman, Commercial Bar Association: J. Jarvis QC
- Chairman and Vice-Chairman, London Common Law and Commercial Bar Association: P. Gross QC and C. MacKay QC
- Chairman, Criminal Bar Association: R. Amlot QC
- Chairman, Employment Law Bar Association: R. Allen QC
- Chairman, Family Law Bar Association: D. Bodey QC
- Chairman, Local Government and Planning & Environmental Law Bar Association: M. Spence QC
- Chairman, Official Referees Bar Association: D. Friedman QC
- Leader, Parliamentary Bar Mess: M. Fitzgerald QC
- Chairman, Personal Injury Bar Association: M. de Navarro QC
- Chairman, Professional Negligence Bar Association: R. de Wilde QC
- Chairman, Revenue Bar Association: G. Aaronson QC

Other senior practitioners

- Intellectual Property: S. Thorley QC
- Landlord & Tenant: K. Lewison QC
- Solicitor to the Inland Revenue: B. E. Cleave
- Environmental: V. Pugh QC and P. Vallance QC
- Immigration: N. Blake QC
- Defamation: R. Hartley QC
- Restrictive Practices and Monopolies: J. Lever QC
- Employment & Industrial Relations: J. McMullen QC
- Admiralty: R. F. Stone QC
- Bar Race Relations Committee: P. Scriven QC

Solicitors

- The Law Society
- Council Members of the Law Society
- Law Society Equal Opportunities Committee

Specialist Solicitors Associations

- Association of Patent Solicitors
- Association of Personal Injury Lawyers
- Association of Pension Lawyers
- Commerce & Industry Group
- Criminal Law Solicitors Association
- Educational Law Association
- Employment Lawyers Association
- Housing Law Practitioners Association
- Immigration Law Practitioners Association
- Insolvency Lawyers Association
- Intellectual Property Lawyers Association
- Legal Aid Practitioners Group
- Local Government Group
- London Criminal Courts Solicitors Association
- London Solicitors Litigation Association
- Official Referees Solicitors Association
- Solicitors Association of Higher Court Advocates
- Solicitors European Group
- Solicitors Family Law Association.

Court Rules and Procedures

Mr. Mitchell: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 10 February 1998, *Official Report*, column *139*, concerning changes in court rules and procedures consequent to the draft European convention concerning harmonisation of court proceedings and documentation, when he expects to finalise his plans for implementation; by what means he plans to publish them; and to whom he plans to circulate them. [31054]

Mr. Hoon: Each Member State is presently preparing the directories, glossaries and handbook which will be needed by other Member States to operate the new system. Once these are available we shall finalise our plans for implementation, and a Consultation Paper containing details of our proposals will then be published.

That paper will be circulated to those already consulted and be generally available to anyone with an interest in the proposals.

Legal Aid

Mr. Mitchell: To ask the Parliamentary Secretary, Lord Chancellor's Department what are the Legal Aid Board's forecasts for net Legal Aid Fund expenditure over the next three years. [31276]

Mr. Hoon: Expenditure on the Legal Aid Fund[1] in 1998/99 is expected to be around £1,200m. It is not possible to give figures for 1999/2000 and beyond since expenditure will depend on the outcome of the Government's overall Comprehensive Spending Reviews.

[1] Excludes legal aid in the higher criminal courts which is administered by the courts.

Small Claims

Kali Mountford: To ask the Parliamentary Secretary, Lord Chancellor's Department what proportion of claims awarded by small claims courts were successfully collected in each of the last three years. [31041]

Mr. Hoon: This information is not held centrally and could be obtained only at a disproportionate cost.

Community Legal Service

Mr. Mitchell: To ask the Parliamentary Secretary, Lord Chancellor's Department how much expenditure the Government propose for the proposed community legal service over the next three years, in addition to existing funding for law and advice centres. [31244]

Mr. Hoon: The Lord Chancellor has announced that proposals for a Community Legal Service will be finalised by the beginning of next year, and will then be the subject of full public consultation. It is impossible to identify what expenditure the Community Legal Service will involve before proposals have been fully developed and decisions taken in the light of the response to consultation on these proposals.

Crown Courts

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department how many cases in 1997 which would normally be expected to be dealt with at Lewes Crown Court were *(a)* so dealt with, *(b)* transferred to Croydon Crown Court, *(c)* transferred to Chichester Crown Court and *(d)* otherwise transferred; and if he will make a statement. [31921]

Mr. Hoon: The number of cases dealt with during 1997, as requested, were *(a)* 1,137, *(b)* 89, *(c)* 16 and *(d)* 12 respectively. The cases transferred were made in order to improve the waiting times for cases in Sussex. When transferring such cases, the interests of all concerned are taken into account.

Magistrates

Mr. McLoughlin: To ask the Parliamentary Secretary, Lord Chancellor's Department how many magistrates serve the areas of *(a)* Matlock, *(b)* Ashbourne and *(c)* Bakewell. [31862]

Mr. Hoon: The areas of Matlock, Ashbourne and Bakewell are all covered by the West Derbyshire Bench, which currently has a strength of 32 magistrates.

Mr. McLoughlin: To ask the Parliamentary Secretary, Lord Chancellor's Department how many cases in the last two years which would normally have been held at *(a)* Matlock, *(b)* Ashbourne and *(c)* Bakewell Magistrates' Courts have been transferred to other courts. [31861]

Mr. Hoon: The Lord Chancellor's Department does not collect statistics of this type.

The Justices' Chief Executive for the Derbyshire MCC has stated that the work arising in West Derbyshire is sufficient to justify courts sitting on two days only, Thursday and Friday. Thus from Monday to Wednesday cases must be heard elsewhere, and cases involving prisoners in custody can be heard only in Bakewell, on Friday.

Mr. McLoughlin: To ask the Parliamentary Secretary, Lord Chancellor's Department how many cases have been tried at *(a)* Matlock, *(b)* Ashbourne and *(c)* Bakewell Magistrates' Courts in each of the last five years. [31863]

Mr. Hoon: The adult, criminal case load for the West Derbyshire Division, which comprises Matlock, Ashbourne and Bakewell, for the years 1993 to 1997, was 1,529; 1,782; 1,555; 1,676 and 1,780 respectively. It is not possible to break this down to the individual courthouses within the Division. It is not possible to obtain figures for the other types of case, namely youth, criminal, family and other civil work. The Justices' Chief Executive for the Derbyshire MCC will write to the hon. Member directly with the information.

Mr. McLoughlin: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the county towns that *(a)* have and *(b)* lack magistrates courts. [31860]

Mr. Hoon: The Department does not hold a list of county towns to enable a complete answer to be provided to this question. A table, which has been placed in the Library, shows the location of courthouses within English shire county areas as at April 1997.

Legal Services Ombudsman

Mr. Sutcliffe: To ask the Parliamentary Secretary, Lord Chancellor's Department what representation he has received on the proposed move of the Office of the Legal Services Ombudsman from Manchester to Leamington; and if he will make a statement. [32106]

Mr. Hoon: I have received no representations. There are no plans for the Office of the Legal Services Ombudsman to move from Manchester to Leamington Spa.

SCOTLAND

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of the cost of theft and fraud to *(a)* his Department, *(b)* its agencies and *(c)* non-departmental public bodies in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27767]

Mr. Dewar *[holding answer 5 February 1998]:* The cost of fraud and theft to The Scottish Office was £24,644 in 1995–96, £30,935 in 1996–97 and £41,054 in 1997–98 to date, of which £14,573, £8,745 and £19,196 respectively related to Scottish Office agencies. Figures for non-departmental public bodies are not held centrally.

Queen's Counsel

Mr. Gordon Prentice: To ask the Secretary of State for Scotland how many and what percentage of the judiciary and other consultees who were asked for an opinion on the suitability of applicants for silk, declined to express an opinion in the last year for which figures are available. [30385]

Mr. McLeish *[holding answer 25 February 1998]:* This information is not available.

Mr. Gordon Prentice: To ask the Secretary of State for Scotland by whom candidates for silk are interviewed. [31046]

Mr. McLeish: This information is not available.

Funicular Railway, Cairngorm

Mr. Randall: To ask the Secretary of State for Scotland what discussions, or correspondence, he has had with Aberdeenshire and Moray Councils with regard to the proposed funicular railway on Cairngorm; and what views the councils expressed to him. [31235]

Mr. MacDonald: My right hon. Friend received a letter from Aberdeenshire Council on 25 November 1997 advising him that a motion had been passed expressing the Council's disappointment at the decisions not to review the planning consent and to award tax payers' money for the development. There has been no correspondence from Moray Council.

Mr. Randall: To ask the Secretary of State for Scotland what advice the Cairngorms Partnership Board gave him with regard to their consideration of the planning application for the proposed funicular railway on Cairngorm. [31236]

Mr. MacDonald: The Cairngorms Partnership Board advised my right hon. Friend that if central Government saw fit to become involved in the planning process, they would support that decision.

Driving (Drugs)

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how many cases of people driving under the influence of drugs have been reported in Scotland, by police force, in each of the last 10 years. [31706]

Mr. McLeish: The information is not separately identifiable in the statistics collected centrally.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland, pursuant to his answer of 27 January 1998, *Official Report*, column *179*, if he will make a further statement in respect of the Skye Bridge, with special reference to *(a)* the Bank of America at present holding title to the shares, *(b)* the subsequent ownership of Skye Bridge Ltd and *(c)* the effective control of the company. [31929]

Mr. Dewar: The answer of 27 January, to which the hon. Member refers, was a comprehensive and accurate explanation of the arrangements between Skye Bridge Ltd. and the Bank of America. I have nothing further to add.

TREASURY

Computer Systems

Mr. Clifton-Brown: To ask the Chancellor of the Exchequer if he will list each major new computer system that *(a)* his Department, *(b)* non-departmental bodies and *(c)* agencies under his responsibility have purchased in the last five years; what was the initial purchase cost and what was the final cost; what was each system's (i) planned and (ii) actual date of commissioning; what major computer systems will be purchased by bodies in categories (a), (b) and (c) in the next financial year; and what is their estimated cost. [27850]

Mrs. Liddell: The information is given in tables, copies of which have been placed in the Library. For most of the departments and agencies covered, the costs shown are the costs of the contracts placed for the systems concerned, using estimates for any variable elements. Costs which are spread over several years have been aggregated. The costs cover externally-provided hardware, software and implementation costs and may, in addition, cover other costs such as training where this was purchased as part of the initial contract. The costs of in-house project development are not included. Support and on-going maintenance costs are excluded. For the Inland Revenue, special factors have required the use of different conventions, most notably the inclusion of in-house development costs. Such differences have been footnoted.

A major computer system has been taken to be one whose costs, on the basis described above, exceed £1 million. On this definition, the Royal Mint, the Registry of Friendly Societies, the National Investment Loans Office and the Debt Management Office (which will be formally established on 1 April 1998) have not purchased any major computer systems and do not expect to do so in 1998–99.

Multilateral Agreement on Investment

Mr. Stunell: To ask the Chancellor of the Exchequer what estimate he has made of the impact of the proposed multilateral agreement on investment on levels of investment and growth rates in the UK and the EU; and if he will make a statement. [30546]

Mrs. Liddell: The UK is a major source and recipient of international investment. A successful Agreement will provide investors with extra confidence in making investment decisions. This will help to promote investment flows between countries, thus contributing to sustained economic growth. Foreign investors in the United Kingdom already benefit from an open and welcoming environment. Our European Union partners

also maintain few restrictions on foreign investment. The main benefits for UK investors are therefore expected to arise in markets outside Europe.

Credit Control

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will review methods of controlling and managing credit by means other than interest rates. [31030]

Mrs. Liddell: The Bank of England's official repo rate is the best instrument for controlling credit for the purposes of meeting the Government's inflation target. The Monetary Policy Committee (MPC) considered alternative monetary policy instruments in August 1997 (as shown in the published MPC minutes), and rejected their use.

Credit Controls

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will list the measures available to him to manage or control credit and to regulate its expansion. [31347]

Mrs. Liddell: The Bank of England's official repo rate is the principal means of managing the expansion of credit. Other measures include: reserve requirements, direct quantitative controls, and certain fiscal measures.

Barn Conversions (VAT)

Mr. Shaw: To ask the Chancellor of the Exchequer when barn conversions were first zero-rated for VAT. [30973]

Dawn Primarolo: The first time sale of barns converted into dwellings has been zero-rated since 21 July 1994.

Euro

Sir Teddy Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the production cost of substituting euros for sterling; and what estimate he has made of the costs for business of altering machinery to accept euros. [31526]

Mrs. Liddell *[holding answer 26 February 1998]:* The costs of changeover to the euro will depend on the speed and manner of the transition to the euro and on the degree of pre-planning. The Chancellor has set up a Standing Committee to consider how the UK would approach the transition to the euro if and when the UK joins, and he is receiving advice from business sources through a Business Advisory Group looking at the practical implications of economic and monetary union.

These costs can be minimised by careful preparation and sharing of information between Government and business.

Works of Art

Ms Roseanna Cunningham: To ask the Chancellor of the Exchequer how many works of art he has borrowed for use in his offices and official residence; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31560]

Mrs. Liddell *[holding answer 27 February 1998]:* I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport on 27 February 1998, *Official Report,* column *388.*

Lloyd's

Mr. Hammond: To ask the Chancellor of the Exchequer what plans he has to initiate a review into the regulatory arrangements at Lloyd's of London in accordance with the terms of the recommendations of the Fourth Report of the Treasury Committee of Session 1995–96 (HC 224). [31902]

Mrs. Liddell *[holding answer 27 February 1998]:* On 21 January 1998, *Official Report,* columns *532–33,* I announced proposals for the Financial Services Authority (FSA) to take statutory responsibility for the regulation of Lloyd's as part of the Government's wider reforms of financial services regulation. Our proposals would provide the FSA with extensive supervisory powers and powers of intervention in relation to Lloyd's. I do not therefore intend to initiate a review of the kind recommended by the Committee.

Mr. Cousins: To ask the Chancellor of the Exchequer, pursuant to the answer to the hon. Member for Preseli Pembrokeshire (Ms Lawrence), of 21 January 1998, *Official Report,* columns *532–33,* on Lloyd's, if he will list the powers in the Insurance Companies Act 1982 which he will use to extend the supervision of the FSA to Lloyd's; and whether (i) these powers and (ii) the proposed reserve power to directly authorise or supervise Lloyd's members will require changes to the Lloyd's Act 1982. [31570]

Mrs. Liddell: The Government propose to introduce new legislation which will give new powers to the Financial Services Authority for the effective regulation of financial services providers, including banks, building societies, investment businesses and insurers. Powers under the existing financial services legislation, including the Insurance Companies Act 1982, would then be repealed. It is not envisaged that the regulatory arrangements which I have proposed for Lloyd's would require amendment to the Lloyd's Acts 1871–1982.

Economic and Monetary Union

Mr. Lilley: To ask the Chancellor of the Exchequer if he will introduce legislation to repeal the prohibition under the Financial Services Act 1986 on an individual, who is not an authorised person and is not in the business of giving investment advice, from publicly expressing a view on the likely impact of full membership of EMU on the value of UK index-linked Government stock. [31731]

Mrs. Liddell *[holding answer 27 February 1998]:* There is no such provision in the Financial Services Act 1986.

Abortions

Mr. Barnes: To ask the Chancellor of the Exchequer what proportion of *(a)* women from Northern Ireland who obtained legal abortion in England and Wales in 1996, *(b)* women from the Irish Republic who obtained legal abortion in England and Wales in 1996 and *(c)* women resident in England and Wales who obtained legal abortion in 1996 underwent the procedure in (i) the first nine weeks of pregnancy and (ii) the first 12 weeks of pregnancy. [31491]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Harry Barnes, dated 2 March 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on abortions in the first nine weeks of pregnancy and the first 12 weeks of pregnancy.

The information requested is shown in the table.

Proportion of abortions performed in England and Wales by gestation weeks on residents of Northern Ireland, Irish Republic, and England and Wales in 1996

Percentage

Country of usual residence	*Gestation weeks*	
	Under 9 weeks	*Under 12 weeks*
Northern Ireland	31	73
Irish Republic	37	73
England and Wales	40	81

Asbestosis

Mr. Flynn: To ask the Chancellor of the Exchequer what estimate he has made of the numbers of deaths resulting from asbestosis in the last 10 years; and what is his estimate of the probable totals in the next five years. [31779]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given below.

Letter from Tim Holt to Mr. Paul Flynn, dated 2 March 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent question requesting the numbers of deaths from asbestosis in the last 10 years, and the probable totals during the next five years.

Deaths for the latest 10 years for which data are available are shown in the table.

Deaths from asbestosis in England and Wales 1987—1996

Year	*Number*
1987	43
1988	35
1989	45
1990	57
1991	59
1992	52
1993	59
1994	59
1995	44
1996	68

Notes:

1. Deaths from asbestosis were identified as those certified with an underlying cause coded to ICD9* code 501.

* International Classification of Diseases Ninth Revision

2. Data for the years 1987—1992 are by year of registration, data since 1993 are by year of occurrence.

Projected deaths from asbestosis are not available.

NUTS Review

Ms Walley: To ask the Chancellor of the Exchequer if he will propose that Staffordshire be classified as a single NUTS II area; and if he will make a statement. [31321]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange a reply to be given.

Letter from Tim Holt to Ms Joan Walley, dated 2 March 1998.

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary questions on proposing Staffordshire as a single NUTS-2 area and on the Government's position in the NUTS review currently underway and the timetable for the review.

After wide consultation throughout the UK, the Government Statistical Service submitted proposals for a revised NUTS structure to Eurostat, the Statistical Office of the European Union, in July 1997. A copy of the proposals was deposited in the House of Commons library. Those proposals included the classification of Staffordshire as a single NUTS-2 area.

During negotiations, Eurostat have stressed that in their view the UK proposals contained too many NUTS-2 areas and that changes from the current structure were unjustified. Discussions are still continuing and an announcement will be made as soon as an agreement is reached.

The original intention was to reach agreement by December 1997 but this has not been possible due to the prolonged negotiations. It is hoped that an agreement will be reached as soon as possible.

TRADE AND INDUSTRY

Dietary Supplements

Mr. Tredinnick: To ask the President of the Board of Trade when she was consulted by the Minister of State, Ministry of Agriculture, Fisheries and Food about the United Kingdom response to the European Commission Consultation Document on Dietary Supplements; and if she will make it her policy to promote the removal of barriers to trade in such supplements *(a)* within Europe and *(b)* globally. [26355]

Mrs. Roche: Responsibility for policy on dietary supplements sold under food law rests with my right hon. Friend the Minister of Agriculture, Fisheries and Food, my right hon. Friend the Secretary of State for Health and the territorial Departments. As a matter of general policy, the Department seeks to ensure the removal of barriers to trade.

Defence Exports

Mr. Hancock: To ask the President of the Board of Trade what factors underlay the decision to grant Indonesia an ECGD guarantee for five years' credit on defence exports. [29158]

Mrs. Roche: ECGD's role is to encourage UK capital goods and project exports by providing insurance against the risks of not being paid by overseas customers. Whether or not individual arms consignments are allowed to go overseas is a matter for the DTI's Export Licensing Unit. Any exports which need an export licence, but do not have one, are not eligible for ECGD cover.

Sulphur Dioxide Emissions

Mr. Bill O'Brien: To ask the President of the Board of Trade what was the average sulphur dioxide content per tonne of coal burnt in power stations for the period 1 January 1997 to 31 December 1997; what quantity of coal was burnt; and if he will estimate the amount of *(a)* deep mined and *(b)* opencast mined coal that would have been burned in this period if the target for sulphur dioxide emissions had been 1.2 per cent. [30496]

Mr. Battle: Coal use for electricity generation in the UK was 54.9 million tonnes in 1996 and 47.0 million tonnes in 1997. Power station emissions of sulphur dioxide in 1996 were 1,371,000 tonnes. 1997 figures for emissions are not yet available.

The sulphur content of coal used in power stations varies widely, from below 1 per cent. to more than 2 per cent. but figures for the average sulphur content are not available. Sulphur dioxide emissions depend on the use of flue gas desulphurisation equipment as well as on the sulphur content of the fuel used. A small proportion of the 1996 emissions was from oil fired power stations.

The Environment Agency has issued a Consultation Document setting out proposals for new sulphur dioxide targets, including a requirement for power stations not fitted with flue gas desulphurisation equipment to burn coal with an average sulphur content not exceeding 1.2 per cent. from 1999. My Department is considering these proposals.

Insolvency

Mr. Mitchell: To ask the President of the Board of Trade what factors governed those interests represented on the sponsored Insolvency Regulation Working Party. [31233]

Mr. Nigel Griffiths: The Insolvency Regulation Working Party was established by the insolvency recognised professional bodies and The Insolvency Service and its members are representatives of them.

Mr. Mitchell: To ask the President of the Board of Trade if she will list *(a)* the number of complaints per annum received by each of the bodies responsible for regulating insolvency practitioners, *(b)* the nature of the complaints, *(c)* the average and the longest time taken to investigate the complaints and *(d)* the nature of the outcomes in each of the last five years. [31200]

Mr. Nigel Griffiths: The number of complaints about insolvency practitioners received by each of the bodies for the period in question are in the table.

	1993	*1994*	*1995*	*1996*	*1997*
Institute of Chartered Accountants in England and Wales	272	263	246	325	319
Insolvency Practitioners Association	166	161	160	115	120
Law Society	1	7	3	3	0
Institute of Chartered Accountants of Scotland	12	47	39	18	11
Association of Chartered Certified Accountants	5	23	38	41	30
Institute of Chartered Accountants in Ireland	4	2	0	2	9
The Law Society of Scotland	0	0	0	0	0
Secretary of State	72	84	81	36	45
Total	532	587	567	540	534

Information about the nature of the complaints, the average and longest time taken to investigate the complaints and the nature of the outcome is either not available or could be provided only at disproportionate cost. Regulatory action was taken by the professional bodies in appropriate cases but the majority of complaints, after investigation, revealed no evidence of misconduct.

Mr. Mitchell: To ask the President of the Board of Trade how many *(a)* firms and *(b)* individuals are registered with each of the bodies responsible for authorising insolvency practitioners under the Insolvency Act 1986. [31234]

Mr. Nigel Griffiths: Only individuals may be authorised to act as insolvency practitioners. The numbers authorised by each of the bodies are as follows:

	Number
Institute of Chartered Accountants in England and Wales	844
Insolvency Practitioners Association	308
Law Society	184
Institute of Chartered Accountants of Scotland	168
Association of Chartered Certified Accountants	127
Institute of Chartered Accountants in Ireland	73
The Law Society of Scotland	22
Secretary of State	125

These figures will be published in the next Insolvency Service Annual Report.

Mr. Mitchell: To ask the President of the Board of Trade what proposals she has for requiring those licensed under the Insolvency Act 1986 to publish information about their affairs. [31339]

Mr. Nigel Griffiths: None at this stage. However, I will give careful consideration to any submissions that my hon. Friend may wish to make about this matter.

Accountants (Money Laundering)

Mr. Mitchell: To ask the President of the Board of Trade what actions her Department has taken in respect of accountancy firms and their partners judged by the High Court case of AGIP (Africa) Limited *v.* Jackson and Co. to have facilitated money laundering. [31340]

Mr. Ian McCartney: We have kept under review all the investigations undertaken on this matter. Action against money laundering is not, however, the responsibility of this Department. The remarks made during the civil case were considered by the appropriate bodies—by the Serious Fraud Office and the Police (with regard to criminal prosecution), and by the Institute of Chartered Accountants of England and Wales (ICAEW) (with a view to possible disciplinary action). After investigation no basis for any action was found.

Newspapers (Market Share)

Mr. Baker: To ask the President of the Board of Trade if she will assess the advantages of introducing legislation to limit the maximum share of the newspaper market individual proprietors may control. [31102]

Mr. Nigel Griffiths *[holding answer 24 February 1998]:* The Government's Competition Bill sets out the legislation we believe is necessary to control abuses of market dominance. The newspaper industry will be subject to this, and to other provisions in competition law.

Motor Vehicle Warranties

Mr. Alasdair Morgan: To ask the President of the Board of Trade (1) what monitoring she has undertaken of the effectiveness of non-insurance based warranties for motor vehicles; what assessment she has made of the safety implications of such warranties; and if she will make a statement; [31119]

(2) what is her policy on the sale of non-insurance based warranties; and if she will make a statement; [31120]

(3) what assessment she has made of the impact on consumers of an increase in the sale of non-insurance based warranties sold by the provider of the motor vehicle. [31116]

Mr. Nigel Griffiths *[holding answer 25 February 1998]:* The Government's policy on the sale of non-insurance based motor vehicle warranties was set out by the Financial Secretary in her reply of 12 February 1998, *Official Report*, column *389*.

The supply of Goods and Services Act 1982 requires repairs undertaken under warranty to be carried out with reasonable care and skill. If either these implied terms or the specific conditions of the warranty are breached the consumer may look to the seller for redress.

Mr. Alasdair Morgan: To ask the President of the Board of Trade (1) if she will make a statement on the risks for car purchasers relying solely on non-insurance based motor vehicle warranties if *(a)* the vehicle seller goes out of business and *(b)* there is only limited financial backing behind a non-insurance based warranty scheme; [31118]

(2) if she will estimate the number of motor vehicle sellers who have gone out of business in 1997, indicating the number of purchasers who have lost non-insurance based warranties on their vehicles as a result of such business failures. [31117]

Mr. Nigel Griffiths: *[holding answer 25 February 1998]:* During 1997, there were 132 company insolvencies in the motor vehicle retailing and filling station sector in England and Wales. In addition, there were 276 bankruptcies involving non-limited liability companies in this sector. Comparable figures for Scotland are not available.

No figures are available for the number of purchasers who have lost non-insurance based warranties on their vehicles as a result of these failures.

Motor vehicle suppliers offering non-insurance backed warranties are responsible for ensuring that they are properly financed so that they are able to fulfil their obligations to their customers. Consumers for their part need to weigh up the costs and benefits of competing products taking into account among other things the reputation and financial standing of the company offering the warranty.

Independent Committee for Supervision of Telephone Services

Mr. Grogan: To ask the President of the Board of Trade what plans she has to strengthen the powers of the Independent Committee for Supervision of Telephone Services to enforce its decisions on network operators. [31461]

Mrs. Roche: ICSTIS has a wide range of sanctions available to act against breaches of the ICSTIS Code of Practice and the ICSTIS system of regulation has the commitment and support from network operators. I am confident of the effectiveness of ICSTIS in regulating this market using its existing powers together with the continuing support of the industry.

First Bus (Glasgow)

Mr. David Marshall: To ask the President of the Board of Trade, pursuant to her answer of 22 December 1998, *Official Report*, column *522*, when she expects to announce her decision on the Monopolies and Mergers Commission report relating to First Bus operations in Glasgow; and if she will make a statement. [31901]

Mr. Nigel Griffiths *[holding answer 27 February 1998]:* My right hon. Friend, the President of the Board of Trade, will announce her decision on First Bus's request for a review of the decision of the then Minister for Corporate and Consumer Affairs as quickly as is practicable.

Imutran

Mr. Baker: To ask the President of the Board of Trade on what dates her Department has met representatives of Imutran; and what matters were discussed. [31685]

Mr. Battle *[holding answer 27 February 1998]:* DTI officials visited Imutran on 3 November 1995 and have met Imutran representatives on a number of other occasions during the last 3 years. These contacts were part of the Department's normal contact with companies in the biotechnology industry and other sectors to discuss issues affecting the competitiveness of UK industry.

Gas Deregulation

Mr. Boswell: To ask the President of the Board of Trade if she intends to make any modifications in the announced timetable for gas deregulation. [31692]

Mr. Battle: The announced timetable for gas deregulation is a matter for the Director General of Gas Supply, acting within a statutory framework. That framework, established by the previous administration, is set down in the Gas (Extent of Domestic Supply Licences) Orders of 1996 and 1997. Ministers have no formal role in this process.

Employment Rights

Mr. Boswell: To ask the President of the Board of Trade if she will make a statement on the implications of the recent industrial tribunal appeal decision in relation to employment rights for persons over the age of 65 years. [31693]

Mr. Ian McCartney: Industrial tribunal decisions do not set legal precedents and are not binding on other courts or tribunals. Most employment rights apply regardless of the employee's age, and the right to complain of unfair dismissal applies up to the normal retirement age of the job, where there is one, whether or not this is over 65.

Coal

Mr. Boswell: To ask the President of the Board of Trade what stocks of coal are currently held at power stations; and how these compare with those held on the equivalent dates in 1996 and 1997. [31694]

Mr. Battle: Coal stocks held at power stations were as follows:

	Thousand tonnes
End of January 1998	11,686
End of January 1997	7,252
End of January 1996	8,717

Source:
Energy Trends, Table 6.

Bank Holidays

Mr. Flynn: To ask the President of the Board of Trade if she will make a statement on the number of bank holidays in *(a)* Wales and England, *(b)* Northern Ireland and *(c)* other EU countries. [31783]

Mr. Ian McCartney: In the United Kingdom, there are eight bank and public holidays in England, Wales and Scotland and ten in Northern Ireland.

The number of public holidays in other EU countries is set out in the table:

EU countries	*Number of bank holidays*
Netherlands	8
Eire	9
Italy and Luxembourg	10
Sweden, Greece, Finland and Denmark	11
Portugal and Austria	12
Spain	13
France and Belgium	14
Germany	15

Notes:
The extent to which these holidays are observed varies from country to country. There are also local or regional variations in some areas.
Source:
Official Journal of the European Communities (97/C 97/03).

NUTS Review

Ms Walley: To ask the President of the Board of Trade if she will make a statement on the Government's position in respect of the NUTS review currently underway in the European Commission; and what is the timetable set for this review. [31320]

Mrs. Liddell: I have been asked to reply.

The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Ms Joan Walley, dated 2 March 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary questions on proposing Staffordshire as a single NUTS-2 area and on the Government's position in the NUTS review currently underway and the timetable for the review.

After wide consultation throughout the UK, the Government Statistical Service submitted proposals for a revised NUTS structure to Eurostat, the Statistical Office of the European Union, in July 1997. A copy of the proposals was deposited in the House of Commons library. Those proposals included the classification of Staffordshire as a single NUTS-2 area.

During negotiations, Eurostat have stressed that in their view the UK proposals contained too many NUTS-2 areas and that changes from the current structure were unjustified. Discussions are still continuing and an announcement will be made as soon as an agreement is reached.

The original intention was to reach agreement by December 1997 but this has not been possible due to the prolonged negotiations. It is hoped that an agreement will be reached as soon as possible.

WALES

Mental Health Unit, Bronllys

Mr. Livsey: To ask the Secretary of State for Wales when he intends to make a decision regarding the creation of a new mental health unit at Bronllys, Powys, through the Private Finance Initiative. [31035]

Mr. Win Griffiths: The development of hospital services in Bronllys is a matter for the Powys Healthcare NHS Trust and the Dyfed Powys Health Authority. They are currently working together to develop revised proposals to best meet the health needs of the area, and have put negotiations with the private sector on hold pending the outcome of the review.

Coastal Defences

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how much was spent on coastal defences in Wales in 1997; and what are the estimated figures for 1998. [31369]

Mr. Win Griffiths: The information requested is not collected centrally. However, the expenditure on capital schemes receiving grant assistance from the Welsh Office was £3.032 million during the financial year 1996–97 and is estimated to be just over £3 million again during the financial year 1997–98. These figures include expenditure on both coast protection and sea defence.

Housing

Mr. Brake: To ask the Secretary of State for Wales how many *(a)* empty local authority homes, *(b)* empty private homes, *(c)* empty Government homes, *(d)* empty flats above shops, *(e)* vacant offices suitable for conversion into homes and *(f)* other non-residential premises suitable for conversion into homes there are in each region in Wales. [32225]

Mr. Win Griffiths: The number of vacant dwellings owned by local authorities is shown in the table, along with the available information on homes owned by the Welsh Office. The number of unoccupied homes owned privately is not collected centrally. Unoccupied homes owned by Government Departments other than the Welsh Office are not disaggregated for Wales. Statistics are not collected centrally on empty flats above shops, vacant offices suitable for conversion or other non-residential premises suitable for conversion.

Vacant dwellings

	Number of vacant dwellings at 31 March 1997
Local authority dwellings	
Blaenau Gwent	181
Bridgend	467
Caerphilly	212
Cardiff	621
Carmarthenshire	170
Ceredigion	27
Conwy	47
Denbighshire	29
Flintshire	90
Gwynedd	110
Isle of Anglesey	105
Merthyr Tydfil	238
Monmouthshire	29
Neath Port Talbot	230
Newport	249
Pembrokeshire	120
Powys	64
Rhondda, Cynon, Taff	512
Swansea	445
Torfaen	332
The Vale of Glamorgan	117
Wrexham	327
Wales	4,722
Welsh Office Stock	
Wales	[1]33

[1] At 1 April 1997. Excludes NHS properties.

Mr. Brake: To ask the Secretary of State for Wales how much money his Department has allocated in the current financial year to fill *(a)* empty local authority homes, *(b)* empty private homes, *(c)* empty Government homes, *(d)* empty flats above shops, *(e)* vacant offices suitable for conversion into homes and *(f)* other non-residential premises suitable for conversion into homes in each region in Wales. [32226]

Mr. Win Griffiths: None of the funding the Welsh Office makes available for housing capital programmes is tied specifically to use on empty homes. Local authorities are encouraged to include in their programmes action for bringing empty and under-used housing accommodation into efficient use.

Welsh Development Agency

Mr. Rhodri Morgan: To ask the Secretary of State for Wales, pursuant to his answer to the hon. Member for Clwyd, West (Mr. Thomas) of 19 February 1998, *Official Report*, column *804*, for how long the term of appointment of the *(a)* Chairman and *(b)* Chief Executive of the enhanced Welsh Development Agency will run. [32243]

Mr. Ron Davies: The information is as follows:

(a) 30 June 1999;

(b) 17 August 2000.

Welsh Assembly

Mr. Alan Williams: To ask the Secretary of State for Wales what discount rate will be applied to assessments of PFI elements in bids for the building of the Assembly for Wales. [32252]

Mr. Ron Davies: We will follow current Treasury advice, which uses a discount rate of 6 per cent.

Mr. Alan Williams: To ask the Secretary of State for Wales if he will take into account in his assessment of the Grosvenor Waterside bid for the Assembly for Wales building the effect of that project on the value of nearby land owned by Associated British Ports. [32253]

Mr. Ron Davies: Yes.

HOME DEPARTMENT

Sex Offenders

17. **Mr. Kidney:** To ask the Secretary of State for the Home Department what proposals he has to ensure that children are protected from convicted sex offenders. [30355]

Mr. Straw: Under the Crime and Disorder Bill, the courts will have power to prohibit a sex offender from behaviour which gives reasonable cause for concern and to impose extended periods of supervision of sex offenders for up to 10 years following a period of imprisonment.

Crime Prevention

21. **Mr. St. Aubyn:** To ask the Secretary of State for the Home Department what representations he has received about the adequacy of his Department's funding in respect of crime prevention. [30359]

Mr. Michael: I am delighted by the positive response from the Police and from local authorities to our proposals for local action to cut crime. Responses to our consultation document did include comments on resource issues but there is general acceptance that there is not a big pot of new money, and palpable enthusiasm for our proposals which are set out in the Crime and Disorder Bill.

Avon and Somerset Police Authority

24. **Mrs. Ballard:** To ask the Secretary of State for the Home Department if he will make a statement on the resources made available to Avon and Somerset Police Authority. [30362]

Mr. Michael: Avon and Somerset Police Authority will have a total spending power of £167.4 million in 1998–99, an increase of £6.1 million or 3.8 per cent. over 1997–98. This is slightly higher than the national average increase of 3.7 per cent., and is a healthy rise at a time of public expenditure constraint.

Firearms (Compensation)

25. **Mr. Syms:** To ask the Secretary of State for the Home Department how much compensation for handguns he estimates will have been paid to gun owners in 1997–98. [30363]

Mr. Michael: Over £35 million has been paid out in compensation and this is likely to rise to between £40 million and £50 million by the end of the 1997–98 financial year.

Mr. Letwin: To ask the Secretary of State for the Home Department what proportion of claims for firearms compensation under Options A and B had been met by 20 February. [32072]

Mr. Michael: Around two thirds of the claims received under Options A and B of the large calibre handgun surrender scheme, including the Option A and B elements of mixed claims also involving Option C, had been approved for payment by 20 February.

Members of Parliament (Offence of Bribery)

26. **Mr. Ben Chapman:** To ask the Secretary of State for the Home Department what plans he has to make bribery of right hon. and hon. Members an offence. [30364]

Mr. Michael: When my right hon. Friend appeared before the Joint Select Committee on Parliamentary Privilege on 20 January, he emphasised that the Government are committed to tackling all forms of corruption including the bribery of hon. Members. My right hon. Friend expects to make a statement on the reform of the law in this area soon, taking account of the results of the consultation exercise which he launched in June last year and the recommendations of the forthcoming Law Commission report on Corruption Offences. He will also take account of the views of the Joint Committee on Parliamentary Privilege.

World Cup

27. **Ms Moran:** To ask the Secretary of State for the Home Department what measures he has taken to curtail hooliganism during the World cup. [30365]

Mr. Michael: My right hon. Friend the Home Secretary has just hosted a European conference to focus international efforts to combat soccer violence. We are working closely with the French authorities who are responsible for the management and security of the World cup tournament to prevent crowd trouble involving Scotland and England fans during the World cup.

Young Offenders Teams

28. **Mr. Corbett:** To ask the Secretary of State for the Home Department if he will list the powers to be given to the proposed young offenders teams in helping to tackle youth crime. [30366]

Mr. Michael: The Crime and Disorder Bill places duties rather than powers on youth offending teams. Stopping young people offending usually involves challenging several aspects of their lives. That is why the youth offenders teams will co-ordinate the provision of youth justice services in their area in accordance with the local youth justice plan. Team members will supervise and enforce community penalties. Staff of the relevant local agencies will work together as an integrated team to challenge young people's offending behaviour.

Juveniles (Secure Accommodation)

29. **Dr. Lynne Jones:** To ask the Secretary of State for the Home Department what steps he is taking to increase the availability of local secure accommodation for juveniles charged with several offences. [30367]

Mr. Michael: A new duty on local authorities to provide bail support for juveniles awaiting trial or sentence, together with measures to speed up the youth justice process, should help to reduce the pressures on existing secure accommodation. The Government's review of all forms of juvenile secure accommodation, which will be completed shortly, will inform decisions about the best use of that accommodation and whether there should be any further expansion in local authority secure accommodation, which is expected to reach 460 places by the end of 1998.

Children (Pornography)

30. **Mr. Blizzard:** To ask the Secretary of State for the Home Department what is his policy for ensuring children are protected from exposure to pornographic material. [30368]

Mr. Michael: It is the Government's policy to protect children from exposure to pornographic material by the use of the existing law in respect of films, videos, publications, broadcast programmes and electronic transmissions between computers as well as indecent photographs or pseudo photographs.

We also encourage other non-statutory schemes which are designed to protect young people from unsuitable material such as the working group of representatives from the Internet Watch Foundation and Internet Service Providers which is devising a common ratings system for United Kingdom internet Users, the voluntary Code of Practice which requires newsagents to refuse to sell 'adult' magazines to persons under the age of 18, and the Teenage Magazine Arbitration Panel (TMAP) which seeks to regulate the contents of teenage magazines.

Disorder and Anti-social Behaviour

31. **Mr. Sutcliffe:** To ask the Secretary of State for the Home Department what measures he proposes to tackle disorder and anti-social behaviour. [30369]

Mr. Michael: The Crime and Disorder Bill contains a number of new powers. Chief of these are: statutory local crime prevention partnerships led jointly by local authorities and the police; Anti-social Behaviour Orders

which local authorities and the police will be able to seek from a court to restrict the behaviour of those who engage in such conduct; welfare-based Child Safety Orders to protect children under 10 from developing offending behaviour; and local child curfews to protect both young children and their local communities.

Young Offenders

32. **Mr. MacShane:** To ask the Secretary of State for the Home Department what steps he will take to ensure that support and guidance is given to parents of young offenders. [30372]

Mr. Michael: As part of our radical reform of the youth justice system, we will introduce a new Parenting Order which will encourage parents to accept their responsibilities for the behaviour of their children. It will allow the court to direct that parents exercise control over their children and also allow the court to require parents to receive training and guidance.

Terrorist Organisations

33. **Mr. Randall:** To ask the Secretary of State for the Home Department if he will make a statement on the criteria for proscribing terrorist organisations. [30373]

Mr. Straw: Section 1 of the Prevention of Terrorism (Temporary Provisions) Act 1989 provides that the Secretary of State may proscribe any organisation that appears to him to be concerned in, or in promoting or encouraging, terrorism occurring in the United Kingdom and connected with the affairs of Northern Ireland.

Alcohol (Young People)

34. **Mr. Gareth Thomas:** To ask the Secretary of State for the Home Department what representations he has received concerning links between under-age drinking and violent, loutish behaviour in town centres. [30374]

Mr. Michael: The public, police officers and local councillors have all indicated that alcohol-related crime and disorder including that involving underage drinkers, is a significant problem. We have implemented the Confiscation of Alcohol (Young Persons) Act 1997 and will be legislating to clarify the law relating to adults buying alcohol for children and the use of children in test purchases. The Anti-Social Behaviour Order and other provisions in the Crime and Disorder Bill will also help with specific local problems.

Restorative Justice

35. **Fiona Mactaggart:** To ask the Secretary of State for the Home Department what steps he will take to ensure that lessons learnt by the pioneers of restorative justice are included in future programmes. [30376]

Mr. Michael: The Government are monitoring developments in restorative justice in this country and our proposals for the reform of the youth court, set out in the White Paper "No More Excuses", are consistent with the principles of restorative justice and include the introduction of a Reparation Order.

Schengen Agreement

Sir Richard Body: To ask the Secretary of State for the Home Department if he will make a statement on the prevention of delinquency in Article 18 of the Agreement Between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the Gradual Abolition of Controls at the Common Frontiers [Dep 5505 (3s)]; what complementary measures are understood in Article 17 concerning *(a)* security and *(b)* illegal immigration; and what manner of cooperation with Schengen countries his Department is preparing in these areas. [31222]

Ms Quin: The 1985 Schengen Agreement is implemented by the 1990 Schengen Convention which makes provision for co-operation in preventing and detecting criminal offences, in combating illegal immigration and other measures to ensure security.

The United Kingdom is not a member of Schengen. However, the United Kingdom does participate in inter-governmental co-operation in the Third Pillar on both policing, immigration and asylum policy and other Justice and Home Affairs matters.

Sir Richard Body: To ask the Secretary of State for the Home Department if he will make a statement on the United Kingdom's participation during its presidency in the Joint Supervisory Authority of Schengen. [31223]

Ms Quin: The United Kingdom is not a member of Schengen, and therefore does not participate in the Joint Supervisory Authority.

Sir Richard Body: To ask the Secretary of State for the Home Department if he will make a statement on negotiations between Ireland and the United Kingdom on the Schengen Area. [31285]

Ms Quin: There are no such negotiations taking place between the United Kingdom and the Republic of Ireland.

Conferences

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31173]

Mr. Straw: As described in the Home Office Annual Report (CM 3608), the work of the Home Office covers a very wide range of activity. It is part of the normal duties of officials to attend and contribute to conferences in the United Kingdom and overseas, including events organised by the voluntary sector, on behalf of the Department. Detailed figures are not collected centrally.

Laboratory of the Government Chemist

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many contracts and with what value the Government have placed with the Laboratory of the Government Chemist in each year since 1992. [31047]

Mr. Straw: 554 contracts with a total value of £2,534,976 have been placed by the Home Office and its agencies with the Laboratory of the Government Chemist since 1992, as follows:

Calendar year	*Number of contracts*	*Total value £*
1992	58	5,295
1993	78	4,796
1994	120	5,080
1995	116	5,759
1996	92	1,507,939
1997	90	1,006,107

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for the Home Department how many meetings have been requested with his Department's Ministers by *(a)* Labour and *(b)* Conservative hon. Members; and how many meetings have been granted in each category. [31287]

Mr. Straw: My Ministerial colleagues and I have had about 160 official meetings with hon. Members since 1 May 1997. We do not keep records of requests for meetings but are happy to consider such requests from all hon. Members and as a general rule these are granted.

In addition, I and my Ministerial colleagues and I make a point of being available around the House for informal meetings with hon. Members of all parties, as very often these can ensure a quicker and more effective response than a more formal meeting.

Prisoners (Sexually Explicit Material)

Ms Shipley: To ask the Secretary of State for the Home Department if he will make a statement on progress with his Department's review of the practice of circulating around prisons prisoners' sexual histories, witness statements and other sexually explicit material. [30984]

Ms Quin: The Sexual Offences (Protected Material) Act 1997 provides a regime for supervised access by defendants to a sensitive victim statements, photographs and medical reports disclosed during criminal proceedings for sexual offences. Work is currently in hand to ensure that this legislation is implemented as soon as practicable. Governors may already take action against the circulation around prisons of material covered by the Act, and other sexually explicit material.

Domestic Violence

Ms Shipley: To ask the Secretary of State for the Home Department what initiatives have been taken by the police during the last year in respect of training relating to domestic violence. [30983]

Mr. Michael: The probationer foundation course and post foundation training have both been revised during the last year to include material which reflects the implementation on 1 October 1997 of Part 4 of the Family Law Act 1996, including the civil remedies available for domestic violence and occupation of the home. Post probationer training also now includes inputs on the enforcement of the Protection from Harassment Act 1997, with information about civil redress and the use of domestic violence units.

A course aimed at improving the quality of service given by the police to women who are victims of domestic violence is provided at the Police Staff College, Bramshill, for officers ranging from senior detectives who direct force crime strategies to more junior ranks who have daily dealings with victims and perpetrators of domestic violence.

More specific training on the handling of domestic violence takes place within forces and many forces have undertaken their own initiatives to reflect local needs. The guidance given to police forces emphasises:

the overriding duty to protect victims and children from further attack;

the need to treat domestic violence as seriously as other forms of violence;

the use and value of powers of arrest;

the dangers of seeking reconciliation between assailant and victim; and

the importance of record keeping to monitor the policy in practice.

All police forces now have policy statements on domestic violence. In many forces, Domestic Violence Units have been set up or Domestic Violence Officers appointed, with special responsibility for following through incidents of domestic violence, particularly in giving support and advice to victims and helping them get in touch with relevant outside agencies. Practice and procedures in this area are examined within forces by Her Majesty's Inspectorate of Constabulary. Current research into police practice in the area of domestic violence includes an evaluation by the Home Office of a repeat victimization policing response to domestic violence in West Yorkshire and newly-commissioned research into the connections between Domestic Violence Units and Child Protection Units in police forces. Reports are currently being drafted on inter-agency initiatives in Islington and Leeds.

Remand Prisoners

Mr. Hurst: To ask the Secretary of State for the Home Department how many remand prisoners who died while in custody in each year from 1992 to 1997 were *(a)* suffering from psychiatric illness and *(b)* the victims of murder or manslaughter. [31606]

Ms Quin: The numbers of unsentenced prisoners who were the victims of homicide in each year from 1992 to 1997 are shown in the table.

As information regarding the numbers of unsentenced prisoners suffering from psychiatric illness who died between 1992 and 1997 will take some time to collate, I will write to the hon. Member on that point.

Homicide of unsentenced prisoners: 1992–97

	Number
1992	1
1993	—
1994	1
1995	—
1996	1
1997	—

Prisoners (Violent Offences)

Mr. Hurst: To ask the Secretary of State for the Home Department how many convictions for murder, manslaughter and offences against the person in each year from 1992 to 1997 arose from offences committed by prisoners on remand or serving a sentence. [31605]

Ms Quin: The requested information is not available as statistics for convictions do not include the place of the offences. The available information held centrally on acts of violence committed by prisoners relates to proven disciplinary charges for violent offences against Prison Rules, referral to the police by prisons of alleged violent acts, and the number of homicides between prisoners. For the period from 1992 to 1997, this information is as follows:

Year	*Proven disciplinary charges for violence*	*Proven disciplinary charges for violence per 100 prisoners*	*Referrals to the police for violent acts*	*Referrals per 100 prisoners*	*Homicides between prisoners*
1992	10,388	22.7	482	1.05	2
1993	11,739	26.3	581	1.30	3
1994	12,637	25.9	551	1.13	3
1995	12,346	24.2	536	1.05	2
1996	12,953	23.4	515	0.93	2
1997[1]	13,922	23.0	549	0.91	1

[1] Provisional figures.

It is not known how many of the referrals to the police led to cautions, prosecutions or convictions.

Driving (Drugs)

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department how many cases of people driving under the influence of drugs have been reported in Wales, by police force, in each of the last 10 years. [31346]

Mr. George Howarth: The information requested is not separately identifiable in the statistics collected centrally.

Iraq

Mr. Fabricant: To ask the Secretary of State for the Home Department what steps he will take in the event of military action being taken against Iraq to prevent *(a)* agents of the Iraqi Government entering the United Kingdom and *(b)* chemical or biological warfare substances being imported illegally into the United Kingdom. [30842]

Mr. Straw *[holding answer 26 February 1998]:* All Iraqi nationals who wish to travel to the United Kingdom for any purpose are required to obtain a visa. It is my normal practice personally to direct the exclusion on national security grounds of any individual wishing to travel to the United Kingdom who is suspected of links with a hostile intelligence service.

Responsibility for the control of chemical and biological materials is shared among a range of other Government Departments. Existing controls on the importation, possession and acquisition of these materials are already stringently applied.

Mr. Corbyn: To ask the Secretary of State for the Home Department how many Iraqi nationals are resident in the United Kingdom; what plans his Department has regarding their treatment in the event of hostilities between Britain and Iraq; and if he will make a statement. [31488]

Mr. Straw *[holding answer 27 February 1998]:* The 1997 Labour Force survey estimated that the number of Iraqi nationals resident in the United Kingdom stood at 10,000.

Any questions about the immigration status of individual Iraqi nationals continue to be considered on a case-by-case basis.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for the Home Department how many works of art he has borrowed for use in his offices; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31561]

Mr. Straw *[holding answer 27 February 1998]:* I refer the hon. Member to the reply given to her by my right hon. Friend the Secretary of State for Culture, Media and Sport on 27 February 1998, *Official Report*, columns *388–89*.

Casual Employees (Retirement)

Mrs. May: To ask the Secretary of State for the Home Department what his Department's policy is for the retirement age of staff contracted on the basis of casual employment; when the current policy was introduced; and what were the reasons for introducing the current policy. [31600]

Mr. Straw *[holding answer 27 February 1998]:* The normal retirement age in the Home Office for all staff in non-industrial grades, including those employed on a casual basis, is 60 years. Retention after the age of 60 will be granted only exceptionally at the discretion of the Head of Department, or Chief Executive in the case of Home Office Agencies. The current policy for age retirement was announced in 1993 and introduced with effect from 1 April 1995. Staff in industrial grades, including those

employed on a casual basis, may be retained beyond the age of 60, subject to their continued efficiency and good health, up to a maximum of 65 years of age.

The current policy was introduced to give the Department greater flexibility to tackle organisational and personnel uncertainties and to avoid the need for compulsory redundancies for staff below the minimum retirement age.

Police Disciplinary Procedures

Mr. Barnes: To ask the Secretary of State for the Home Department what discussions he has had about changing police disciplinary procedures. [30344]

Mr. Mike O'Brien: There is a need for change in the police disciplinary system. The Government are currently preparing their response to the recent Home Affairs Committee report on police complaints and discipline. We intend to continue discussions with the police staff associations and others in taking forward the necessary changes.

European Parliament

Mr. Flight: To ask the Secretary of State for the Home Department if he will make a statement on the expected size of the electoral regions which are to be used in the European Parliament elections of 1999. [30371]

Mr. George Howarth: I refer the hon. Member to the reply I gave to the right hon. Member for Skipton and Ripon (Mr. Curry) on 27 November 1997, *Official Report*, column *607*.

Detention Centres (Inspections)

Dr. Harris: To ask the Secretary of State for the Home Department when his Department received *(a)* in draft form and *(b)* otherwise, the report of HM Inspector of Prisons on (i) Tinsley House and (ii) Campsfield House detention centre; and when those reports were examined by Home Office Ministers. [32041]

Mr. Mike O'Brien: The report from Her Majesty's Chief Inspector of Prisons on Tinsley House was first received by the Home Office in draft form in mid November 1997, and that on Campsfield House was received in draft form at the end of November 1997. Final versions are expected shortly and will then be considered by Ministers.

Dr. Harris: To ask the Secretary of State for the Home Department how long after the inspection of the detention facilities at HMP Rochester by the HM Inspector of Prisons the report was published. [32037]

Ms Quin: The Chief Inspector last inspected the immigration detention facilities at Her Majesty's Prison Rochester as part of his full inspection of the prison between 30 October and 3 November 1995. The report of the inspection was published on 10 May 1996.

Public Marches

Mr. Maclean: To ask the Secretary of State for the Home Department what were the Metropolitan Police estimates of *(a)* the policing costs, *(b)* the number of marchers and *(c)* the number of arrests relating to the public marches in London of the National Union of Students on 26 November 1997, the Animal Rights Movement on 19 July 1997, the Gay Pride March on 5 July 1997 and the Anti Poll Tax March on 31 March 1990; and what were the estimated policing costs per estimated marcher for each of the above. [32244]

Mr. Michael: The Commissioner of Police of the Metropolis has provided in tabular form the information requested. These are approximate basic policing costs at 1997 prices, and do not include any overtime which may have been incurred.

While the information is given in the form requested, direct comparisons can be misleading.

The costs in each case are based mainly on the organiser's estimate of numbers, on details such as routes and other arrangements during the event and on police intelligence as to the level of risk to the public from the actions of participants or others during the event.

	(a) Estimated total cost (£)	*(b)* Estimated number of demonstrators	Estimated cost per demonstrator (£)	*(c)* Arrests
National Union students march 26 November 1997	56,970	4,500	12.66	0
Animal Rights march 19 July 1997	4,365	550	7.94	0
Gay Pride procession 5 July 1997	116,142	40,000	2.90	0
All Britain anti poll tax federation march 31 March 1990	1,011,600	40,000	25.29	339

Private Prisons (Suicide and Self-Injury)

Mr. Sutcliffe: To ask the Secretary of State for the Home Department what measures are being taken to prevent self-inflicted deaths in prisons, with particular reference to private prisons. [32104]

Ms Quin: The Government are committed to doing everything possible to reduce the number of suicides in all prisons.

The Prison Service has a well developed and well respected strategy for caring for prisoners who are at risk of suicide or self-injury. This applies equally to contractually managed prisons as well as directly managed prisons. The suicide awareness strategy involves the identification and support of those prisoners who are considered to be at risk. Every prison has a multi-disciplinary suicide awareness team which meets regularly and oversees the implementation of the strategy in their establishment. The suicide awareness strategy in

all establishments is audited by the Prison Service standards audit team and the Inspectorate of Prisons consider the strategy in their inspections of establishments.

Staff in establishments work closely with the Samaritans, who befriend prisoners in distress through visits to prisons and by telephone. The Samaritans are also actively involved in setting up listener/befriender schemes in prisons where selected prisoners are trained to provide peer group support for fellow prisoners in distress. Listener schemes provide a valuable contribution in reducing the likelihood of suicide and self-injury. The Samaritans' involvement in contractually managed prisons varies from full involvement in the listener scheme to visiting prisoners in distress.

The Suicide Awareness Support Unit (SASU), in Prison Service headquarters, examines each death in prison custody to see whether lessons can be learned. They also provide advice and support to establishments, particularly those which are experiencing a cluster of deaths.

I recently convened a meeting with a range of representatives from interest groups concerned about suicides in prisons. The meeting provided a useful forum for the exchange of ideas on how to develop further strategies for reducing suicides in prisons, and this work will be taken forward.

Her Majesty's Chief Inspector of Prisons has been asked to carry out a thematic review of suicides in prison custody. This will cover all prisons.

Mr. Sutcliffe: To ask the Secretary of State for the Home Department (1) if he will make it his policy to publish investigations into self-inflicted deaths in private prisons; [32103]

(2) if he will announce in each case the name of the person responsible for carrying out the investigations into self-inflicted deaths in private prisons. [32105]

Ms Quin: The Prison Service is currently reviewing its internal investigation procedures, including those concerning deaths in prison custody, with a view to their improvement and standardisation. Policy on disclosure of investigation reports, and the level at which investigations will be carried out, including naming of investigators, is being examined as part of this review. Any policy or procedural changes which are implemented will apply to public and contracted out establishments, but will not be applied retrospectively.

EDUCATION AND EMPLOYMENT

Luxembourg Summit

Mr. Martyn Jones: To ask the Secretary of State for Education and Employment what plans the United Kingdom presidency has to follow up the conclusions of the Luxembourg Special Summit on Employment. [26434]

Mr. Andrew Smith *[holding answer 10 February 1998]:* Employment is at the top of our priorities for the UK presidency. It fits in well with the key elements of the Conclusions at the Luxembourg Special Summit on Employment which included agreement on the Employment Guidelines and a funding package to support employment initiatives. Our task is to convert the Conclusions into action.

The Employment Guidelines provide a more focused approach to tackling unemployment and form the basis of National Action Plans. As Presidency we are encouraging Member States to produce national action plans by mid-April, both to ensure that the Guidelines are given practical effect and so that there can be early discussion and analysis of their content. We intend that there should be a discussion of the Action Plans at the Cardiff European Council in June. We intend to produce and publish the UK Employment Action Plan considerably in advance of the deadline.

We also aim to make rapid progress in agreeing and implementing the employment related European Parliament financial package and welcome the opportunity to take forward work on demonstration projects, for which the European Parliament has provided 12 mecu in 1998. These projects will promote the exchange of experience and good practice to show which employment policies and initiatives work best.

In addition, we are developing employability as the overarching theme in the Social Affairs/Education arenas. The Joint Informal in March aims to develop a better understanding of the concept of employability and the issues that affect Member States in making a reality of the idea, as well as exchanging information and good practice.

European Funding

Mr. Mitchell: To ask the Secretary of State for Education and Employment what is the minimum sum required by the Commission of the European Community when making grants from its *(a)* Regional and *(b)* Social Fund for each unit of employment calculated to be created or saved as a qualification for making such grants for (i) the Community and (ii) the United Kingdom. [25121]

Mr. Andrew Smith: There is no minimum sum of units of employment which have to be created or saved for the European Commission to make grants from its Regional Development Fund or its European Social Fund to the Community or the United Kingdom.

The European Commission negotiates programme plans with each Member State showing targets for the volume of outcomes expected (e.g. jobs created or saved, number of people going into self-employment or further training or further and higher education). Progress towards targets is monitored and evaluated as appropriate. Funding within a programme may be redirected within a programme or to other programmes for a range of reasons—for example, where funds are underspent or where objectives have changed for economic reasons.

Although past programme or project performance may have a bearing on the likelihood of future funding from Europe, there is no "minimum requirement" in terms of jobs.

Lipreading

Mr. Levitt: To ask the Secretary of State for Education and Employment what professional qualifications are recognised for teachers of lipreading. [29170]

Ms Estelle Morris: The Certificate for Teachers of Lip Reading is accredited by the Royal Society of Arts Examinations Board.

New Deal

Mr. Rowe: To ask the Secretary of State for Education and Employment what proportion of young people within the Gateway period for the New Deal have criminal records. [29296]

Mr. Andrew Smith: Each New Deal programme is designed to offer help to all those who become eligible. The claimant unemployment statistics do not provide information on previous criminal records.

Mr. Willetts: To ask the Secretary of State for Education and Employment what percentage of *(a)* young unemployed and *(b)* long-term unemployed participants in the New Deal are expected to lack basic literacy and numeracy skills. [30487]

Mr. Andrew Smith: The Adult Literacy in Britain Survey, published last year, suggested that around a third of unemployed people have serious difficulty with literacy and numeracy. The claimant unemployment statistics do not provide information on the literacy or numeracy skills of claimants. All participants on the New Deal for 18–24 year olds will have access to help to enhance basic skills if they need it. The New deal for long term unemployed people aged 25 or over will focus on helping people who have been unemployed for two years or more to find work. The programme also contains provision for people to enhance their skills to help their return to work, which may include help with basic skills.

Mr. Willetts: To ask the Secretary of State for Education and Employment how much expenditure on the New Deal for *(a)* young and *(b)* long-term unemployed people in 1998–99 is expected to be directed to raising basic literacy and numeracy skills; and how many participants are expected to benefit from such assistance, at what average cost per participant. [30488]

Mr. Andrew Smith: Help to raise basic skills will be available to young people on the New Deal for 18–24 year olds during the Gateway and in each of the options, according to individual circumstances and needs. Help to enhance basic skills will be available to every New Deal participant who needs it, as we intend to tailor provision to meet individual needs. We do not have numerical targets for the numbers who will benefit from basic skills related provision.

The New Deal for long term unemployed people aged 25 or over will focus on helping people who have been unemployed for two years or more to find work. The programme also contains provision for people to enhance their skills to help their return to work. This may include help with basic skills.

Mr. Willetts: To ask the Secretary of State for Education and Employment if *(a)* jobmatch and *(b)* jobfinders grant will continue within the framework of New Deal. [30492]

Mr. Andrew Smith: Since April 1997, the jobmatch programme has been available to 18–24 year olds who have been unemployed for two years or more. Within the New Deal for 18–24 year olds, jobmatch will be available during the Gateway to help young people who have been unemployed for one year or more move into the employment option. In addition, local New Deal partnerships will be able, if they choose to provide jobmatch opportunities through the New Deal follow-through strategies for young people who, having completed New Deal options, continue to need additional help to find work.

Jobfinder's grants will continue to be available to those aged 25 and over who have been unemployed for two years or more. Each local New Deal partnership has the discretion to provide grants to very long-term unemployed people aged 18–24.

Mr. Touhig: To ask the Secretary of State for Education and Employment what opportunities will be available for young unemployed people to take up work in the voluntary sector as part of the New Deal. [30370]

Mr. Andrew Smith: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Kettering (Mr. Sawford) on 22 December 1997, *Official Report*, column *507*. Young people are already being helped to take up work in the voluntary sector in the New Deal Pathfinder areas. Examples of work that participants are currently doing include working at a local Citizens Advice Bureau in Swansea; working in a local charity shop in Cornwall; working on a Prince's Trust Volunteers' project in Lambeth; and conservation work in Tayside with the Scottish Wildlife Trust. All are receiving training towards approved qualifications.

Mr. Laurence Robertson: To ask the Secretary of State for Education and Employment what is the cost to the Government of the New Deal advertisements *(a)* on television and *(b)* in other media. [31395]

Mr. Andrew Smith: From the start of the advertising in mid February until June, it is planned to spend: £5 million on TV advertising; £500,000 on national press advertising; £340,000 on local radio; and £100,000 on local press advertising in June.

Lone Parents

Mr. Chaytor: To ask the Secretary of State for Education and Employment how many lone parents in Bury, North he estimates will participate in the New Deal *(a)* by 1 April and *(b)* in the course of 1998–99. [29924]

Mr. Andrew Smith: It is not possible to predict exactly the number of lone parents who will participate in the New Deal for Lone Parents, since participation is voluntary. The service will however be available to all lone parents on Income Support from October 1998. In November 1995 there were around 3,000 lone parents on Income Support in Bury as a whole.

Hearing-impaired Children

Mr. Hayes: To ask the Secretary of State for Education and Employment (1) what plans he has to allocate funds towards providing special support to improve literacy among deaf or hearing-impaired children; [29802]

(2) what additional resources he has allocated to ensure that the benefits of the Literacy Hour and the National Year of Reading are made available to deaf or hearing-impaired children. [29790]

Ms Estelle Morris: Local education authorities have been invited to involve all mainstream primary and special schools in their strategies for improving literacy. On 29 January, my right hon. Friend the Secretary of State announced that £23 million would be made available to schools for the purchase of books. This will benefit children across the country including the deaf and hearing impaired. We have allocated a further £59 million from the Standards Fund in the 1998–99 financial year to support literacy in schools.

Environmental Task Force

Mr. Derek Foster: To ask the Secretary of State for Education and Employment (1) if he will make a statement on the *(a)* standards and *(b)* enforcement of the environmental criteria for the New Deal Environmental Task Force; [29961]

(2) what steps are being taken to ensure that the Environmental Task Force option of the New Deal will offer participants work experience and training that will improve their employability. [29962]

Mr. Andrew Smith: Bids from organisations to provide work placements for 18–24 year olds on the Environment Task Force (ETF) option of the New Deal for young unemployed people are assessed against a national scoring system. The scoring system covers the quality of the proposed work placements, training and job-search activities for participants, as well as assessing projects against a set of environmental objectives developed by the Department of the Environment, Transport and the Regions (DETR). Organisations which provide ETF placements must produce a quality plan which includes specific employability and environmental objectives and measurable outcomes, as well as details of the organisation's proposed method of assessing and measuring quality. The Employment Service will monitor these arrangements, with advice from DETR and Government Offices for the Regions, as part of their annual review of the performance of contractors. An element of the organisation's placement fee will also be related to employability and environmental outcomes.

Young Unemployed

Mr. Brady: To ask the Secretary of State for Education and Employment what will be the impact of the New Deal for the young unemployed on the number of job club places available. [29772]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Graham Brady, dated 27 February 1998.

The Secretary of State has asked me to reply to your question about the impact of New Deal upon the number of Jobclub places available. This is something which falls within the responsibilities delegated to me as Chief Executive of the Employment Service.

In planning our programme provision for 1998/99 we have taken into account the general fall in unemployment as well as the need to avoid duplication of New Deal opportunities. Overall the number of Jobclub places is likely to be reduced by some 15% compared with a fall over the last year of 37% in the number of people unemployed for more than six months.

My District Managers are currently consulting with local partners to determine which types of provision will be most effective in meeting the needs of each locality.

I hope this is helpful.

Primary School Places (Tooting)

Mr. Cox: To ask the Secretary of State for Education and Employment what discussions his Department has had with the London Borough of Wandsworth on the provision of primary school places in the Tooting constituency with particular reference to the Furzedown area. [30547]

Mr. Byers: There have been no discussions between the Department and the London Borough of Wandsworth about the provision of primary school places in the Tooting constituency.

Nursery School Entitlement

Mrs. May: To ask the Secretary of State for Education and Employment (1) what assessment his Department has made of the impact of the use of the cut-off date of 31 March for the calculation of the funding for nursery school entitlement on *(a)* children born in April and *(b)* the number of children in playgroups and nursery schools in the summer term; [30525]

(2) if he will review the date of 31 March as the cut-off date for funding of nursery school entitlement for the summer term. [30527]

Ms Estelle Morris: In 1997–98, all children are eligible for nursery education grant for the three terms before they reach compulsory school age. The dates used to distinguish when children came into scope for the grant were set at 1 September, 1 January and 1 April because many local education authorities already use similar dates for their own purposes. We have since consulted on the dates which should be used to define compulsory school age, and hence the end of the period of eligibility. Seventy-six per cent. of respondents thought that the proposed dates of 1 September, 1 January and 1 April were appropriate. These eligibility dates, which come into effect from September 1998, do not affect providers' ability to admit children earlier.

Single Parents

Mr. Keetch: To ask the Secretary of State for Education and Employment what financial assistance is available for single parents in full-time education. [30517]

Mr. Alan Howarth: There is a range of provision available, depending on the age and circumstances of the single parent:

(i) child benefit is payable in respect of children up to the age of 16. Lone parents who have a child under the age of 16 are eligible to apply for Income Support;

(ii) all full-time students up to the age of 19 and full or part time students of all ages on means-tested benefits attending FEFC-funded colleges are eligible for course fee remission;

(iii) lone parents attending schools and colleges may also apply to their local education authorities and colleges for discretionary support.

Help from the Higher Education Access Funds is currently available to home full-time students whose access to HE might be inhibited by financial considerations or who, for whatever reason, including physical or other disabilities, face financial difficulties.

The funds are administered by the individual higher education institutions which make the decisions on a case by case basis. The amount available is £22 million in the current academic year.

In response to the recommendations of the Dearing Committee, next year the size of the funds will be doubled and eligibility extended to part-time students.

Standard Assessment Tests

Helen Jones: To ask the Secretary of State for Education and Employment what percentage of schools scoring 100 per cent. in the latest SATs tests for 11 year olds were schools where 15 pupils or fewer took the tests. [31386]

Mr. Byers *[holding answer 26 February 1998]:* The information requested is given in the table:

	English	*Mathematics*	*Science*
All schools with 100% achievement[1]	615	634	1,014
Schools with 100% achievement[1] and 15 or fewer pupils	447	477	723
Percentage of schools with 100% achievement[1] who have 15 or fewer pupils	73	75	71

[1] All pupils achieving level 4 or above in the 1997 Key Stage 2 National Curriculum assessment tests.

Employment Service (Documents)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what representations he has received from organisations in Coventry regarding the complexity of the *(a)* Helping You Back to Work leaflet and *(b)* Jobseeker's Agreement forms; and what plans he has to simplify those documents. [31493]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Peter Collis to Mr. Jim Cunningham, dated 27 February 1998:

The Secretary of State has asked Leigh Lewis the Chief Executive of the Employment Service, to write to you about what representations have been received from organisations in Coventry regarding the complexity of the "Helping you Back to Work leaflet and the Jobseeker's Agreement forms; and if there are any plans to simplify the documents. This is something that falls within the responsibilities delegated to Mr. Lewis. I am replying in his absence.

I have checked extensively and have been unable to find any record of representations received on the leaflet or the form.

There are no plans at present to simplify the Jobseeker's Agreement or Helping You Back to Work leaflet. However, we do have a programme which ensures that all leaflets and forms are reviewed every six months before we order reprints. Mr. Lewis would welcome any proposals which we could consider as part of this regular review process.

I hope this is helpful.

Student Loans

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what plans he has to reform the procedures relating to the repayment of student loans. [31492]

Dr. Howells: The Government have accepted the Dearing Committee's recommendation that student loan repayments should be made on an income-contingent basis and collected, where possible, through the tax system. New arrangements are being introduced for students entering higher education in Autumn 1998 and after. Students with loans under the current scheme will continue to repay them on the existing basis.

Detailed information about the new arrangements is set out in the *"Progress Report on New Student Support Arrangements in Higher Education from 1998/99"* copies of which are in the Library.

Lifelong Learning

Mr. Boswell: To ask the Secretary of State for Education and Employment for what reasons the proposed White Paper on Lifelong Learning has been modified to Green Paper status. [31691]

Dr. Howells: My right hon. Friend the Secretary of State always intended to consult widely on our proposals for lifelong learning. As he planned to issue formal responses to the reports from the Committee of Inquiry into Higher Education and the Further Education Funding Council's Widening Participation Committee, my right hon. Friend decided to publish the Government's lifelong learning proposals in the form of a Green Paper.

Utilities

Mr. Laurence Robertson: To ask the Secretary of State for Education and Employment what estimate he has made of the number of jobs in the utilities which depend on current investment by those companies; and of these how many are *(a)* temporary and *(b)* permanent. [30615]

Mr. Battle *[holding answer 24 February 1998]:* I have been asked to reply.

Figures published by the Office for National Statistics in the monthly publication "Labour Market Trends" show that for the utilities sectors the number of employees in employment in Great Britain for September 1997 were as follows:

	Standard industrial classification 1992	*Thousands of employees in employment, September 1997*
Electricity, gas, steam and hot water supply	40	98.7
Collection, purification and distribution of water	41	41.1
Telecommunications	64.20	212.7
Total		352.5

Source:
Office for National Statistics.

No information is available on whether these jobs are temporary or permanent, or how they will be affected by utilities' investment plans.

HEALTH

London Hospitals

Mr. Maples: To ask the Secretary of State for Health (1) what assessment his Department has made of the *(a)* capital and *(b)* revenue costs of (i) keeping Bart's Hospital open, as proposed by the Turnberg Committee and (ii) concentrating all services on the Royal London site in a new hospital; [30995]

(2) what assessment he has made of the estimate made by the Royal Hospitals NHS Trust of the additional annual cost of keeping Bart's Hospital open as a cancer and cardiac centre compared with concentrating all services in a new hospital on the Royal London site; and if he will compensate the trust or health authority for those additional costs. [30993]

Mr. Milburn: It is not expected that the gross capital costs will be radically different from the previous plans, although the proceeds from the sale of the Smithfield site will no longer be available. The detailed capital and revenue costs and the financial implications will be closely scrutinised through the normal rigorous planning and approval process. The question of any additional resources for the Royal Hospitals Trust and the east end as a whole will need to be addressed as part of this planning process as well as in the context of the Government's review of the arrangements for the distribution of resources in both primary and secondary care.

Home Care Staff

Mr. McDonnell: To ask the Secretary of State for Health if he will list by local authority the number of home care staff employed by each London borough. [31242]

Mr. Boateng: The reported numbers of home care staff directly employed by London social services departments at September 1996, the latest date currently available, are in the table.

Further information on other categories of social services whole time equivalent staff, including home help organisers, as at September 1996 can be found on the DH World Wide Web pages [Internet reference *http://www.open.gov.uk/doh/public/pss—stat.htm*].

Local authority personal social services home care staff—1996

London local authorities

Organisation	*Number of whole time staff*	*Number of part-time staff*	*WTE (part-time staff)*	*Total WTE*	*Total persons*
Barking & Dagenham	0	304	207.6	207.6	304
Barnet	60	266	177.9	237.9	326
Bexley	138	313	211.7	349.7	451
Brent	95	217	156.6	251.6	312
Bromley	77	369	273.3	350.3	446
Camden	156	23	15.6	171.6	179
City of London	11	16	10.5	21.5	27
Croydon	26	264	184.8	210.8	290
Ealing	19	250	182.4	201.4	269
Enfield	83	198	111.5	194.5	281
Greenwich	19	297	199.5	218.5	316
Hackney	129	178	133.9	262.9	307
Hammersmith & Fulham	218	50	36.9	254.9	268
Haringey	13	57	32.5	45.5	70
Harrow	46	291	191.3	237.3	337
Havering	3	376	149.7	152.7	379
Hillingdon	0	0	0.0	0.0	0
Hounslow	15	162	112.3	127.3	177
Islington	276	108	54.0	330.0	384
Kensington & Chelsea	127	53	36.8	163.8	180
Kingston upon Thames	3	90	66.1	69.1	93
Lambeth	239	153	102.3	341.3	392
Lewisham	64	424	228.8	292.8	488
Merton	40	243	148.2	188.2	283
Newham	9	291	208.3	217.3	300
Redbridge	0	311	196.1	196.1	311
Richmond upon Thames	119	102	68.3	187.3	221
Southwark	95	258	168.3	263.3	353
Sutton	36	185	119.1	155.1	221
Tower Hamlets	184	59	41.0	225.0	243
Waltham Forest	32	505	292.4	324.4	537
Wandsworth	71	396	252.7	323.7	467
Westminster	261	72	41.0	302.0	333

Source:

SSDS001 return.

Ambulance Services

Mrs. Ballard: To ask the Secretary of State for Health what factors led him to implement criteria-based dispatch systems in the ambulance service in areas where the present Orcon standards are not being met. [28859]

Mr. Milburn: Our aim is to improve standards across the board within the framework set by the White Paper "The New NHS". Local ambulance services and health authorities must work together and reach agreement on when to implement priority dispatch systems, taking account of relevant factors, including performance against ORCON standards.

NHS Charges

Ms Buck: To ask the Secretary of State for Health what plans he has to increase charges in the NHS; and if he will make a statement. [31219]

Mr. Milburn: We shall shortly lay before the House regulations to increase National Health Service charges in England and Wales from 1 April 1998. The prescription charge will increase by 15p, from £5.65 to £5.80 for each quantity of a drug or appliance dispensed. This represents a reduction of 0.1 per cent. in real terms.

The charges for prescription prepayment certificates will rise to £30.10 for a 4 month certificate and £82.70 for an annual certificate. These offer savings for those needing more than 5 items in four months or 14 in one year.

The new charge will raise some £336 million for the NHS in 1998–99.

Charges for elastic stockings and tights, wigs and most fabric supports supplied through the hospital service will be increased similarly.

The maximum patient charge for a single course of dental treatment begun on or after 1 April 1998 will increase from £330 to £340. Fewer than 1 in every 1,000 courses of treatment will attract the new maximum charge.

Optical voucher values and supplements will increase by 2.8 per cent. This will maintain the purchasing power of the vouchers given to children and those adults eligible for help with the cost of spectacles and contact lenses.

NHS charges are being examined as part of the Comprehensive Spending Review, which is due to report in the summer.

My right hon. Friend the Secretary of State for Scotland will lay regulations to increase charges in Scotland by the same amounts. Similar arrangements will apply in Northern Ireland.

Details of the revised charges have been placed in the Library.

Rubella Vaccine

Dr. Brand: To ask the Secretary of State for Health what action his Department is taking to make available a less toxic and more effective Rubella vaccine. [31331]

Ms Jowell: Rubella vaccine is one of the most effective vaccines available: over 95 per cent. of people who receive the vaccine will become immune to natural rubella infection following the immunisation. We are not aware of any concerns about the toxicity of the vaccine which is subject to batch testing prior to release by the National Institute for Biological Standards and Control. Recognised serious adverse reactions are very rare and occur much less frequently than those that occur after natural rubella infection.

It is recognised that joint pains are among the most common side-effects of natural rubella infection, particularly in women. Joint symptoms are also reported 10 to 28 days after immunisation against rubella but usually last only a few days. Such reactions are actually very rare in children and ongoing arthritis is not a recognised side effect. A number of recent studies have looked at the association between rubella vaccine and arthritis and there is increasing evidence becoming available that there is no increased risk of new onset chronic arthropathies or neurological conditions in women receiving rubella vaccine.

Joint Replacements

Mr. Flynn: To ask the Secretary of State for Health if he will introduce a mandatory pilot test over long periods for new prostheses for hip and other joint replacement prior to their general use. [31372]

Mr. Milburn: Current regulations do not require mandatory clinical testing of all new joint replacements. They require that all medical devices placed on the market after 14 June 1998 should bear the CE marking demonstrating that the device in question complies with the essential requirements for safety. For all joint replacement implants, clinical data will be part of the evidence required to demonstrate compliance. This information may be generated from a clinical trial of appropriate duration or from existing data on an equivalent product.

Mr. Flynn: To ask the Secretary of State for Health what proposals he has to evaluate the reliability of prostheses used in hip replacements over the past 15 years. [31370]

Mr. Milburn: The Medical Devices Agency (MDA) collates and evaluates data on the performance of hip replacements used in the United Kingdom via its adverse incident reporting and investigating system. Users of medical devices, including hip replacements, are requested to report problems associated with the use of the devices to the MDA adverse incident centre.

NHS Trusts

Mr. Maples: To ask the Secretary of State for Health, pursuant to his answer of 17 February 1998, *Official Report*, column *552*, when his Department will have completed the collection of information regarding the remuneration of NHS employees. [31333]

Mr. Milburn: The earnings data to which I referred in my answer of 17 February 1998, *Official Report*, column *552*, are currently being validated by officials. I expect the results of this survey to be available in due course.

Continence Products (VAT)

Mr. Burstow: To ask the Secretary of State for Health what estimate his Department has made of the cost to NHS trusts of the removal of VAT zero-rating on continence products in *(a)* 1997–98 and *(b)* 1998–99. [31866]

Mr. Boateng: The National Health Service is funded on the basis that Value Added Tax is payable on healthcare. The re-imposition of VAT on continence products is estimated to amount to £2.25 million in 1997–98 and £9 million in 1998–99.

Cannabis

Mr. Flynn: To ask the Secretary of State for Health what representations he has made to the World Health Organisation on the alleged omissions of information from a recent report on cannabis. [31782]

Mr. Boateng: None. Copies of the World Health Organisation press release on the issue of the content of this document have been placed in the Library.

Nursery Inspections

Mr. Hoyle: To ask the Secretary of State for Health (1) if he will increase the number of social services inspections in private and state run nurseries to a minimum of two per year; and if he will make these unannounced visits; [32192]

(2) if he will introduce a requirement for safety inspections by social services and the Health and Safety Executive prior to the opening of nursery establishments as a condition of their licence; [32194]

(3) if he will amend the legislation governing private and state run nursery provision and child care inspected by social services to require in addition inspections from the Health and Safety Executive; [32193]

(4) what representations he has received on the safety standards of nurseries in the North West. [32191]

Mr. Boateng: We are not aware of any representations on the safety standards of nurseries in the North West. I will shortly be issuing a consultation paper with the Under-Secretary of State for Education and Employment, my hon. Friend the Member for Birmingham, Yardley (Ms Morris), on the future regulation of early education and day care. The paper will seek comments on many of the issues raised by my hon. Friend. I will ensure that my hon. Friend is sent a copy. It would be inappropriate to consider any changes to legislation before this consultation exercise has been completed.

Vitamin B6

Mr. Luff: To ask the Secretary of State for Health how many of the published scientific papers on the safety of vitamin B6 were studied *(a)* in full and *(b)* in summary or abstract by (i) the Chairman and (ii) the members of the Committee on Toxicity prior to it making recommendations on the safety of vitamin B6. [31609]

Ms Jowell: All the scientific papers on the toxicity of vitamin B6 identified by literature searches and supplied by interested parties were available to the Chairman and the members of the Committee on Toxicity before making their recommendations.

DEFENCE

Departmental Publicity

Mr. Bercow: To ask the Secretary of State for Defence what has been the cost of media presentations and press conferences which he has given, other than those held at his Department. [25167]

Mr. George Robertson *[holding answer 23 January 1998]:* In the course of visits outside my department which my Ministers and I have made, we have given a number of media presentations and press conferences. The press conference I held jointly with my right hon. Friend the President of the Board of Trade in her Department on 9 December 1997 cost my Department £1,585, including VAT. There were no other additional costs arising from such press conferences.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Secretary of State for Defence what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27761]

Dr. Reid *[holding answer 5 February 1998]:* The Government Car Service provides my right hon. Friend the Secretary of State with a dedicated car and driver under the terms of a contract. Junior Ministers are provided with cars from 20 Squadron Royal Logistics Corps. Their costs reflect the amortised rate, including capital costs, fuel, lubricants and repairs.

On this basis the estimated costs of Ministerial cars and drivers is as follows:

(1) 1995–96: £165,684

(2) 1996–97: £172,084

(3) 1997–98 (to date): £146,098

(4) 1997–98 (full year): £194,797.

The 1997–98 (full year) costs are a projected estimate. The larger increase in costs between 1996–97 and 1997–98 essentially reflects pay awards, the replacement of aging and unreliable cars with leased vehicles and additional costs related to the fact that ministerial constituencies are now situated further from London.

The costs of taxis used during the corresponding years are not held separately and information could be obtained only at disproportionate cost. Staff are aware, however, that the most effective and economical form of travel should be used. Taxis should therefore be used only in the most exceptional circumstances, and only if the expenditure can be justified.

Broughton Moor

Mr. Campbell-Savours: To ask the Secretary of State for Defence whether radioactive materials have ever been stored at RNAD Broughton Moor. [31666]

Mr. Spellar: There is no record of knowledge of hazardous radioactive materials being used or stored on site. A statement to this effect is contained in the Land

Quality Assessment, Phase Two Intrusive Survey-Factual Report, dated May 1996 (para 2–2.13), which has recently been released to the Borough and County Councils.

Mr. Campbell-Savours: To ask the Secretary of State for Defence if a land quality statement has been issued in the case of RNAD Broughton Moor. [31664]

Mr. Spellar: A Land Quality Statement and Factual Report was issued to the local authorities and Environment Agency earlier this month.

Mr. Campbell-Savours: To ask the Secretary of State for Defence whether RNAD Broughton Moor has ever been the subject of radiological contamination. [31665]

Mr. Spellar: There is no knowledge of hazardous radioactive materials being used or stored on the site either by MOD or other users. Colbalt-60 sealed sources, used for X-ray examinations, were removed after the work on which they were being used was completed.

Gunwharf, Portsmouth

Mr. Hancock: To ask the Secretary of State for Defence how many bids were received by his Department for the land at Gunwharf, Portsmouth. [31721]

Mr. Spellar: Six.

Mr. Hancock: To ask the Secretary of State for Defence on the basis of what criteria his Department's land at Gunwharf, Portsmouth was disposed of. [31722]

Mr. Spellar: Offers for the Gunwharf site were sought on the basis of open market value and took into account the Planning Brief for the site previously provided by Portsmouth City Council.

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the requirements of the proposed Millennium project for Portsmouth Harbour in considering bids for land at Gunwharf, Portsmouth. [31723]

Mr. Spellar: My officials in the Defence Estates Organisation who have been handling the sale of the Gunwharf site have worked closely with Portsmouth City Council and the Millennium Commission to ensure that the Millennium requirements for Portsmouth Harbour were made fully known to parties interested in purchasing the site. Those requirements were expressed in the City Council's Development Brief and a Draft Planning Agreement available to prospective purchasers prior to making offers to acquire the site. An assessment of those requirements was therefore taken into account in the evaluation of the proposals and offers for the site.

RAF Menwith Hill

Mr. Baker: To ask the Secretary of State for Defence what is the total cost of the space based infra-red system being installed at RAF Menwith Hill; and how much of this cost will be borne by the Exchequer. [31918]

Dr. Reid: This programme is funded by the United States Government. The UK contribution is limited to some administrative costs relating to professional fees and management of the works programme to which some £77,000 has been allocated to date.

US Visiting Forces

Mr. Baker: To ask the Secretary of State for Defence what is the total number of US Visiting Forces based in the UK; and where they are located. [31917]

Dr. Reid: Some 13,500 members of the United States Visiting Forces are present in the UK. Numbers, which include both United States Service and civilian personnel at each site, are shown below:

Site	*Numbers at each site*
Abbey Wood	1
RAF Alconbury/Molesworth/Upwood	1,429
RAF Bentley Priory	2
Boscombe Down	1
RAF Bracknell	1
RAF Brampton	2
RAF Brizé Norton	4
RAF Coltishall	1
RAF Cranwell	2
RAF Croughton	438
RAF Digby	12
RAF Daws Hill/Hythe/West Ruislip	600
Eastcote	80
RAF Fairford	193
RAF Farnborough	2
RAF Fylingdales	1
RAF High Wycombe	4
RAF Honington	2
RAF Lakenheath/RAF Feltwell	5,332
RAF Leuchars	3
Loudwater	6
RAF Lyneham	3
RAF Marham	1
RAF Menwith Hill	1,200
RAF Mildenhall	4,230
RAF Oakhanger	1
RAF Spadeadam	4
RAF Uxbridge	1
RAF Valley	1
RAF Waddington	1
Waterbeach	10
RAF Wittering	1
RAF Wyton	2
Ipswich	8
London	2

AGRICULTURE, FISHERIES AND FOOD

Service Delivery (Costs)

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the costs and processes involved of the delivery of services by *(a)* his Department and *(b)* bodies delivering similar services in other EU states. [25931]

Mr. Morley: Details of the running costs of the Department, including services to farmers, are set out in the Departmental Report, a copy of which is placed in the

Library of the House. An assessment of the costs of services provided to farmers in other Member States could be provided only at disproportionate cost.

Market Research

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and (iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26585]

Mr. Morley *[holding answer 5 February 1998]:* Surveys commissioned by the Department and its Agencies in *(a)* 1996–97 and *(b)* since 1 May 1997 are as follows:

1996–97

Personal Imports Campaign: Research to assess the effectiveness of the publicity campaign.

Veterinary Laboratories Agency: Market research on new business areas and customer satisfaction survey.

Intervention Board: Survey of customer satisfaction.

1997–98

Perceptions of MAFF: A survey conducted among opinion leaders, journalists, farmers and the general public.

Research to assess the effectiveness of the MAFF food safety exhibit at the Good Food Show.

Research to assess the effectiveness of the MAFF food safety radio campaign.

Research to identify the most effective method of communicating nutrition information to teenage girls.

Pesticide Safety Directorate: Customer satisfaction survey

Veterinary Laboratory Agency: Research on new business areas.

Veterinary Medicines Directorate: One survey to assess competitiveness and two customer satisfaction surveys.

Total expenditure for the period was £163,000. Information from non-departmental public bodies is not centrally available but is currently being sought. I will write to the hon. Member with the collated information as soon as possible.

Overseas Travel

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the cost of Ministerial overseas travel in his Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26591]

Dr. John Cunningham *[holding answer 5 February 1998]:* The cost of Ministerial overseas travel in my Department for the years requested is as follows:

(a) 1995–96: £66,058

(b) 1996–97: £51,841

(c) 1 May 1997 to date: £91,516[1].

[1] Estimate.

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26590]

Mr. Morley *[holding answer 5 February 1998]:* The cost of building refurbishment carried out by the Department is as follows:

1995–96: £9,690,000

1996–97: £5,380,000

1997–98 to date: £5,490,000

1997–98 full year: £6,260,000.

It is necessary to have a constant programme of building refurbishment to modernise buildings, to replace building services which have reached the end of their lives, to redecorate them, and to improve their energy efficiency. The expenditure above covers thirty buildings.

Official Hospitality

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food what is his current estimate of the expenditure of his Department, its agencies and non-departmental public bodies on hospitality since 1 May 1997. [27775]

Mr. Morley *[holding answer 5 February 1998]:* Estimated expenditure on hospitality from 1 May 1997 to 31 January 1998 was £67,000 by this Department, £128,000 by its agencies and £197,000 by the sponsored non-departmental public bodies.

Empty Properties

Mr. Malcolm Bruce: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) his Department, (ii) his agencies and (iii) other public bodies for which he has responsibility, in (A) 1995–96, (B) 1996–97, (C) 1997–98 to date and (D) 1997–98 full year. [26588]

Mr. Morley *[holding answer 5 February 1998]:* The estimate of the annual cost and total value of the empty properties administered by the Department is as follows.

£

	Annual cost	*Total value*
1995–96	150,000	21.6 million
1996–97	330,000	29.9 million
1997–98 to date	290,000	36.3 million
1997–98 full year	300,000	36.3 million

The Annual Cost includes rents to landlords, contributions in lieu of rates, security and maintenance. The Total Value is based on the actual or estimated sale prices as at 1 April of each year. The decline in Civil Service numbers has enabled Departments to declare more office space surplus to requirements, and that, in the longer term, reductions in the size of the Government estate will provide the tax payer with greater value for money.

All redundant properties are disposed of in accordance with HM Treasury guidelines. This often requires the Department to hold them for a time in order to gain favourable outline planning consents which enhance their values.

Meat Export Licences

Miss Kirkbride: To ask the Minister of Agriculture, Fisheries and Food what is the average time currently taken to process *(a)* red and *(b)* white meat export licences by Worcester Veterinary Field Service. [30565]

Mr. Rooker: The State Veterinary Service's Service Standard for processing routine export health certificate is 5 working days from date of receipt of a fully completed application. The Department's computer records show that, in January, the average time from receipt of an application to dispatch of certificates to Local Veterinary Inspectors for red meat and poultry meat certificates in the Worcester Animal Health Office was as follows:

	Calendar days
Average time for processing of red meat certificates	[1]0
Average time for processing of white meat certificates	0.06

Note:
The above figures are provisional and subject to amendment.
[1] 0 means all certificates despatched on day of receipt of request.

Relative Stability

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the distinction between the principle and the application of relative stability as stated in the EC 1991 Report to the Council and to the European Parliament SEC(91) 2288 final. [31018]

Mr. Morley: The European Commission's report of 1991 was prepared prior to the 1992 review of the Common Fisheries Policy. Following that review, relative stability is applied by virtue of Article 8 of Council Regulation (EEC) No. 3760/92.

Advertising Contracts

Mr. Burns: To ask the Minister of Agriculture, Fisheries and Food if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies who tendered for them. [30707]

Mr. Morley *[holding answer 23 February 1998]:* Advertising commissioned by the Department, and its cost, since 1 May 1997, is as follows:

	Cost (£)
IACS	7,174
Sheep scab	22,032
Livestock markets	22,260
Cattle traceability	54,410
Food safety	176,144
Miscellaneous	30,304

All advertising has been commissioned through the Central Office of Information who placed it, either with DeLaney Fletcher Bozell (appointed to be the Department's agency following a competitive pitch in 1996), or with Portland agency, where it has been outdoor advertising. Press media buying is purchased through Mediavest.

Conferences

Mr. Gordon Prentice: To ask the Minister of Agriculture, Fisheries and Food how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31183]

Mr. Morley: The information requested could be provided only at disproportionate cost.

Designated Ports

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food for what reasons fishermen are required to land their catches at designated ports. [31020]

Mr. Morley: A system of designated landing and transhipment ports already operates for pelagic fisheries in order to assist control and enforcement activity. We expect to announce shortly proposals to extend the arrangements for designated ports to landings of non pelagic species.

Black Fish

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the tonnage of *(a)* cod, *(b)* plaice, *(c)* saithe and *(d)* whiting landed as black fish in the latest available year. [31019]

Mr. Morley: The undeclared landing of fish subject to quota is an illegal activity and it is not possible to make a meaningful estimate of the extent to which it occurs. The UK Fisheries Departments are, however, determined to prevent such landings which undermine the measures taken to conserve fish stocks and threaten the long-term future of the fishing industry.

Farm Incomes

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food what was the average level of net income received per farm holding by *(a)* hill farmers, *(b)* dairy farmers and *(c)* cereal farmers at 1996 prices in each year since 1979. [31086]

Mr. Rooker: Long-term trends in net farm income are normally presented as indices because of the changing sample of the Farm Business Survey. However, set out in the table are the equivalent monetary values. Owing to a change in the definition of farm types, data for years before 1987 are not wholly comparable with the more recent data. Data for 1987–88 are given on both farm type definitions to give an indication of the degree of change.

Net Farm Income[1]*: (£/farm in real terms at 1996 prices)*

England: Full-time farms

Year	*Dairy*	*Hill and upland livestock*	*Specialist cereals*
1979–80	26,000	10,700	21,400
1980–81	25,400	14,200	23,800
1981–82	29,300	22,900	21,100
1982–83	33,400	19,100	34,900
1983–84	18,500	16,200	35,600
1984–85	18,300	16,500	42,400

Net Farm Income[1]: (£/farm in real terms at 1996 prices)

	England: Full-time farms		
Year	*Dairy*	*Hill and upland livestock*	*Specialist cereals*
1985–86	21,900	16,500	7,000
1986–87	23,600	11,600	15,500
1987–88	27,600	15,300	2,500

	Revised farm type definitions:		
Year	*Dairy*	*LFA cattle and sheep*	*Cereals*
1987–88	38,600	14,900	4,600
1988–89	47,000	17,700	6,500
1989–90	39,700	11,200	14,800
1990–91	28,600	7,400	17,700
1991–92	29,800	11,400	19,100
1992–93	38,000	16,100	24,800
1993–94	41,800	18,600	24,000
1994–95	34,700	14,900	31,000
1995–96	38,000	19,000	46,900
1996–97	30,300	18,700	40,500
1997–98 (prov.)	19,100	12,200	24,900

[1] Net farm income represents the return to the principal farmer and spouse for their manual and managerial labour and on the tenant-type capital of the business. For consistency, all farms are treated as tenanted.

Source:
Farm Business Survey (England).

Food Labelling

Mr. Sayeed: To ask the Minister of Agriculture, Fisheries and Food what steps he proposes to take to ensure that farm produce is labelled by country of origin. [30837]

Mr. Rooker: Rules on the labelling of farm produce are harmonised in the EC. Generally, the place of origin of any food must be given if omitting it could mislead the purchaser about the true place of origin of that food. More specifically, regulated fresh fruit and vegetables are required to be marked with the country of origin at all points of sale by EC marketing standards regulations. In October last year we launched the Beef Labelling Scheme which provides for the accurate labelling of beef. With effect from 1 April any beef labelled with country of origin information must have derived from animals born, reared and slaughtered in that country. It is envisaged that national origin labelling of beef will become compulsory by the year 2000.

Agriculture Payments

Mr. Sayeed: To ask the Minister of Agriculture, Fisheries and Food how he intends to implement his policy of moving agriculture payments from direct commodity support to environmentally linked payments; and to what timetable. [30838]

Mr. Rooker: The Government's policy is to seek the decoupling and eventual phasing out of production linked subsidies; some of the savings could then be used for specific targeted rural development and agri-environmental measures. The proposed integration of rural and agri-environmental policies within the EAGGF guarantee section, as put forward under the Agenda 2000 paper on CAP reform, will lay the basis for an eventual shift from production support to those policies but, to effect these changes, a concomitant reduction in production linked support will be necessary. The Commission's formal proposals are expected on 18 March and negotiations in the Council will start on 31 March.

Beef

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food if he will list for the last three years for each member state of the European Union the amount in ecu they have been entitled to claim as compensation for falling beef prices as a result of BSE; and how much is deducted from rebates that would otherwise have returned to that country. [31220]

Mr. Rooker: Financial aid specifically aimed at compensating the beef and veal sectors for the effects of the BSE crisis on beef prices was made available to Member States in 1996 under two separate Council Regulations, EC No. 1357/96 and EC No. 2443/96. The following expenditure has been made by Member States in 1996 and 1997 under these Regulations (the 1997 figures are still provisional).

ecu millions

Member State	*1996*	*1997*
Belgium	28.5	21.7
Denmark	15.3	11.6
Germany	116.4	96.9
Greece	7.9	2.3
Spain	63.0	28.2
France	218.6	141.6
Ireland	89.2	37.9
Italy	53.1	45.2
Luxembourg	1.9	1.5
Netherlands	21.6	31.0
Austria	25.0	10.2
Portugal	14.1	6.6
Finland	9.1	11.9
Sweden	16.9	13.9
UK	134.0	74.2

Under the Fontainebleau agreement, only the UK receives a rebate on its contributions to the EU budget. Under this agreement, any increase in UK receipts results in a reduction of the UK rebate by 66 per cent. of the amount of those receipts.

Mr. Alasdair Morgan: To ask the Minister of Agriculture, Fisheries and Food (1) how many prosecutions are pending for breaches of the regulations on imported beef which were introduced on 1 January in *(a)* Scotland, *(b)* England and Wales and *(c)* Northern Ireland; [31257]

(2) how many prosecutions there have been for breaches of the regulations on imported beef which were introduced on 1 January in *(a)* Scotland, *(b)* England and Wales and *(c)* Northern Ireland. [31258]

Mr. Rooker *[holding answer 25 February 1998]:* No prosecutions for breaches of the Specified Risk Material Order 1997 have been made or are pending.

Fisheries

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food what proposals in respect of fishing

he put to the European Commission regarding *(a)* a permanent exclusive United Kingdom 12 mile limit, *(b)* a permanent retention of the principle of relative stability, *(c)* devolution of power from the European Parliament and Commission to a zonal management committee and *(d)* coastal stock management of conservation and catches. [31341]

Mr. Morley: My noble Friend the Parliamentary Under-Secretary of State for Scotland and I plan, shortly to meet representatives of the National Federation of Fishermen's Organisation and Scottish Fishermen's Federation, to discuss their ideas on these matters.

Food Standards Agency

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to ensure that the Food Standards Agency will be independent of (i) government, (ii) the food industry and (iii) other producer interests. [31525]

Mr. Rooker: The White Paper "The Food Standards Agency: A Force for Change" (Cm 3830) explains in some detail the Government's proposals for ensuring that the Agency will operate at arm's length from Government and independently of any sectoral interests while remaining accountable to Parliament through Health Ministers. In particular, the Agency's guiding principles will be set out in legislation, and Ministers' powers of direction over the Agency will be exercisable only if it appears to be acting outside the terms of its specific legal framework. The Agency will have the right to publish the advice it gives to Ministers, whether or not the Government agree with that advice.

The Agency will be led by an independent Chairperson and up to 12 Commissioners who will be appointed on the basis of their proven track records and a majority of whom will come from a wider public interest background. The Commission will act collegiately to further the aims and objectives of the Agency in accordance with its guiding principles.

Vitamin B6

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food if he has consulted the Better Regulation Task Force about the proportionality, enforceability, economic impact and the implications for consistency in public policy of the proposed new restrictions on the retail sale of vitamin B6 supplements; and if he will make a statement. [31608]

Mr. Rooker: When the draft regulations required to introduce the proposed controls on dietary supplements containing vitamin B6 are issued for consultation they will be accompanied by a draft Regulatory Appraisal which takes account of the principles of good regulation published by the Better Regulation Task Force. Those consulted will be able to comment on the information given in the Appraisal.

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food what representations he has received from *(a)* United States senators, *(b)* right hon. and hon. Members and *(c)* scientists relating to the proposed new restrictions on the retail sale of vitamin B6; what response he has made; and if he will make a statement [31611]

Mr. Rooker: The Government have received a single representation, addressed to my right hon. Friend the President of the Board of Trade, from two United States senators on their proposed controls on dietary supplements containing vitamin B6. Approximately 1,500 letters have been received from right hon. and hon. Members, the majority of which seek replies to points raised by constituents. Of these, approximately 1,300 have been dealt with by this department. No record has been kept of the number of representations from individuals who might be regarded as scientists.

The Government's response to these representations have varied according to the nature of the representation received, but in most casts it will have included an explanation of the background to the issue and a statement of the Government's policy on it.

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food how many of the *(a)* scientific and *(b)* other representations on the proposed new restrictions on the retail of vitamin B6 so far received by his Department were copied to (i) the Chairman, (ii) the Secretariat and (iii) the members of the Committee on Toxicity; and what factors determined which of those papers were circulated to each of those groups. [31607]

Mr. Rooker: Representations which appear to present new information on the safety of vitamin B6 and are supported by detailed scientific arguments have been copied to the Committee on Toxicity (COT) Secretariat as a matter of course. It is for the COT Secretariat to decide whether such representations contain information that needs to be referred to the Chairman and members of the COT.

No record has been kept of the representations that have been copied to the COT Secretariat.

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food when he expects to publish the draft statutory instrument on the proposed new restrictions on the retail sale of vitamin B6; and with whom he intends to consult about its provisions. [31610]

Mr. Rooker: We hope to publish the draft regulations required to introduce the proposed controls on dietary supplements containing vitamin B6 shortly. No decision has yet been made on the extent of the consultation exercise. However, organisations representing interests likely to be substantially affected by the regulations will be included.

Biodiversity

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food what measures his Department *(a)* has taken to implement the decision on agricultural biodiversity taken at the Third Conference of the Parties of the Convention on Biological Diversity and *(b)* will take to support the further development of the work programme on agricultural biodiversity at the Fourth Conference. [31539]

Mr. Rooker: Work to implement the agricultural aspects of the Convention on Biological Diversity is being carried forward together with the Department

for International Development which leads on implementation of the Global Plan of Action. Currently, there are several projects on the identification and characterisation of plant and animal genetic resources. However, much remains to be done to address the issues of multilateral access, and to agree revision of the International Undertaking, matters which will need to be addressed at the Fourth Conference of the Parties. The Department is committed to sustaining, restoring and enhancing *in situ* biodiversity through agri-environment schemes, advice and, where appropriate, regulation. The Department will continue to work closely with the Department of the Environment, Transport and the Regions who have the overall lead on the Convention.

Sheep Dipping

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food for what reasons compulsory sheep dipping was discontinued in 1992; and if he will make a statement. [31546]

Mr. Rooker: Legislation requiring compulsory treatment to prevent sheep scab was revoked in 1992 because it had failed to eradicate the disease.

BSE (Compensation)

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food what was the total amount of compensation paid in relation to BSE in the current financial year; and if he will provide a breakdown of compensation payments by each sector of the food industry. [31619]

Mr. Rooker *[holding answer 26 February 1998]:* From 1 April 1997 to 31 January 1998, the total amount of BSE compensation was £419 million, of which £367 million went to beef producers, £49 million to renderers and £3 million to the hide industry.

Works of Art

Ms Roseanna Cunningham: To ask the Minister of Agriculture, Fisheries and Food how many works of art he has borrowed for use in his offices; which organisations he has borrowed these works from; what the insurance value is of these works; what guidance he received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31558]

Mr. Morley *[holding answer 27 February 1998]:* I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport on 27 February 1998, *Official Report*, columns *388–89*.

Fish (Disease)

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food (1) what estimate he has made of the percentage of *(a)* plaice, *(b)* cod, *(c)* dab, *(d)* flounder, *(e)* herring, *(f)* haddock, *(g)* skate and *(h)* huss landed in British ports which is diseased; [31920]

(2) what percentage of *(a)* plaice, *(b)* cod, *(c)* dab and *(d)* flounder in the North Sea he estimates are diseased. [31919]

Mr. Morley: Diseased or unsightly fish are not likely to be landed because they are not marketable. Information on landings of diseased fish is not therefore collected. The Department does, however, undertake a regular programme of surveillance of fish stocks for disease.

The percentage of plaice, cod, flounder, herring, haddock and skate with obvious disease signs is very low, usually less than 1 per cent. Information on huss is not recorded. Dab are unusually susceptible to disease and in localised areas the prevalence may be up to 10–15 per cent., although in the majority of these fish the signs of disease would not be apparent to the untrained eye. In some areas of the North Sea such as the Western Dogger Bank, up to approximately 20 per cent. of dab exhibit varying degrees of abnormal pigmentation but it is not known whether this constitutes disease and no causative agent has been found.

Diversification

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to encourage farmers to diversify into organic farming. [31833]

Mr. Morley: Financial aid to encourage farmers to convert to organic methods already exists. There is also advice available free of charge to farmers wishing to convert and we have a substantial programme of research and development in organic farming and horticulture. Currently we are reviewing the levels of aid available under the Organic Aid Scheme. Proposals for the revision of the Scheme are being considered in the light of public consultation as well as the Government's Comprehensive Spending Review and our pledge to live within existing resources.

Mr. Flynn: To ask the Minister of Agriculture, Fisheries and Food if he will assist farmers wishing to diversify into the cultivation of flax and hemp. [31785]

Mr. Rooker: Flax and hemp are useful alternative crops, producing renewable raw materials for a number of uses. Both crops already receive support under a specific Common Agricultural Policy regime. The Department has also provided encouragement to fibre crops under its alternative crops programme.

Cattle Passports

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food what are the current time limits on the obtaining of cattle passports; and what time limits were originally set. [32034]

Mr. Rooker: Under current domestic legislation (The Cattle Passport Order 1996) cattle keepers in Great Britain must apply for cattle passports within 28 days of tagging. However, under new EU rules, this timescale will reduce to within 15 days of tagging once the new GB Cattle Tracing System (CTS) is fully operational, which is planned for late summer. EU rules require the deadline to be reduced to 7 days from 1 January 2000.

Beef Export Ban

Mr. Beggs: To ask the Minister of Agriculture, Fisheries and Food what quantity of beef has been imported to Northern Ireland since the beef export ban; and from which countries. [30682]

Mr. Paul Murphy: I have been asked to reply.

With the introduction of the single market and the abolition of border controls on goods moving between Member States, figures on imports of beef from other Member States are not recorded. The only information available relates to imports landed directly into Northern Ireland from outside the EU. Details since the imposition of the beef export ban are as follows:

Uruguay: 45,096 kgs

Brazil: 17,013 kgs

New Zealand (veal): 30 kgs.

Mr. Beggs: To ask the Minister of Agriculture, Fisheries and Food if beef has been imported into Northern Ireland from non-EU countries since the imposition of the beef export ban on the United Kingdom. [30683]

Mr. Paul Murphy: I have been asked to reply.

Yes.

SOCIAL SECURITY

Social Fund Loans

Mr. Shaw: To ask the Secretary of State for Social Security how many Social Fund loan awards were *(a)* partially and *(b)* wholly changed to community care grants as a result of first-tier reviews each year since 1993–94. [30971]

Mr. Denham: The information is not available in the format requested. Such information as is available is set out in the table.

Number of applications for first tier review which have resulted in a loan being changed, either in part or in full, to a grant

£

Year	*Number*
1994–95	12,507
1995–96	15,089
1996–97	13,937
1997–98 (to end of January)	11,173

Notes:

1. It is not possible to differentiate between loan awards which, on review, have been changed either in part or in full to a grant.
2. The number of applications for first tier review which have resulted in a loan being changed, either in part or in full, to a grant represents, on average, 3 per cent. of all applications for first tier review.

National Insurance

Mr. Webb: To ask the Secretary of State for Social Security what would be the effect in each of the next 10 years on *(a)* gross pensions expenditure, *(b)* income-related benefits expenditure and *(c)* income tax revenues, of crediting to all adults below state pension age a full year of national insurance contributions every year from 1998–99 onwards, regardless of the amount of national insurance contributions actualy paid. [31034]

Mr. Denham: This information is not available.

Independent Tribunal Service

Mr. Ronnie Campbell: To ask the Secretary of State for Social Security how many people failed to attend an Independent Tribunal Service hearing in the most recent year for which figures are available; and what is the cost of each hearing. [29226]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is as follows.

In the quarter ending 30 September 1997, 36,053 Social Security Appeal Tribunals were held, of which 20,091 were not attended by either an appellant or his representative. This is the total number of appeals not attended. Data are not available for cases where the appellant indicated that he would attend and then failed to do so.

The average cost of each case cleared at a tribunal hearing is estimated by the Independent Tribunal Service to be £250[1].

[1] This figure relates to all hearings which took place in the 1996–97 financial year, the most recent period for which figures are available.

Income Support

Mr. Gibb: To ask the Secretary of State for Social Security (1) what proportion of retiring pensioners were entitled to income support in the last year for which figures are available; [29367]

(2) what proportion of retiring pensioners were entitled to income support or its equivalent on retirement in *(a)* 1996, *(b)* 1995, *(c)* 1990, *(d)* 1985, *(e)* 1980, *(f)* 1975 and *(g)* 1970; [29371]

(3) what proportion of pensioners are entitled to receive income support. [29357]

Mr. Keith Bradley: About 20 per cent. of retiring pensioners were estimated to be entitled to receive Income Support in Great Britain in 1995–96, the latest year for which figures are available.

The additional information requested for previous years could be obtained only at disproportionate cost.

About one in four pensioners (those aged 60 and over) were estimated to be entitled to receive Income Support in Great Britain in 1995–96, the latest year for which figures are available.

Sources:

1. The figures taken from the 1995–96 Family Resources Survey.
2. Income Support Quarterly Statistical Enquiry May 1995–February 1996.

The Labour Force Survey and Office for National Statistics.

Note:

The estimated figures for pensioners entitled to Income Support were taken from the Family Resources Survey and should be treated with caution. A small sample size was used and therefore almost certainly subject to some degree of error.

Mr. Webb: To ask the Secretary of State for Social Security what proportion of *(a)* males aged 65 and *(b)* females aged 60 years were in receipt of income support or supplementary benefit in each year since 1968 for which statistics are available. [30498]

Mr. Keith Bradley: The information is not available in the format requested. Such information as is available is set out in the table.

Male and female recipients of income support between 1990 and 1997

Year	Male income support claimants aged 65	Per cent. of all men aged 65	Female income support claimants aged 60	Per cent. of all women aged 60
1990	15,000	5.9	20,000	6.6
1991	14,000	5.4	17,000	5.9
1992	15,000	5.8	15,000	5.4
1993	20,000	7.8	20,000	7.3
1994	22,000	8.8	20,000	7.1
1995	24,000	9.2	22,000	7.8
1996	24,000	9.2	21,000	7.2
1997'	22,000	8.7	22,000	7.9

' Percentages for 1997 are based on mid-term population estimates for 1996.

Notes:

1. Numbers are given as at May of each year given and are rounded to the nearest thousand.
2. Percentages are given to one decimal place.
3. Sample size 1 per cent. up to and including 1993, 5 per cent. thereafter.

Source:

1. Income Support Statistics Annual Enquiries, 1990 to 1993.
2. Income Support Statistics Quarterly Enquiries, May 1994 to May 1997.
3. Office for National Statistics Mid-term estimates of the population 1990–1996.

Disability

Mr. McAllion: To ask the Secretary of State for Social Security if being registered blind is considered a secondary disability; and if she will make a statement. [29966]

Mr. Denham: The Government do not classify disabilities in the manner described. Social security benefits are awarded because a person satisfies the entitlement conditions; these vary depending on the benefit claimed. Disability Living Allowance, one of the main benefits available to help disabled people with the extra costs incurred because of the effects of their disability, is based not on specific disabilities, but on their need for help with personal care and/or mobility.

Pensions

Mr. Wigley: To ask the Secretary of State for Social Security how many representations she has received from *(a)* hon. Members and *(b)* others, since 1 May in support of re-establishing the link between pensions and average earnings; and if she will make a statement. [27479]

Mr. Denham: The Department does not maintain statistics in the form requested. Since 1 May, we have received 827 written representations from hon. Members enclosing letters from their constituents about Retirement Pension. A good number of the constituents' letters supported the restoration of the link between State pensions and average earnings. The Department has also received more than 1,000 from others on the subject of Retirement Pension and many of these have supported restoring the link.

Over 2,000 written responses were received by the Pensions Review as part of its public consultation exercise. 652 of these responses, of which 6 came from hon. Members, supported the uprating of State pensions in line with the rise in earnings. We also received two petitions in support, with 199 and 48 names respectively.

We recently announced that, from April, the basic pension will rise to £103.40 a week for a couple and £64.70 for a single pensioner. This is in keeping with our manifesto commitment to uprate the basic pension at least in line with prices. For the first time, the basic pension for couples goes up to over £100. This was in line with the 3.6 per cent increase in prices in September which was higher than expected and the cost will be greater than was included in the previous Government's expenditure plans.

The Government are determined that pensioners will stay warm in their homes this winter. On 25 November last year, the Government announced additional help of £400 million over this winter and next to provide extra help to pensioners towards their fuel bills. Full details were announced on 5 January. This announcement will enable pensioners to heat their homes confident in the knowledge that they will receive extra help with their heaviest fuel bills. Pensioners receiving Income Support, or income-based Jobseeker's Allowance where the award includes one of the pensioner premiums, will receive £50. Other pensioner households, where someone is receiving a qualifying benefit, will receive at least £20. Where there is only one eligible person in a household, they will receive £20, otherwise each will receive £10.

The Government's pensions review is examining the value of the basic State pension including the future uprating of pensions. The Review will report in the first half of this year.

Mr. Flynn: To ask the Secretary of State for Social Security what proposals she has to publicise the advantages of SERPS. [31787]

Mr. Denham: We are committed to retaining SERPS as an option for those who wish to remain in it. Raising awareness of pensions, and improving the level of financial education is one of the key challenges for the pensions review. We believe that people need to understand the importance of saving for their retirement, and make the right choice about what sort of pension is best for them.

To help address this issue we have also set up a Pensions Education Working Group to advise what other actions are needed to improve people's knowledge of non-state and state pensions in general.

Benefits Backdating

Mr. Öpik: To ask the Secretary of State for Social Security for what reasons the time period for claims for social security benefits is being reduced to one month; and if she will make a statement. [30176]

Mr. Keith Bradley: The proposed changes to the backdating arrangements will create a single aligned time limit which will be simpler for people to understand and easier for staff to administer. It also underlines customers' responsibility to claim on time. The change will also help us to stay within the spending limits which we inherited.

We have had to make hard choices and we believe it is reasonable to make payment of benefit to meet current entitlement a priority.

Child Support

Mr. Vaz: To ask the Secretary of State for Social Security what plans she has to introduce legislation that links maintenance payments with access to children from absent fathers. [30264]

Mr. Keith Bradley: We are looking closely at all aspects of the child support scheme to see where improvements can be made and we expect to bring forward a consultation paper on our proposals by the Summer. It is right that, wherever possible, children should have contact with their non-resident parent.

Benefit Integrity Project

Mr. Burstow: To ask the Secretary of State for Social Security what plans she has to subject all benefit integrity project decisions to reduce or stop benefit, taken prior to the introduction of the pre-adjudication check, to the pre-adjudication check. [31732]

Mr. Denham: All Disability Living Allowance decision notices carry information about the claimant's rights of review and appeal. Anyone who thinks that the decision made in their case is incorrect should contact the Benefits Agency, in the normal way.

The extra safeguard, introduced from 9 February, has been designed to provide adjudication officers, making decisions about entitlement as part of the Benefit Integrity Project, with a wider range of information about a claimant's current need for help with personal care and getting around than that provided by the claimant's statement alone. We want to ensure that people do not, unnecessarily, have to go through the review and appeal system to secure their proper entitlement. The extra safeguard will not be retrospective.

Lone Parents

Ms Julie Morgan: To ask the Secretary of State for Social Security what would be the current value of lone parent benefit and lone parent premium if they had been uprated in line with other benefits since April 1995; and how much lone parents benefit would currently be worth if it had been uprated in line with earnings since its introduction. [29979]

Mr. Keith Bradley: One Parent Benefit would be worth £6.70 and the lone parent premium would be worth £5.50, if they had been uprated in line with other benefits since April 1995.

One parent Benefit would be worth £2.65 if it had been uprated in line with earnings since its introduction.

Sources:

The Retail Price Index (all items) (PRI index), the Retail Prices Index (all items) less rent, local taxes and mortgage interest payment (ROSSI index) and the Average Earnings Index (Whole Economy), produced by the Office for National Statistics were used in these calculations.

Mr. Burns: To ask the Secretary of State for Social Security how much money has been spent so far on the New Deal for lone parents; and what has been the expenditure per person on the 1,015 people who have gained full or part-time work since the inception of the New Deal for lone parents. [32039]

Mr. Keith Bradley: The costs of the Adviser Teams working on the New Deal for Lone Parents is £2.5 million to date. In addition, £0.2 million has been allocated to cover the cost of Employment Service programmes for Lone Parents.

The other costs of the project include project management, the development and provision of IT support, publicity and the cost of the evaluation of the project. In addition to that, there have been costs relating to the involvement of the voluntary sector. The total cost to date of setting up the project and offering the service to over 40,000 lone parents in the first eight areas is £6.1 million.

We do not collect routinely the cost of Adviser time, training courses and administration associated with individual participants in the New Deal for Lone Parents.

Mr. Lilley: To ask the Secretary of State for Social Security if she will make a statement on the net cost to public funds over the next four years of *(a)* the welfare to work programme and *(b)* the measures to help lone parents with child-care and to obtain jobs. [32068]

Mr. Keith Bradley: The Government have not made an assessment of the effect of the Welfare to Work programme on Social Security spending, tax and national insurance receipts. To do so would require information on the full effect of the programme on unemployment, wages and the broader economy. The Welfare to Work programme will be carefully evaluated to help, where possible, to determine these. Information on funding for the New Deal, including the New Deal for Lone Parents, is contained in the 1997 Budget and Pre-Budget Report.

The costs of the measures announced in the Pre-Budget Statement to boost child-care are being met from the Windfall Fund, the Out Of School Child Care Initiative and the Lottery's New Opportunities Fund.

Mr. Pond: To ask the Secretary of State for Social Security what proportion of lone parents who have had an interview have agreed to participate in the New Deal for lone parents; what proportion of those participating have found jobs; and how many lone parents participating in the New Deal for lone parents have found jobs. [32814]

Mr. Burns: To ask the Secretary of State for Social Security, pursuant to her answer of 5 February 1998, *Official Report*, columns *793–94*, on lone parents and the New Deal, if she will update her earlier answer to include the first six months of the New Deal. [32107]

Ms Harman: The New Deal for Lone Parents has been running in eight areas of the country since July 1997. A national service will be available to all new lone parents claiming Income Support in April 1998, and to all lone parents receiving Income Support in October.

Using the latest information for the period from July 1997 to 31 January 1998 for the New Deal for Lone Parents, the percentage of lone parents attending an initial interview who agreed to participate in the New Deal for Lone Parents is 90 per cent; the proportion of those

participating who have found jobs is 33 per cent; and a total of 1,113 lone parents participating in the New Deal for Lone Parents have found jobs.

A full independent evaluation is under way, which will report in due course. The evaluation will compare outcomes for lone parents in the New Deal areas with outcomes for those not in New Deal areas.

Housing Benefit

Mr. Cousins: To ask the Secretary of State for Social Security if she will list (i) the number of claimants of housing benefit, (ii) the number of claimants as a percentage of the whole population, (iii) the total amount of housing benefit paid and (iv) the housing benefit per claimant for Newcastle upon Tyne from 1992–93 to 1997–98. [31535]

Mr. Keith Bradley: The information is set out in the table.

Housing benefit in Newcastle upon Tyne

	Recipients	*Recipients as a percentage of the whole population*	*Expenditure* £	*Average weekly benefit* £
1992–93	38,900	13.8	61,015	27.98
1993–94	40,230	14.1	67,834	30.04
1994–95	40,580	14.3	73,103	32.44
1995–96	40,340	14.2	78,434	35.02
1996–97	40,050	14.2	80,090	36.31

Notes:

1. Recipients can be a single person or a couple.
2. 1997–98 figures not yet available.

Sources:

1. Housing Benefit Management Information System.
2. DSS and Department of the Environment, Transport and the Regions financial returns.
3. Population Estimates Unit, Office for National Statistics.

Mr. Lilley: To ask the Secretary of State for Social Security if she will make a statement on the net cost to public funds over the next four years of recent changes in respect of eligibility of single people to receive housing benefit. [32069]

Mr. Keith Bradley: The Government have revoked the measure put in place by the previous administration to extend the Single Room Rent to most single people between the ages of 25 and 59. They have also decided to proceed with the measures that exempted some young people from the restrictions announced in October 1996 on Housing Benefit for single people aged under 25, young people with non-dependants living with them and those in receipt of the severe Disability Premium.

The costs of these changes have been met by reallocation of resources from other programmes and will not lead to any net increase in overall planned public expenditure in 1997–98 and 1998–99.

Detailed expenditure plans for future years will be set after the completion of the Comprehensive Spending Reviews.

Disability Living Allowance

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what plans she has to consult the Royal National Institute for the Blind on her review of disability living allowance expenditure. [31400]

Mr. Denham: Disability benefits, including Disability Living Allowance, are included in the Department's Comprehensive Spending Review, which was announced on 11 June last year. The review is an important step in our plan to modernise and improve the Social Security system, so that it helps people to work as far as they are able; provides appropriate support to those who cannot work; and makes the most effective use of the resources available.

No decisions have been made. When we have identified specific proposals we will consult disabled people, their organisations, such as the Royal National Institute for the Blind (RNIB), and others with an interest. Ministers and officials have met with the RNIB on a number of occasions over recent months and have listened to their concerns which will be considered during the review. We will not implement any changes without first consulting on them.

Parliamentary Questions

Mr. Burstow: To ask the Secretary of State for Social Security if she will require the Benefits Agency, when responding to hon. Members' written parliamentary questions, to cite the unique identifying number of the question. [31883]

Mr. Keith Bradley: With effect from 2 March 1998, the identifying number of Parliamentary Questions will be included on Chief Executive replies.

Social Security Reform

Mr. Lilley: To ask the Secretary of State for Social Security if she will estimate the cost to public funds over the next four years of reforms to social security provision announced since 1 May 1997. [32070]

Mr. Field: The Government are committed to working within the Control Totals announced by the previous Government for 1997–98 and 1998–99. Detailed spending plans for 1998–99 will be published in the Departmental Report and will take account of policy changes announced since 1 May 1997. The report will show that these changes will be achieved without any net increase in overall planned public expenditure. Expenditure on the New Deal will be met from the Windfall Tax.

Detailed expenditure plans for future years will be set after the completion of the Comprehensive Spending Reviews.

Habitual Residence Rules

Mr. Flynn: To ask the Secretary of State for Social Security what proposals she has to reform the Habitual Residence rules. [31784]

Mr. Keith Bradley: We are currently reviewing all aspects of the habitual residence test.

Fuel Costs (Pensioners)

Mr. Burns: To ask the Secretary of State for Social Security what factors underlie the different figures for the cost of advertising to inform pensioners about winter fuel payments set out in her answers of 26 January 1998, *Official Report*, columns *111–12*, and 23 February 1998, *Official Report*, column *129*. [32026]

Mr. Denham: My written answer on Monday 26 January 1998, *Official Report*, column *111*, contained the cost of publicity and advertising. This figure of £1.7 million for the publicity campaign included the figure of £1,325,000 for press and TV advertising only given separately in my written answer, Monday 23 February 1998, *Official Report*, column *129*.

The difference between these two figures covers the cost of producing information leaflets and posters and distribution of this publicity material through a number of local outlets visited by pensioners, for example, post offices and doctors' surgeries.

Official Hospitality

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her current estimate of the expenditure of her Department, its agencies and non departmental public bodies on hospitality since 1 May 1997. [27750]

Mr. Field *[holding answer 5 February 1998]:* The information requested is set out in the table.

Hospitality for the period 1 May 1997 to 31 January 1998

	£
DSS/HQ	8,293
ITSA	nil
BA	8,690
CA	423
CSA	nil
WPA	38
NDPB	945

Written Answers to Questions

Tuesday 3 March 1998

FOREIGN AND COMMONWEALTH AFFAIRS

Iraq

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs what account Her Majesty's Government will take of US Government policy in determining their policy towards *(a)* lifting and *(b)* amending UN sanctions against Iraq. [31763]

Mr. Fatchett: The criteria for lifting sanctions are set out in paragraphs 21 and 22 of United Nations Security Council Resolution 687; they relate to the policies and practices of the Government of Iraq and implementation of the Security Council Resolutions. The Security Council cannot consider lifting sanctions until the Government of Iraq have shown themselves willing to meet those criteria.

We do not wish to see sanctions maintained for any longer than is necessary. We have welcome the recent Memorandum of Understanding between the United Nations and the Government of Iraq. In it, the Government of Iraq reconfirm their acceptance of all relevant UN resolutions and undertake to co-operate fully with UNSCOM and the IAEA. When the Government of Iraq comply with the relevant Security Council Resolutions, sanctions can be relaxed.

Mr. Fitzpatrick: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria govern the *(a)* lifting and *(b)* amending of United Nations sanctions imposed against Iraq; and what factors will influence the timing of such action. [31760]

Mr. Fatchett: I refer my hon. Friend to the answer I gave today to his question 31763.

United States policy on sanctions is a matter for the US Government.

Qualified Majority Voting

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the use of qualified majority voting as permitted under Article 34(2)(c) of the Treaty on European Union. [32000]

Mr. Doug Henderson: Article 34(2)(c) of the Amsterdam Treaty provides for the adoption, by unanimity, of decisions within the scope of Title VI on any matters other than the approximation of laws. Measures to implement these decisions are to be adopted by qualified majority voting. Under the Maastrict Treaty (Article K.3.2(b) measures implementing Third Pillar joint actions may be adopted by qualified majority voting.

Vietnam

Mr. Reed: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Vietnamese Foreign Minister. [31976]

Mr. Fatchett: The Vietnamese Deputy Prime Minister and Foreign Minister, Mr. Nguyen Manh Cam, called on me on 6 February as part of his Guest of Government visit to the United Kingdom from 5–6 February.

Mr. Reed: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations on the case of Mr. Thich Sue he has made to the Government of Vietnam. [31977]

Mr. Fatchett: Human rights issues were raised during Ministers' discussions with the Vietnamese Deputy Prime Minister and Foreign Minister, Mr. Nguyen Manh Cam, during his visit to the UK from 5–6 February. We passed to Mr. Cam a list of specific cases of concern, including the case of Mr. Thich Sue Sy.

Amsterdam Treaty (Tapes)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if representatives of his Department have asked to review the General Secretariat's tapes of the Amsterdam Treaty in relation to the Schengen opt-in procedure; and which other bodies have done so. [32235]

Mr. Doug Henderson: The Secretariat's tapes are for the use of the Secretariat, who assist the Presidency of the day, and who do not constitute an official record. They are not available to Member States.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs when he was first informed of the existence of tapes of the Amsterdam negotiations held by the General Secretariat of the European Council. [32234]

Mr. Doug Henderson: It is normal practice for the proceedings of such meetings to be recorded by the Secretariat General of the Council for their own internal use. These tapes are not available to Member States.

Visa Waiting Times (Beijing)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what is the average waiting time for a Chinese passport holder to receive a United Kingdom visa from the Embassy in Beijing; and what percentage of applications were refused in the last available year. [31958]

Mr. Fatchett: Where an application is straightforward, a Chinese passport holder applying for a UK non-settlement visa in Peking could expect to be issued with a visa on the same day. Where a further interview is required, the applicant may have to wait up to 12 weeks for an appointment. Where an application is for settlement, there is also a 12 week queue for an interview appointment.

In 1997, the non-settlement refusal percentage was 9.13 per cent. and the settlement refusal percentage was 7.75 per cent. The overall refusal percentage was 9.1 per cent.

Ethical Foreign Policy

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the changes which have been made to European Union foreign policy objectives as a result of the UK's commitment to an ethical foreign policy. [32601]

Mr. Tony Lloyd: As my right hon. Friend the Prime Minister made clear in his speech on 6 December launching the Presidency, we are using the UK Presidency to promote an ethical EU foreign policy. This is a theme which will run through all the work of the Presidency. Some specific examples included: work towards an EU Code of Conduct on arms sales; a tough, pragmatic approach to the forthcoming meeting of the UN Commission on Human Rights; EU work on freshwater management at the forthcoming meeting of the UN Commission on Sustainable Development; and EU anti-narcotics programmes in Central Asia and the Caribbean.

Gibraltar

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those occasions on which the United Kingdom Government have raised the issue of enfranchisement of Gibraltarians in Europe since 1 May; and if he will make a statement. [32044]

Mr. Doug Henderson: As my hon. Friend knows, we well recognise the importance of this issue for Gibraltar; and have looked hard at the scope for change. Our approach, including in any contacts with other Governments, however, reflects the clarity of the legal advice on the issue.

HOME DEPARTMENT

Voting Systems

Mr. Timms: To ask the Secretary of State for the Home Department, pursuant to his oral statement of 26 February 1998, *Official Report*, column 545, if he will make available the results of the study which he commissioned in respect of electors' views on voting systems. [32956]

Mr. Straw: I have arranged for a copy of the results to be placed in the Library.

Low Newton Prison

Mr. Clappison: To ask the Secretary of State for the Home Department if the Minister of State with responsibility for prisons visited the unit or wing of Low Newton prison containing 15 and 16 year olds on remand during her visit on 20 February. [31334]

Ms Quin: During my visit to Low Newton on 20 February, I visited D wing, one of the wings which holds 15 and 16-year-old male remand prisoners. I also met prisoners of this age group during my visit to the educational facilities. Low Newton holds 15 and 16-year-old female remand prisoners within its female wing, and I also visited that part of the establishment.

Cannabis

Mr. Hurst: To ask the Secretary of State for the Home Department how many convictions for possession of cannabis in England and Wales in the years 1992 to 1997 were sentenced alone and without convictions simultaneously for other offences. [31639]

Mr. George Howarth: Information from the court proceedings database for 1993 to 1996 (latest available) is given in the table. Prior to 1993, the offence of possession of cannabis could not be identified separately by the statistics collected on indictable drug offences.

People convicted for possession of cannabis[1,2] at all courts who may or may not have been convicted simultaneously for other offences, 1993–1996

England and Wales — *Numbers and percentages*

	1993	*1994*	*1995*	*1996*
Total persons convicted [=100%]	8,823	12,618	14,718	13,552
of no other offence	5,045	7,653	7,600	7,918
	57%	61%	52%	58%
of other offences simultaneously	3,778	4,965	7,118	5,634
	43%	39%	48%	42%

[1] Offence under section 5(2) of the Misuse of Drugs Act 1971 as amended by the Criminal Justice & Public Order Act 1994, section 157, schedule 8, part II.

[2] Numbers of convictions have been counted only where the possession of cannabis was the principal or only offence.

Victim Support Schemes

Mr. Blizzard: To ask the Secretary of State for the Home Department what is the method used for distributing resources to local victim support schemes from the national fund. [31647]

Mr. Michael: Last June, we increased Victim Support's annual grant by one million pounds, from £11.7 million to £12.7 million. The additional grant is being used partly to establish a national telephone helpline and partly to assist the general work of Victim Support. In 1996–97 some 11 per cent. of the annual grant went towards the cost of Victim Support's National Office, with the remainder being allocated to local schemes and witness services by Victim Support's Local Funding Panel.

The funding panel is a sub-committee of Victim Support's National Council, and is independent of both local groups and the Home Office. It considers applications from local groups in accordance with grant criteria agreed annually between Victim Support and the Home Office. This means that the allocation of Home Office funds and the priorities which guide that funding are matters for Victim Support.

Many local groups also raise income, in cash and in kind, from local sources, including local authorities.

Domestic Violence

Mr. Cox: To ask the Secretary of State for the Home Department how many cases of domestic violence were reported in the Greater London area during 1997. [31657]

Mr. Michael: Statistics on crime are recorded by offence type and not by the relationship between the victim and the offender, so there is therefore no definitive figure for the number of violent crimes which were domestic in nature.

The Metropolitan police, whose force area is broadly co-terminous with Greater London, have been noting offences which appear to them to be of a domestic nature. Their information for 1997 is attached.

Offences of domestic violence in the Metropolitan Police District 1997

	Number
Violence against the person	
Murder	4
Grievous Bodily Harm	675
Actual Bodily Harm	13.044
Other violence	1.314
Violence against the person total	15.037
Sexual offences	
Rape	212
Other sexual	193
Sexual offences total	405
Robbery	107
Common assaults (non-notifiable)	16.561

Mr. Cox: To ask the Secretary of State for the Home Department what funding was made available by his Department for dealing with domestic violence during 1997. [31719]

Mr. Michael: While the Home Office has responsibility for co-ordinating policy on combating domestic violence, most funding from central Government is channelled through the Single Regeneration Budget Challenge Fund and budgets which reflect the specific responsibilities of other Departments. While the responsibility at a local level lies with local agencies, the Home Office Programme Development Unit has provided funds for local projects in the past. Domestic violence was not selected in 1995 when the themes for its last three years funding round were decided.

We have recently provided £10,000 from the Home Office budget to secure the continuance of the national domestic violence helpline run by the Women's Aid Federation (England). For the future, funding issues are being examined in the context of the increased priority being given to the issue by this Government and the inter-departmental strategies currently being developed to combat domestic violence, both through prevention and through information and support for those who have already been victims.

Arson

Mr. Ieuan Wyn Jones: To ask the Secretary of State for the Home Department how many cases of arson were carried out by people under the age of 18 years, in each of Wales' police authorities, in the last five years. [31364]

Mr. Michael: It is impossible to answer the question as asked because the age of the arsonist will be known only where there has been a detection. Available information on the number of persons aged under 18 years who have been cautioned, prosecuted and convicted for arson offences is given in the tables.

Table A: Number of cautions for arson given to children under 18 years of age in Wales by police force area 1992–1996

Offence/Police force area	*1992*	*1993*	*1994*	*1995*	*1996*
Arson endangering life[1]					
North Wales	—	—	—	1	—
Gwent	3	1	9	1	2
South Wales	—	—	1	—	1
Dyfed-Powys	—	—	—	—	—
Wales	3	1	10	2	3
Arson not endangering life[2]					
North Wales	10	16	12	23	10
Gwent	3	10	9	11	23
South Wales	29	61	43	30	50
Dyfed-Powys	9	3	13	10	7
Wales	51	90	77	74	90

[1] Offences under the Criminal Damage Act, 1971 Sec. 1(2).
[2] Offences under the Criminal Damage Act, 1971 Sec. 1(1).

Table B: Number of prosecutions and convictions[1] of children under 18 years of age for arson in Wales by police force area 1992–1996

Offence/Police force area	*1992*		*1993*		*1994*		*1995*		*1996*	
	Prosecutions	*Convictions*	*Prosecutions*	*Convictions*	*Prosecutions*	*Convictions*	*Prosecutions*	*Convictions*	*Prosecutions*	*Convictions*
Arson endangering life[2]										
North Wales	1	—	5	4	1	—	3	2	8	3
Gwent	1	1	—	—	7	4	2	1	2	2
South Wales	2	1	3	1	3	2	8	1	11	6
Dyfed-Powys	3	—	1	2	2	2	1	—	3	3
Wales	7	2	9	7	13	8	14	4	24	14
Arson not endangering life[3]										
North Wales	16	8	6	4	17	11	14	8	4	2
Gwent	15	6	6	5	16	13	11	5	9	7
South Wales	16	11	13	6	21	12	17	11	28	14
Dyfed-Powys	2	1	8	2	5	3	6	3	17	7
Wales	48	26	33	17	59	39	27	27	58	30

[1] Prosecutions in magistrates' courts and convictions in all courts.
[2] Offences under the Criminal Damage Act, 1971 Sec. 1(2).
[3] Offences under the Criminal Damage Act, 1971 Sec. 1(1).

Cyclists

Mrs. May: To ask the Secretary of State for the Home Department what plans he has to extend the fixed penalty notice system to cyclists in respect of all traffic signs or orders. [31585]

Mr. Michael: There is no need to extend the fixed penalty system in the way that is suggested in the question. Cyclists, in the same way as drivers of motor vehicles, can already be issued with fixed penalty notices for failing to comply with traffic signs, such as Stop and No Entry signs or automatic traffic signals, or with traffic "orders". By "orders" we mean "traffic regulation orders" made by local authorities under the Road Traffic Regulation Act 1984 for the purpose of controlling the use of roads by traffic, including pedestrians.

Contraventions of traffic signs and traffic regulation orders are fixed penalty offences under provisions of the Road Traffic Offenders Act 1988. Bicycles are "vehicles" in the context of road traffic legislation and the police can therefore issue fixed penalty notices to cyclists (aged 16 or over) who do not comply with the traffic signs described in section 36 of the Road Traffic Act 1988, such as those mentioned above, or with traffic regulation orders made under the 1984 Act.

Other offences by cyclists which come within the fixed penalty system include cycling without lights and failing to stop for a police constable.

It has been decided that cycling on the pavement, and the riding by more than one person of a bicycle not constructed or adapted for the purpose, should be made fixed penalty offences later this year.

Metropolitan Police

Mr. Öpik: To ask the Secretary of State for the Home Department what measures the Metropolitan Police have taken to police the flow of information about levels of local crime between members of the Metropolitan Police and local journalists; and if he will make a statement. [31543]

Mr. Michael: The Commissioner tells me that no specific directions have been passed to members of the Metropolitan Police regarding their dealings with local journalists about local crime levels, but that there is a clear expectation that information will be treated openly while being handled sensitively where appropriate. The principles which underpin the guidance that is given to officers about handling the media in connection with major crime investigations apply also to the handling of crime information.

Mr. Öpik: To ask the Secretary of State for the Home Department how many officers in the Metropolitan Police have been disciplined for unauthorised contact with local journalists; and if he will make a statement. [31544]

Mr. Michael: The Commissioner of Police of the Metropolis informs me that no Metropolitan Police officers have been formally disciplined for improperly passing information to a journalist, local or otherwise, in the last three years. He tells me that an officer who improperly discloses information in their possession as a member of a police force, to a journalist or anyone else, could be guilty of an offence under Code 6 of the Discipline Code which reads as follows:

"Improper disclosure of information, which offence is committed where a member of a police force:

(a) without proper authority communicates to any person any information which he has in his possession as a member of a police force, or

(b) makes any anonymous communication to any police authority or any member of a police force, or

(c) without proper authority makes representations to the police authority or the council of any county or district comprised in the police area with regard to any matters concerning the force, or

(d) canvasses any member of that authority or of such a council with regard to any such matter.

For the purposes of this paragraph the Isles of Scilly shall be treated as if they were a county".

Hillgrove Farm

Dr. Lynne Jones: To ask the Secretary of State for the Home Department what is the space allowance for cats kept at Hillgrove Farm. [31644]

Mr. George Howarth: The space allowance exceeds the requirements of the Code of Practice for the Housing and Care of Animals Used in Scientific Procedures (published in 1989) and the European guidelines.

There are no indications of any welfare problems, but a programme of improvements to bring the facilities up to the standards of the "Code of Practice for the Housing and Care of Animals in Designated Breeding and Supplying Establishments" (published in 1995) has been agreed.

One significant difference between the two Codes is that shelf space cannot be taken into account in the breeders' code. If shelving is included in the calculation, the accommodation approximates to the space allowances in the breeders' code.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department if Hillgrove Farm has a Named Veterinary Surgeon. [31643]

Mr. George Howarth: Yes. Section 7(5)(b) requires that Certificates of Designation for breeding establishments specify a veterinary surgeon or other suitable qualified person to provide advice on the animals' health and welfare. In the case of Hillgrove, this person is a veterinary surgeon. He visits the establishment regularly.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many inspections have Home Office inspectors made at Hillgrove Farm in Oxfordshire in the last 12 months; and how many of these visits were unannounced. [31642]

Mr. George Howarth: In the last 12 months, five visits of inspection were made, of which three were unannounced.

The cats are kept in units designed to ensure they remain specific pathogen free. This places restrictions on entering the units, but the inspector has observed the cats on all occasions and has twice entered the specific pathogen free areas.

Crime Reporting

Mr. Öpik: To ask the Secretary of State for the Home Department what measures the Commissioner of Police for the Metropolis has taken to ensure that crime levels are accurately reported in the local press; and if he will make a statement. [31545]

Mr. Michael: The Commissioner tells me that the Metropolitan Police's Performance Information Bureau (PIB) collates information centrally including divisional crime statistics. If journalists contact the Metropolitan Police to request crime figures they should be dealt with by the press bureau at New Scotland yard or be referred to one of the five area press offices, which will liaise with PIB. Figures would be given out automatically if they were already in the public domain, for example in one of the Metropolitan Police's publications, or have been given out by local police commanders at public meetings or to Police Community Consultative Groups. From time to time, senior officers take the initiative personally to brief local media about their crime figures. The accuracy of the reporting of the information given to them is the responsibility of the journalists concerned, but the press bureau would seek to correct any inaccuracies or misinterpretations which came to their attention.

Under-age Sex (Prosecutions)

Mr. Randall: To ask the Secretary of State for the Home Department if he will list the number of prosecutions of *(a)* heterosexuals beneath the age of 16 and *(b)* homosexuals beneath the age of 18 years for breaching the legal age of sexual consent in England and Wales over the last five years. [31459]

Mr. Michael: The specific information requested is given in the table, which does not include offences such as rape, indecent assault on a male or female or gross indecency with children.

Number of males prosecuted for specific sexual offences by age, 1992–1996

England and Wales

	1992	*1993*	*1994*	*1995*	*1996*
Males aged under 16					
(a) heterosexual offences					
Unlawful sexual intercourse with girl under 13	2	5	11	7	4
Unlawful sexual intercourse with girl under 16	6	4	5	9	3
Males aged under 21 from 1992 to 1994 and under 18 from 1995 onwards[1]					
(b) homosexual offences					
Buggery	52	48	57	18	10
Indecency between males	33	13	17	6	1

[1] Section 145 of the Criminal Justice and Public Order Act 1994 amended section 12 of the Sexual Offences Act 1967—lowering from 21 to 18 the age at which men may lawfully perform consenting homosexual acts in private.

Animal Experiments

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many project licences issued under the Animals (Scientific Procedures) Act 1986 involve interference with either organs of special sense or the brain of cats; and of those how many were carried out on *(a)* conscious cats, *(b)* decerebrate cats and *(c)* cats under terminal anaesthesia, in the last available year. [31646]

Mr. George Howarth: During 1996, 17 project licence holders reported carrying out procedures using cats and involving organs of special sense or the brain. Of these, none involved conscious cats.

Information which might distinguish those involving decerebrate cats from those carried out under terminal anaesthesia is not kept centrally. In total, 15 of the projects involved either decerebrate cats or terminal anaesthesia.

In the remaining two projects, general anaesthesia was used and the cats were allowed to recover consciousness.

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many project licences issued under the Animals (Scientific Procedures) Act 1986 that are currently in force and involve the use of cats have *(a)* mild severity bandings, *(b)* moderate severity bandings, *(c)* substantial severity bandings and *(d)* unclassified severity bandings. [31645]

Mr. George Howarth: Central records show that the total number of current project licences authorising the use of cats is 110. The number in each severity category is as follows:

(a) mild—40;

(b) moderate—59;

(c) substantial—none; and

(d) unclassified—11.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for the Home Department when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32472]

Mr. Mike O'Brien: The role of Green Transport co-ordinator is undertaken by the Home Office's Environmental Issues Manager who was appointed in March 1997. The Home Office has been represented at inter-departmental meetings on green transport plans since their inception in 1996.

Car Parking

Mr. Baker: To ask the Secretary of State for the Home Department what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32454]

Mr. Mike O'Brien: At present, the Home Office has no plans to reduce the number of, or introduce charges for, car parking spaces for staff. However, as part of our environmental strategy, those with responsibility for the larger buildings on the estate will be asked to review their car parking policy. The scope for reducing, or charging for, car parking spaces will be dependent on local circumstances and, in particular, the availability of adequate public transport. It is also important that any car parking policy takes into account equal opportunities, including the needs of staff with child care responsibilities or medical conditions which preclude their use of public transport. The current policy for the Home Office Central

London Estate reflects this by allocating regular car parking spaces for commuting purposes only to staff falling into these categories.

Police Manpower (Essex)

Mr. Burns: To ask the Secretary of State for the Home Department how many extra police officers could have been established in Essex in 1997–98 as a result of the extra funding made available to meet the target of 5,000 extra police officers in the United Kingdom over three years; and how many extra officers will actually be recruited in 1997–98 in Essex. [32340]

Mr. Michael: Ministers have no direct control over police numbers. Under legislation passed by the previous Government in 1994, it is for individual chief constables to determine the number of police officers in their force.

For 1997–98, Essex Police received £1.1 million in what was described by the previous Government as funding for extra officers. At the end of September 1997, the latest date for which figures are available, there were 2,944 officers in the force, 17 fewer than at 31 March 1997.

Electoral Procedures

Mr. Burstow: To ask the Secretary of State for the Home Department what plans he has to enable blind and partially sighted people to vote in person and unaided in the European elections in 1999. [32804]

Mr. George Howarth: This is a matter which is being considered by my Working Party on Electoral Procedures.

Mr. Burstow: To ask the Secretary of State for the Home Department when he expects his Department's working party on electoral procedures to report. [32805]

Mr. George Howarth: The Working Party has a full programme of work which will take it into the new year. A report on its findings and recommendations will be placed in the Library when the programme has been completed.

Parking Restrictions

Mr. Corbyn: To ask the Secretary of State for the Home Department what advice he has issued to the Metropolitan Police concerning enforcement of parking restrictions in bus lanes and at bus stops; and if he will make a statement. [31494]

Mr. Michael: No Home Office guidance has been issued. Parking enforcement in London, where it is carried out by the Metropolitan Police and traffic warden, is an operational matter for the Metropolitan Police Commissioner.

The main responsibility for parking enforcement in London rests with the London local authorities and their parking attendants. Metropolitan Police enforcement of parking offences in bus lanes and at bus stops is largely limited to offences committed on the priority "Red Routes".

The Metropolitan Police are working closely with the Traffic Director for London on a project to develop cameras to enforce bus lane restrictions on moving and stationary vehicles. A pilot scheme to test the cameras is currently running in North London, and if successful will be extended on a London-wide basis.

Crime (Witnesses and Victims)

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what plans he has to extend the protection given to witnesses into a more formal framework allowing local authorities to relocate witnesses to, and victims of, crime. [31710]

Mr. Michael: On 13 June last year, we announced a wide ranging review of the way in which vulnerable and intimidated witnesses are treated in the criminal justice system. The review, which is nearing completion, is examining measures to assist intimidated witnesses from the investigation stage through to the trial itself and beyond. The existing housing legislation already enables a local housing authority to allocate accommodation to witnesses and victims who need to be relocated.

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what steps he is taking to support and protect witnesses to crimes during and after giving evidence. [32045]

Mr. Michael: We wish to offer greater protection to vulnerable or intimidated witnesses and means of doing so are being considered by the inter-departmental review of vulnerable or intimidated witnesses, which was announced by my right hon. Friend on 13 June 1997. The review, which is nearing completion, is wide ranging and is examining procedures to assist witnesses from the investigation stage through to the trial itself and beyond.

Gambling

Mr. Faber: To ask the Secretary of State for the Home Department what data his Department has collated concerning addiction rates amongst *(a)* 16 to 18 year olds and *(b)* those aged over 18 years for (i) amusement with prizes machines, (ii) scratchcards and (iii) on-line lotteries. [32660]

Mr. George Howarth: The report Oflot published on 26 February covers gambling by 11–15 year olds on the National Lottery on-line draw, scratchcards and amusement-with-prizes machines.

There is no equivalent Government study of adults. Oflot has published regular research into player behaviour on the National Lottery.

Mr. Faber: To ask the Secretary of State for the Home Department what assessment he has made of the advice given to him by Dr. Mark Griffiths in respect of on-line frequent lotteries. [32661]

Mr. George Howarth: A submission by Dr. Mark Griffiths on the social impact of on-line lotteries was sent to the Home Office on 13 February. We are carefully considering this, along with the other responses to our consultation paper.

Mr. Faber: To ask the Secretary of State for the Home Department how many organisations responded to his consultation process on the Draft Lotteries (Frequent Draws) Bill; how many supported his proposals; how many did not; and if he will publish a list of all responding organisations. [32659]

Mr. George Howarth: We have received 116 responses. I refer the hon. Member to the replies I gave to my hon. Friend the Member for Leicester, East (Mr. Vaz) on 20 January 1998, *Official Report*, column *513*, and the hon. Member for Torbay (Mr. Sanders) on 19 February 1998, *Official Report*, column *791*.

Private Detectives

Mr. Green: To ask the Secretary of State for the Home Department what plans he has to introduce a licensing system for private detectives. [32589]

Mr. Michael: We intend to introduce statutory regulation of the private security industry, including private detectives, as soon as possible. We will not be able to bring forward early legislation, as we warned before the election, but we have recently completed a consultation exercise with the industry and others on the best way to provide a comprehensive, effective and streamlined system. We want to look beyond the narrow proposals put forwards by the previous Government, which focused only on criminal record checks for the contract-guarding sector of the industry and to put in place regulations which will protect the public by ensuring basic standards of probity, training, supervision and good practice within all sectors of the industry.

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letters dated 10 September and 20 November 1997 and 8 January 1998 from the right hon. Member for Manchester, Gorton, with regard to Mr. Mohammed Amin, husband of Mrs. Stazin Amin, 2 Fir Grove. [32592]

Mr. Straw: The correspondence was transferred to the Foreign and Commonwealth Office on 20 August 1997. My right hon. Friend the Secretary of State for Foreign Affairs will respond to my right hon. Friend's letters, and I am sure he will do so without any further delay.

Mr. Kaufman: To ask the Secretary of State for the Home Department when he intends to reply to the letters dated 11 November and 18 December 1997 and 22 January 1998 from the right hon. Member for Manchester, Gorton, with regard to Mrs. Haslin Nasrin, 58 Clitheroe Road. [32593]

Mr. Straw: I have now replied to my right hon. Friend.

Mr. John M. Taylor: To ask the Secretary of State for the Home Department when he expects to be able to reply to the letter sent to him by the hon. Member for Solihull, dated 23 February 1998, concerning his constituent Dr. Zaw, Dr. Zaw's mother and their passports. [32314]

Mr. Mike O'Brien: Shortly. Dr. Zaw's mother's case has been decided.

European Convention Human Rights

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what representations he has received from the Church of England regarding the incorporation of the European Convention on Human Rights into UK law; what further meetings he expects to hold with representatives of the Church; and if he will make a statement. [31733]

Mr. Mike O'Brien: A meeting was held on 22 December 1997 between Home Office officials and representatives of the Church of England and other Churches, at which a number of points of concern to the Church were discussed. My noble Friend the Lord Williams of Mostyn also had discussions with the right Rev. Prelate, the Bishop of Ripon. Following those meetings, and debates in Another Place, the Government brought forward an amendment to the Human Rights Bill to remove the ability of Ministers to make remedial orders amending Church Measures. The Other Place also passed a number of other amendments relating to Church matters, against the advice of the Government. In the debate on the Second Reading of the Bill on 16 February 1998, *Official Report*, columns 779-80,my right hon. Friend announced that before coming to a final conclusion on those amendments, he would be happy to discuss the questions at issue further with representatives of the Churches. A meeting has been arranged for next week.

Prisoners (Literacy)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department what estimate he has made of the number of adult prisoners who are functionally illiterate; and if he will make a statement. [32100]

Ms Quin: Knowledge about literacy rates among prisoners is derived from the results of the basic skills screening test for numeracy and literacy which prisoners are invited, but not required, to take. These suggest that, while very few prisoners are actually illiterate, 60 per cent. of the prison population need help to improve their communication skills.

The Prison Service strives to improve levels of literacy among prisoners by focusing its education provision on the core curriculum of key basic education skills (reading, writing and numbers) life and social skills and information technology skills.

Proportional Representation

Mr. Clappison: To ask the Secretary of State for the Home Department how many seats were won by the Labour Party in *(a)* the Scotland region and *(b)* England and Wales in his Department's simulation of the 1994 European elections using the d'Hondt divisor and the Ste-Lague divisor. [30825]

Mr. George Howarth *[holding answer 23 February 1998]:* Home Office officials calculated the effect of using different divisors, based on the results of the 1994 European Parliamentary elections, in six of the eleven proposed electoral regions. In five of them, the Labour Party would have won the same number of seats using the d'Hondt and Sainte-Lague divisors. They were:

East Midlands: 3 seats

London: 6 seats

North East: 3 seats

South West: 2 seats

Wales: 3 seats.

In Scotland, the Labour Party would have won four seats with the d'Hondt divisor and three seats with the Sainte-Lague divisor.

Sex Offenders

Dr. Lynne Jones: To ask the Secretary of State for the Home Department if he will list treatment programmes for sex offenders funded by his Department; what assessment he has made of their effectiveness; what proportion of *(a)* convicted child sex abusers, *(b)* convicted rapists and *(c)* those convicted of other sexual abuses of adult women receive treatment; and what plans he has to extend the provision of sex offender treatment programmes. [31085]

Ms Quin: Sex offender treatment programmes are run, and funded, by both the Prison Service and the Probation Service. The Prison Service sex offender treatment programme (SOTP) consists of four elements: the core programme for all sex offenders; the booster programme, a follow-up to the core programme; the adapted programme for sex offenders with learning difficulties; and the extended programme for offenders who are at highest risk. The latter two programmes are an extension to the original SOTP which are being introduced in 1998–99. The recently appointed Director of Regimes is examining future work in this area.

Records are not available centrally as yet which list by offence the numbers of sex offenders who have completed the SOTP.

The Home Office probation unit provides funding for the Wolvercote sex offenders clinic. This centre provides a national residential treatment service. It has 21 places, 16 of which are reserved for referrals from the Probation Service. The Home Office pays the full weekly charge of £595 for parole board referrals, and £405 per week for Probation Service referrals. The local probation service pays the balance of the fee.

Most treatment for sex offenders is arranged locally by individual probation services. Probation services run these sex offender treatment programmes in co-operation with adjacent services or in partnership with specialist organisations. Treatment programmes arranged by probation services are available to sex offenders on release from imprisonment and to those on community supervision. Programme content and delivery are evolving in the light of inspection and research into both prison-based and community provision and an accreditation process for community based programmes is being considered.

The Home Office is committed to a long-term evaluation of the effectiveness of sex offender treatment programmes. To this end, it funds the sex offender treatment evaluation project (STEP) team, based at the Wolvercote Clinic. Results are not expected for some time, but similar programmes in the United States and Canada have reduced the rate of offending by about 25 per cent.

Totalisator Board

Mr. Redwood: To ask the Secretary of State for the Home Department what *(a)* loan guarantees and *(b)* increased borrowing approvals the Tote has received in the last three months. [32690]

Mr. George Howarth: The Tote has neither sought nor received any external loan guarantees. In the last three months, it has negotiated increased borrowings with its bankers.

NORTHERN IRELAND

Health and Food Safety Research

Mr. Peter Robinson: To ask the Secretary of State for Northern Ireland what is the current status of the all-Ireland Institute of Public Health, agreed to in December 1995 by the then Minister for Health in Northern Ireland and the Government of the Irish Republic. [30806]

Mr. Worthington: The Institute of Public Health will become operational following the appointment of a Director. An advertisement for the recruitment of the Institute's Director has been placed in newspapers and professional journals.

Civil Servants

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland what factors led to her recent decision to appoint as Under-Secretary in her Department a candidate not proposed by the Appointments Board convened for that purpose; which individuals in which Civil Service positions constituted that board; and if she will make a statement. [31317]

Mr. Paul Murphy *[holding answer 26 February 1998]:* The appointment in question was a transfer to a new senior post in Central Secretariat to meet the growing and prospective workload generated by the political talks and the associated need to prepare for a devolved administration. Given that the responsibilities of the post include the provision of support and advice to my right hon. Friend the Secretary of State and her Ministers, it was decided, exceptionally, that the appointment would be subject to her endorsement. After an interview with the candidate recommended to me the Secretary of State decided not to endorse his appointment. The Chairman of the selection panel then submitted the name of a second suitable candidate whom the Secretary of State also interviewed. The Secretary of State then endorsed his appointment. The selection panel was chaired by John Semple (Head of the Northern Ireland Civil Service), and its members were Pat Carvill (Permanent Secretary, DENI) and Clive Gowdy (Permanent Secretary, DHSS).

Finbar Ross

Mr. Beggs: To ask the Secretary of State for Northern Ireland what progress has been made to date regarding the request for extradition of Finbar Ross from the United States of America. [31996]

Mr. Ingram: It is the practice of the relevant authorities not to give details of the actions being taken to secure the apprehension of wanted persons or the progress thereof. To do so could undermine the effectiveness of those actions.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for Northern Ireland how many works of art she has borrowed for use in her offices; which organisations she has borrowed these works from; what the insurance value is of these works; what guidance she received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31567]

Mr. Paul Murphy *[holding answer 27 February 1998]:* I refer the hon. Member to the answer given to her by my right hon. Friend the Secretary of State for Culture, Media and Sport on 27 February 1998, *Official Report*, columns *388–89*.

Vehicle Registration Numbers

Mr. Trimble: To ask the Secretary of State for Northern Ireland if she will make a statement on the issue of age-related registration numbers for *(a)* vintage cars and *(b)* other vintage vehicles. [32062]

Mr. Paul Murphy: Responsibility for the subject in question has been delegated to Driver and Vehicle Licensing Northern Ireland under its chief executive, Mr. Brendan Magee. I have asked him to arrange for a reply to be given.

Letter from Brendan Magee to Mr. David Trimble, dated 2 March 1998:

The Secretary of State for Northern Ireland has asked me to reply to your question about the issue of age-related registration marks for vintage cars and other vintage vehicles.

In Northern Ireland, registration marks are not directly age related and historically all registration series were used to exhaustion. As a result there is an extremely limited supply of old marks available. For some years there are no marks at all left and for others only a handful. The policy has been developed of saving old registration marks for vehicles of real historical significance such as very rare models, prototypes or vehicles associated with a particular event.

Other vehicles have to be registered with a registration mark from a current series, of course if the registration of the vehicle is known and the applicant can satisfy DVLNI as to the identity of the vehicle, the old registration mark is restored.

A meeting has been arranged with the office holders of the Association of Old Vehicles Clubs NI Ltd. on 8 March to discuss ways of dealing with their concerns.

Inward Investment

Mr. Vaz: To ask the Secretary of State for Northern Ireland if she will make a statement on recent inward investment to Northern Ireland from *(a)* Japan, *(b)* South Korea, *(c)* Taiwan, *(d)* Hong Kong, *(e)* China and *(f)* Singapore. [31962]

Mr. Ingram: Details of externally owned investment projects from the six locations which have been assisted by the Industrial Development Board to locate or invest in Northern Ireland in each of the last three financial years are set out in the tables.

1997–98 year to date

£ million

	No. of projects	*New jobs promoted*	*Jobs safeguarded*	*Total investment*
Japan	2	208	39	33.2
South Korea	1	100	—	3.0
Taiwan	—	—	—	—
Hong Kong	—	—	—	—
China	—	—	—	—
Singapore	—	—	—	—
Total	3	308	39	36.2

1996–97

£ million

	No. of projects	*New jobs promoted*	*Jobs safeguarded*	*Total investment*
Japan	1	—	1,000	45.7
South Korea	—	—	—	—
Taiwan	—	—	—	—
Hong Kong	2	450	—	37.0
China	—	—	—	—
Singapore	—	—	—	—
Total	3	450	1,000	82.7

1996–97

£ million

	No. of projects	*New jobs promoted*	*Jobs safeguarded*	*Total investment*
Japan	1	100	—	7.4
South Korea	1	230	—	8.6
Taiwan	—	—	—	—
Hong Kong	—	—	—	—
China	—	—	—	—
Singapore	—	—	—	—
Total	2	330	—	16.0

Parades Commission

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the names of the members of Parades Commission since its establishment, the dates of their appointments and where appropriate resignations, the length of the normal period of service and the salaries to be paid to the Chairman and to each member. [32256]

Mr. Ingram: On 26 March 1997 the previous Government appointed Mr. Alistair Graham as Chairman, and Mr. David Hewitt, Rev. Roy Magee, Mr. Frank Guckian and Mrs. Berna McIvor as members of the Parades Commission. The appointments were for a period of two years. Rev. Magee resigned with effect from 31 December 1997 and Mrs. McIvor with effect from 18 February 1998.

On 19 February 1998 my right hon. Friend the Secretary of State appointed Mr. Alistair Graham as Chairman of the Parades Commission for a period of one year. She also appointed as members Mr. David Hewitt and Mr. Frank Guckian for a period of one year; and Mr. Tommy Cheevers, Mr. Glen Barr, Mr. Aidan Canavan

and Mrs. Rose Anne McCormick for a period of two years. The Chairman of the Parades Commission receives remuneration of £30,000 per annum, which is paid to his employer; and each of the members £25,000 per annum.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the sums paid to date to each member by the Parades Commission and under such headings as may be convenient other sums paid to such members which have arisen in respect of their work. [32257]

Mr. Ingram: In the period 26 March 1997 to 26 January 1998, the Chairman of the Parades Commission received remuneration of £11,750. In the same period two of the three members who are paid on a monthly basis, received £20,833 each, and the third, £18,750; while the other, who is paid on a quarterly basis, also received £18,750. The amount paid to the Chairman is relatively low because payment is made on the basis of invoices received from his employer. In the same period, a total of £6,963 was paid to the Chairman and members by way of travel, subsistence and other incidental expenses.

TRADE AND INDUSTRY

Petroleum Stocks

Mr. Boswell: To ask the President of the Board of Trade if she will make a statement on the adequacy of strategic stocks of petroleum products. [31695]

Mr. Battle *[holding answer 2 March 1998]:* The oil crises of the 1970s, and the economic damage caused by the two oil price hikes, led to the creation of the International Energy Agency and international agreements on holding stocks of oil and procedures to deal with an oil supply disruption. These arrangements were restricted to oil because of its key role in energy supply and because a large proportion of reserves were located in potentially less stable areas. European legislation based on Article 103 (difficulties in supply of certain products) of the Treaty led to provisions for individual countries to hold oil stocks. These provisions remain in place and the UK is required to keep stocks of oil equal to or above 76½ days worth of consumption at any one time. The latest provisional data for stocks as at 1 January 1998 show the UK as having 13.2 million tonnes of oil products (including the product equivalent of stocks of crude oil), equal to 78 days worth of consumption. This is considered to be more than adequate, especially given the level of our indigenous resources, to meet the UK's contribution towards an international response to an oil supply shortage.

Exports (Iran)

Mr. Green: To ask the President of the Board of Trade what current guidance is given to British firms wishing to export to Iran. [32573]

Mrs. Roche: The Department of Trade and Industry provides advice and information to UK firms on opportunities for business in Iran together with guidance on UK strategic export controls.

Energy Saving

Mr. Boswell: To ask the President of the Board of Trade what action she will take to encourage retailers of electricity to promote energy saving. [32270]

Mr. Battle: The Director General of Electricity Supply sets standards of performance requiring Regional Electricity Companies to promote the efficient use of electricity. The standards require the companies to undertake, before April 1998, projects designed to save over 6,000 gigawatt hours of electricity. The Review of Utility Regulation being undertaken by my Department is considering, among other matters, the environmental aspects of utility regulation and a Green Paper will be issued in the near future.

Dounreay

Ms Roseanna Cunningham: To ask the President of the Board of Trade what are the estimated costs of work still to be carried out in relation to preparing UKAEA's D2670 plant at Dounreay Nuclear Establishment to enable the reprocessing of spent fuel from the ICI TRIGA reactor at Billingham. [31734]

Mr. Battle: The costs for modifying the D2670 plant are covered by the contractual arrangements between UKAEA and ICI and are therefore commercially confidential.

Inward Investment

Mr. Alasdair Morgan: To ask the President of the Board of Trade when she plans to publish the proposed draft concordat on inward investment. [32202]

Mr. Ian McCartney: I refer the hon. Member to the answer given by my right hon. Friend the President of the Board of Trade to the right hon. Member for Wokingham (Mr. Redwood) on 3 December 1997, *Official Report*, column *255*.

Radio Communications Agency

Mr. Campbell-Savours: To ask the President of the Board of Trade what is the total complement of staff in the Radio Communications Agency, at what grades; and at which locations. [24690]

Mrs. Roche *[holding answer 26 January 1998]:* The table shows the Radiocommunications Agency's complement for 1997–98.

1. RA Complement 1997–98: 577.8

2. Complement by range/grade

	Number
Range 1	8
Range 2	28.6
Range 3	60.1
Range 4	33.5
Range 5	44.8
Range 6	34
Range 7	26
Range 8	27
Range 9	17
Range 10	17.8
Range 11	0
SCS	7

	Number
GTE	5
ATTO	17
T/TTO	1
TTO	119
HPTO	45
HTTO	35
SPTO	27
STTO	9
G7 (Eng.)	9
G6 (Eng.)	5
PSGC	1
SGB1	1
Total	577.8

3. Complement by location

	Number
Radio Compatibility Group, Whyteleafe	23.5
Radio Monitoring Station, Baldock	27.5
Region 1	
Leeds	17.3
Falkirk	12
Region 2	
Haydock	16
Cardiff	6.5
Belfast	5.5
Region 3	
Bristol	27
Region 4	
Birmingham	29.2
Region 5	
London	32.5
Headquarters	308.8
Total	577.8

Multilateral Agreement on Investment

Mr. Jim Cunningham: To ask the President of the Board of Trade what assessment she has made of the possibility that the multilateral agreement on investment may lead to an increase in litigation. [32094]

Mrs. Roche: The dispute settlement provisions of the Multilateral Agreement on Investment (MAI) are the method by which it will be enforced, if necessary. If signatories apply their MAI obligations in good faith, dispute settlement cases should be rare, as they are under the similar provisions of the many bilateral investment treaties which already exist both for the UK and world-wide.

Mr. Jim Cunningham: To ask the President of the Board of Trade what assessment she has made of the potential for increased power to be given to large multinational companies through the MAI. [32095]

Mrs. Roche: The Multilateral Agreement on Investment (MAI) would benefit all investors, large and small. All, however, remain subject to the national laws of the countries in which they operate.

Mr. Reed: To ask the President of the Board of Trade what representations she has received about the multilateral agreement on investment; and if she will make a statement. [31975]

Mrs. Roche: We have received representations from many interested parties, including Members of Parliament, members of the public, business, unions and non-governmental organisations.

Industrial Tribunals (Cost)

Mr. Denis Murphy: To ask the President of the Board of Trade what has been the total cost to public funds of holding industrial tribunals in each of the last five years. [31999]

Mr. Ian McCartney: The administration of industrial tribunals in Great Britain became the responsibility of an executive agency, the Employment Tribunals Service, on 1 April 1997. Details of its expenditure for 1997–98 and beyond will be published in the Agency's annual report and accounts. Expenditure on the running costs of industrial tribunals in Great Britain in each of the last five years was as follows:

Year	*£ million*
1996–97	36.8
1995–96	34.7
1994–95	33.3
1993–94	[1]21.8
1992–93	[1]19.9

[1] Excludes rent/rates and building maintenance costs which are not readily available and could be supplied only at disproportionate cost.

All figures exclude capital expenditure, information on which is not available on a consistent basis.

Business Links

Mr. Pearson: To ask the President of the Board of Trade if she will list the *(a)* amount and *(b)* proportion of overall budget spent by each business link on administration in (i) 1994–95, (ii) 1995–96 and (iii) 1996–97. [32085]

Mrs. Roche: The information requested is not available. Business Links take a number of different forms. For example, some operate as separate entities jointly owned by their local partners while others operate as subsidiaries of their local partners. We thus do not manage Business Links directly but make a contribution to the cost of the services they provide, including a provision for reasonable over-head costs. But we do not collect detailed information on the costs of administering the services they provide.

Free Zone (North Korea)

Mr. Vaz: To ask the President of the Board of Trade what advice and facilities are available to British businesses regarding the Rajin-Sonbong free economic and trade zone in North Korea. [31957]

Mrs. Roche: There are no diplomatic relations between the UK and North Korea and no British representation in North Korea. We are thus unable to offer advice to British businesses about it.

CULTURE, MEDIA AND SPORT

Mid-Essex Local Radio

Mr. Burns: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on when the Radio Authority is expected to announce the successful bid for the Mid-Essex local radio licence applications. [32038]

Mr. Fisher *[holding answer 2 March 1998]:* Decisions on the award of licences to operate commercial radio stations, including the timing of announcement of such decisions, are wholly a matter for the Radio Authority. However, I understand that the Radio Authority expect to announce their decision on the award of a small-scale independent local radio licence within Mid-Essex on Thursday 5 March 1998.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the cost of Ministerial overseas travel in his Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26631]

Mr. Chris Smith *[holding answer 5 February 1998]:* In 1996–97 the cost of Ministerial overseas travel was £50,385. Figures for the financial year to date are £36,776. Information is not readily available for Ministerial overseas travel in 1995–96, and could be provided only at disproportionate cost.

Touring Opera Companies

Mr. Laurence Robertson: To ask the Secretary of State for Culture, Media and Sport how much public funding was given to touring opera companies in the last three available years; what was the breakdown of this funding; and if he will make a statement. [31398]

Mr. Fisher *[holding answer 2 March 1998]:* The table gives a breakdown of grant-in-aid allocated by the Arts Council of England to touring opera companies operated in England for the most recent three years for which figures are available.

£

	1995–96	*1996–97*	*1997–98 (projected)*
Touring Department			
Opera/Music Theatre Projects	200,259	239,530	390,800
Scottish Opera	300,000	250,700	164,833
Total	500,259	490,230	555,633
Music Department			
Opera/Music Theatre Projects	197,250	256,182	167,090
Regularly funded clients:			
Central Birmingham Touring Opera	157,900	157,900	157,900
English Touring Opera	812,900	887,000	887,000
Glyndebourne	710,000	710,000	710,000
Opera Factory	120,000	100,000	100,000
Opera North	4,834,000	4,834,000	5,034,000
Welsh National Opera	3,801,500	3,801,500	4,201,500
Fixed term funded clients:			
Mecklenburgh Opera	50,000	0	0
Opera Circus	0	0	15,000
Pimlico Opera	50,000	0	20,000
Total	10,733,550	10,746,582	11,292,490

One hundred and four awards from the National Lottery have been made to organisations in England involved in touring or building-based opera. To date, £91,678,840 has been committed.

Empty Properties

Mr. Malcolm Bruce: To ask the Secretary of State for Culture, Media and Sport what is his estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) his Department, (ii) his agencies and (iii) other public bodies for which he has responsibility, in (A) 1995–96, (B) 1996–97, (C) 1997–98 to date and (D) 1997–98 full year. [26628]

Mr. Tom Clarke *[holding answer 5 February 1998]:* The information is given in the following tables.

Table A: Annual cost

£

	DCMS	*Agencies*	*NDPBs*
1995–96	nil	26,700	30,100
1996–97	nil	4,800	290,100
1997–98 to date	nil	9,700	280,080
1998–99 full year	nil	9,700	340,100

Table B: Total value

£

	DCMS	*Agencies*	*NDPBs*
1995–96	nil	1,582,500	11,005,000
1996–97	nil	2,197,500	12,755,000
1997–98 to date	nil	1,237,500	15,755,000
1998–99 full year	nil	892,500	15,755,000

Channel Tunnel Rail Link

Mr. Shaw: To ask the Secretary of State for Culture, Media and Sport what representations his Department has received regarding the future of the high speed Channel Tunnel rail link: and if he will make a statement. [31838]

Mr. Tom Clarke: This Department has not received any representations regarding the future of the high speed Channel Tunnel rail link.

Mr. Shaw: To ask the Secretary of State for Culture, Media and Sport (1) what analysis his Department has made of the number of additional tourists to and from Europe, and the value of any additional inward tourism to the United Kingdom that would arise from the introduction of a high speed Channel Tunnel rail link; [31840]

(2) what projections his Department made of the impact on the United Kingdom tourist industry of the high speed Channel Tunnel rail link; and if he will make a statement. [31839]

Mr. Tom Clarke: My Department has conducted no analysis into the potential effects on the United Kingdom tourist industry arising from the introduction of a high speed Channel Tunnel rail link.

DEFENCE

Anthrax

Mr. Key: To ask the Secretary of State for Defence what is his policy on the vaccination of HM forces against anthrax bacteria. [31472]

Mr. George Robertson *[holding answer 26 February 1998]:* The measures being taken at any given time to protect UK forces against chemical and biological weapons are based upon the prevailing operational circumstances and the latest threat assessment. In the light of Iraq's failure to account properly for its acknowledged programmes to acquire weapons of mass destruction, a range of equipment—chemical and biological agent detectors, warning and reporting systems, individual and collective protection, decontamination equipment, and medical countermeasures—has already been sent to the Gulf theatre for use by UK forces if necessary.

In order that MOD has access to the best possible medical and scientific advice, I have established an independent Advisory Group on Medical Countermeasures, chaired by Professor Peter Blain of Newcastle University and made up of leading outside medical experts. Having sought and received advice from the new Group on the current situation, I have decided that UK service personnel and MOD civilians in the Gulf region should be strongly recommended to accept immunisation against anthrax. The vaccination programme will commence later this week and involve personnel receiving three injections over the next six weeks and a fourth injection after a further six months, using the UK manufactured and licensed anthrax vaccine. No other vaccine will be co-administered with the anthrax vaccine and special arrangements have been made to ensure that the medical records of all those involved are properly annotated to register whether they receive the vaccine.

The US and Canadian Governments are providing vaccination for their forces in the region in the same timescale, and are making similar announcements.

I have written to those Service and civilian personnel who are being advised to accept anthrax immunisation explaining the background to this decision. A copy of the test of my letter and the accompanying information leaflet are being placed in the Library of the House.

Overseas Visits

Mr. Bercow: To ask the Secretary of State for Defence how many times the spouses of Ministers in his Department have accompanied Ministers on overseas visits; and what was the cost of their travel and other expenses. [25168]

Mr. George Robertson *[holding answer 23 January 1998]:* I refer the hon. Member to the answer I gave the hon. Member for Spelthorne (Mr. Wilshire) on 15 January 1998, *Official Report*, column 278.

Holy Loch

Mr. Dalyell: To ask the Secretary of State for Defence what assessment he has made of the risks of disturbing material containing Cobalt 60 and PCB in the Holy Loch during clean-up operations. [31871]

Mr. Spellar: An extensive environmental radioactivity survey, which focused on Cobalt-60, was conducted jointly by the MoD and US Navy in 1992. This concluded that there was no radiological hazard to the public in the Holy Loch area. An Environmental Assessment Report commissioned by my Department from independent specialist consultants, published in early 1997, concluded that seabed clearance was unlikely to cause a measurable increase in exposure.

The Scottish Environmental Protection Agency undertook a study last year on the potential for contamination, including by PCBs, which concluded that disturbance of sediment during clearance was unlikely to result in significant toxicity. Other work by the Centre for Environmental, Fisheries and Aquaculture Science at Burnham supported this view.

Clearance will be governed by a comprehensive environmental protocol. Ecotoxicology studies form a constant component in the monitoring regime. Indications of a rise in toxicity will result in the lifting of debris being suspended.

Mr. Hoyle: To ask the Secretary of State for Defence what funding the American Government will provide for the removal of waste from the site of their previously occupied Scottish naval base. [31964]

Mr. Spellar: I assume the question refers to Holy Loch in Scotland. The terms of occupation of the site place no obligation on the American Government to fund the clearance of waste.

Group Captain Ingle

Mr. Gibb: To ask the Secretary of State for Defence for what reasons Group Captain Lagle's request for redress of grievance was rejected; and what factors underlay the length of time taken to reach this decision. [32268]

Mr. Spellar: I assume that the question refers to Group Captain Ingle. It would not have been possible to grant Group Captain Ingle's request for consideration of redress without a waiver of the normal time limits. A waiver was not given because his concerns had been addressed by the review of POW pay deductions, the results of which were notified to the House on 24 July 1997, *Official Report*, column 722. The decision on the waiver was not taken until this review was completed.

RAF Menwith Hill

Mr. Matthew Taylor: To ask the Secretary of State for Defence if he will list the construction projects and work conducted at RAF Menwith Hill since 1 January

1994 and paid for under the bilateral cost-sharing arrangement between the United Kingdom Government and the United States Government. [30470]

Mr. Spellar: Construction Projects at RAF Menwith Hill conducted under the bilateral cost-sharing arrangement for which detailed planning clearance has been sought and received since 1 January 1994 are listed:

(1) Projects in progress or completed:

Refurbish Water Tower
Upgrade Sewage Works
Replace Security Fence
Bus Layby
Relocate two Guard Towers and Erect one
High Level Gantry to Cooling Towers
Army and Air Force Exchange Service Mini Mall
Chapel Extension
Replacement Building 36H
Erect Covered Walkway Building 25
Building 20 Laundry Extension
Shredder
Provision Temp Classrooms
Access Road
Lighting Near Building 48
Replacement Chain Link Fence (Interceptor 1)
Provision Flammable/Chemical Storage
Facility Support Contractor Additional Portakabins
Erection All Weather Enclosure Armed Forces Network Antennas
Spectator Seating Two Sportsfield
Building 45 Entrance Porch
Building 30 Compressor House
Building 15 Community Centre Extension
Building 21 Cafetorium Extension
Automated Teller Machine
Smokers Shelters
Building 31A Pitched Roof
Ops Security Lighting Esso 29 Radome
Grapnel Radomes—infrastructure only
Ops Support Buildings
Building 25 Pitched Roof
Building 45 and Castlemaine
Portakabin adjacent Building 33B
Dog Kennel and Handler Facility
Skate Pad
Building 17 Extension
Nessfield Gate
Youth Playground
New High School.

(2) Projects cancelled:

Construct Impound Car Lot
Construct PC6.

Land Ranges

Mr. Ainger: To ask the Secretary of State for Defence (1) if the DERA Land Ranges Rationalisation Study Stage 2 requested information from MoD departments about re-provisioning of work carried out at Pendine; [30821]

(2) what submissions have been sought from MoD departments on the re-provisioning of small and medium calibre work carried out at Pendine; [30823]

(3) if the DERA Land Ranges Rationalisation Study Stage 2 only requested information from MoD departments on re-provisioning of work carried out at Eskmeals and Shoeburyness. [30820]

Mr. Spellar *[holding answer 23 February 1998]:* As part of the second phase of its land ranges rationalisation study last year, the Defence Evaluation and Research Agency consulted both the Ministry of Defence and British industry to assess the total volume of work likely to be available over the next five years. The data were gathered on a project-by-project basis, on both the technical requirements and the funding available for the proposed testing over the next five years, including small and medium calibre work conducted at Pendine.

Conferences

Mr. Malcolm Bruce: To ask the Secretary of State for Defence if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27764]

Mr. Spellar *[holding answer 5 February 1998]:* The information requested is not held centrally and could be provided only at disproportionate cost.

Staff Qualifications

Mr. Hancock: To ask the Secretary of State for Defence what minimum standards of qualification have been set by the DEO(W) for EPO and PMO graded staff. [31938]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

European Regional Test Centre

Mr. Ainger: To ask the Secretary of State for Defence if he will list the establishments which are being considered for the NATO European Regional Test Centre for small and medium calibre weapons. [30822]

Mr. Spellar *[holding answer 23 February 1998]:* The land ranges rationalisation study, compiled by the Defence Evaluation and Research Agency, makes no specific recommendations on the relocation of the NATO European Regional Test Centre for small and medium calibre weapons. Some facilities exist at the DERA establishments at Fort Halstead and West Freugh. Royal Ordnance has sites at Nottingham and Foldingworth that offer a capability comparable with that at DERA Pendine. Ely Cartridges have a range at New Radnor currently owned by MoD.

Prisoners of War (Pay)

Mr. Gibb: To ask the Secretary of State for Defence what assessment was made by his Department, when compiling the report on the pay of prisoners of war during World War II, of the true value to the individual prisoners of war of services supplied to them by the enemy during World War II. [32267]

Mr. Spellar: The task of the Review was to examine the policy decisions taken during and immediately after the Second World War in respect of the pay of officer prisoners of war and protected personnel, particularly in relation to pay deductions, and to see if these were properly taken at the time. It found that the question of the value which those in captivity could obtain for their money, and the complaints received that this was inadequate, were properly understood and considered at the time and that where possible and appropriate, measures were taken to adjust pay matters accordingly. This subject is addressed in the report of the Review.

Chinese Nationals

Mrs. Gillan: To ask the Secretary of State for Defence how many Chinese nationals are currently working in *(a)* the MoD and *(b)* its agencies; and if he will list them and give details of the work which they are carrying out. [32346]

Mr. Spellar: My Department does not keep central records of the nationality of civilian staff and the information requested could be provided only at disproportionate cost.

ATTORNEY-GENERAL

Barristers

Mr. Gordon Prentice: To ask the Attorney-General how many barristers on the panels for common law and chancery work are *(a)* women and *(b)* from the ethnic minorities. [31514]

The Attorney-General: The number of women on the panels is as follows:

Panels	*Number*
Common Law panel	0
Chancery panel	0
Common Law supplementary panel	13
Directors disqualification panel	9
Provincial panel	3
Total	25

There are currently no data available in relation to how many of the barristers on these panels are from the ethnic minorities.

Mr. Gordon Prentice: To ask the Attorney-General how many barristers are on the panels he uses for common law and chancery work; and how they are selected. [31515]

The Attorney-General: I maintain five panels of barristers for common law and chancery work. They are as set out.

Panels	*Number*
Common Law panel	11
Chancery panel	10
Common Law supplementary panel	72
Directors disqualification panel	45
Provincial panel	62
Total	200

Barristers on the panels have been appointed personally by me or my predecessors on the basis of merit, after the Treasury Solicitor's Department or the Government department concerned initiated inquiries and prepared recommendations.

Specialist Counsel

Mr. Gordon Prentice: To ask the Attorney-General how many counsel he retains for specialist work; what is the criteria for inclusion on the list; and how often the list is reviewed. [31511]

The Attorney-General: Twenty counsel are appointed for specialist work as Standing Counsel to various departments. Standing Counsel are appointed for their expertise in the relevant area. The list is reviewed when an appointment falls vacant.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Development

14. **Mr. Gerald Howarth:** To ask the Secretary of State for the Environment, Transport and the Regions when he next plans to meet representatives of local government to discuss development issues. [30635]

Mr. Raynsford: This morning, my right hon. Friend the Deputy Prime Minister chaired a meeting of the Central Local Partnership, a regular forum for major issues affecting local government. Two further meetings of the Partnership are planned this year.

Water Charging

15. **Mr. Pike:** To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received on water charging policy. [30637]

Angela Eagle: We have received representations about a range of water charging issues including the high level of charges and the fairness of different methods of charging.

Local Government Finance

16. **Mr. David Heath:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on his proposals to reform capping of local authorities. [30638]

Ms Armstrong: We have received a number of representations on the future of capping.

23. **Mr. Hayes:** To ask the Secretary of State for the Environment, Transport and the Regions what representations have been received on the 1998–99 local government financial settlement. [30645]

Ms Armstrong: The Department received 406 written representations within the deadline for responses. I, and other Ministers at the Department, also met the Local Government Association and the Association of London Government, delegations from 95 local authorities, and one special interest group during the consultation period.

25. **Mr. Peter Atkinson:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of average council tax levels in 1998–99. [30647]

Mr. Raynsford: It would be premature to make such an assessment until all local authorities have set their budgets.

Mr. Baldry: To ask the Secretary of State for the Environment, Transport and the Regions when he plans next to meet the Local Government Association to discuss the SSA methodology. [30627]

Mr. Raynsford: My Department will meet shortly with the Local Government Association and other local authority representative organisations to begin its 1998 round of discussions on Standard Spending Assessment methodology and related issues. In addition, SSAs continue to feature in our discussions with the LGA and others in our current review of local government finance.

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what representations have been received on the 1998–99 local government financial settlement. [30634]

Ms Armstrong: The Department received 406 written representations within the deadline for responses. I, and other Ministers at the Department, also met the Local Government Association and the Association of London Government, delegations from 95 local authorities, and one special interest group during the consultation period.

Greater London Authority

17. **Mr. Gardiner:** To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish the White Paper on the Government's plans for a new greater London authority. [30639]

Mr. Raynsford: The White Paper setting out proposals for a Greater London Authority will be published in the week commencing 23 March 1998.

Regional Development Agencies

18. **Mr. Andrew George:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from Cornwall on his proposals to set up regional development agencies. [30640]

Mr. Caborn: In response to our consultation on regional development agencies in England, we received 253 letters from the South West region, 58 of which were from Cornwall. Since then, we have received a large number of pro-forma representations about matters relating to Cornwall, including our proposals for RDAs, as well as further individual representations.

Mr. Redwood: To ask the Secretary of State for the Environment, Transport and the Regions what action he will take to ensure political balance in, and industrial expertise amongst, government appointments to regional development agencies. [32681]

Mr. Caborn: We have advertised publicly for candidates and are seeking nominations from a broad range of organisations including those representing business and industry. We intend that boards be business led, but they will also need an effective presence from the public sector which is also very active in the regional economy. Political balance is not a primary consideration in making appointments to the RDAs. Individuals will be appointed on their merits for the particular expertise and background that they will bring to the RDA. However, we propose that local government representation on each board will reflect the balance of the electorate in a region as regards type and size of authority, geographical spread, and political balance.

Offices of the Regions

19. **Mr. Mackinlay:** To ask the Secretary of State for the Environment, Transport and the Regions what measures he proposes to increase the accountability of the Government offices of the regions. [30641]

Angela Eagle: The Government Offices are already fully accountable to Parliament through the Ministers of the three departments of which they are part. The three departments are Environment, Transport and the Regions; Trade and Industry; and Education and Employment.

Housing (North-east Lancashire)

20. **Mr. Gordon Prentice:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to assist with the renovation of dilapidated housing stock in north-east Lancashire. [30642]

Mr. Raynsford: My hon. Friend the Minister for Local Government and Housing visited Pendle on 24 February to see at first hand the particular problems in East Lancashire and to discuss ideas which Pendle Borough Council have for addressing them.

Parish Councils

21. **Mr. Spring:** To ask the Secretary of State for the Environment, Transport and the Regions what is his policy on the role of parish councils in rural areas; and if he will make a statement. [30643]

Mr. Raynsford: I refer the hon. Member to the answer given by my hon. Friend, the Minister and Local Government and Housing on 3 June 1997, *Official Report*, column *169*.

House Building

22. **Mr. Loughton:** To ask the Secretary of State for the Environment, Transport and the Regions what is his target for the proportion of new homes to be accommodated on land which has been developed. [30644]

Mr. Raynsford: We expect local planning authorities to be able to raise the national proportion of new homes to be built on previously developed land to 60 per cent. over the next ten years. We will also expect Regional Planning Conferences to draw up regional targets for inclusion in their draft Regional Planning Guidance.

Local Government Reform

24. **Mr. O'Hara:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his consultation on the future of local government. [30646]

Ms Armstrong: My right hon. Friend the Deputy Prime Minister launched a wide ranging consultation paper on modernising local government on 9 February, when he published the consultation paper "Local Democracy and Community Leadership".

A second paper, "Local Services Under Best Value", has been published today. Further papers on the new ethical framework and on aspects of local government finance will be published shortly. Following consultation, the Government will set out their firm proposals in a White Paper this Summer.

High Explosives

26. **Mr. Dalyell:** To ask the Secretary of State for the Environment, Transport and the Regions what research (i) the Environment Agency and (ii) his Department has *(a)* commissioned and *(b)* evaluated into the environmental effects of high explosives; and if he will make a statement. [30453]

Angela Eagle: My Department and the Health and Safety Executive sponsored a consultancy on the environmental impact of accidents involving explosive manufacturing and storage facilities in 1996. The work was specifically related to the implementation of EU Directive 96/82/EC on the control of major-accident hazards involving dangerous substances (the "Seveso II" Directive). Discussions are continuing between the industry, the Environment Agencies and DETR to evaluate the implications of this report.

Local Authorities (Best Value)

27. **Mr. Kidney:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to encourage local authorities to seek best value in the services that they provide. [30648]

Ms Armstrong: We have today published a consultation paper on the framework for improving local services through best value. Copies of the paper have been deposited in the Library of the House and a copy of the paper is being sent to all Members of Parliament.

The consultation paper, which is the second in our series aimed at modernising local government, seeks comments on the framework that we intend to put in place to require local authorities to deliver local services to the standard that people want and at a price they are prepared to pay. It will require continuous improvements in performance, including quality and efficiency, and encourage local authorities to examine every way to secure improvements, including working in partnership with the private sector when this will deliver better performance.

Speed Cameras

39. **Dr. Harris:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the advantages of devoting resources from speeding fines directly towards the running costs of speed cameras. [30661]

51. **Mr. David Heath:** To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce measures to allow for the reinvestment of income from traffic speed cameras in local authority traffic calming schemes. [30673]

Dr. Strang: Research conducted by my Department and the Home Office has shown that enforcement cameras can offer a cost-effective method of tackling speeding. The Government are currently considering the funding regime to establish whether more can be done to encourage their use.

Train Services (Punctuality)

40. **Helen Jones:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the number of train operating companies which ran services which performed with worse punctuality in the last quarter of 1997 than in the same period of 1996. [30662]

49. **Mrs. Betty Williams:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the number of train operating companies which ran services which performed with worse punctuality in the last quarter of 1997 than in the same period of 1996. [30671]

Ms Glenda Jackson: I refer my hon. Friend to the answer I gave to my hon. Friends the Members for Dartford (Mr. Stoate) and for Tamworth (Mr. Jenkins) on 3 February 1998, *Official Report*, column *629*. I would add that the comparative figures given in these answers were for twelve-month periods to the end of 1997 and to the end of 1996 as published in the Franchising Director's latest Quarterly Bulletin. Performance within the Autumn Quarter 1997 was poorer in relation to Autumn Quarter 1996. The Franchising Director expressed his concerns and disappointment with performance levels generally and is looking to Train Operating Companies and Railtrack to work together to achieve improvement.

Road Schemes

41. **Mr. Boswell:** To ask the Secretary of State for the Environment, Transport and the Regions how soon after the completion of his review of road schemes he plans to proceed with those with highest priority. [30663]

Dr. Strang: The relative priority to be given to the various options for improving our transport system is a key issue in both the Integrated Transport Review and the Roads Review. I cannot at this stage say how quickly any road schemes which form part of our integrated strategy might be taken forward.

Cars (Fuel Efficiency)

42. **Mr. Burden:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his proposals to improve the fuel efficiency of new cars. [30664]

Ms Glenda Jackson: There are a number of measures and initiatives to increase fuel efficiency in road vehicles, including the 6 per cent. annual fuel duty increases announced by the Chancellor in July last year, the Cleaner Vehicles Task Force and the EU CO_2 from cars strategy. We will also be considering further measures as part of the integrated transport policy and the climate change programme that we will be developing later this year.

Drink Driving

43. **Mr. David Taylor:** To ask the Secretary of State for the Environment, Transport and the Regions what new measures he is taking to reduce the number of deaths and serious injuries caused by drinking and driving. [30665]

Dr. Strang: A number of proposals are discussed in the consultation paper "Combating Drink Driving: next steps" which was published on 2 February. Copies of the consultation paper have been placed in the Library.

Channel Tunnel

44. **Mr. Hopkins:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of passenger traffic forecasts for the channel tunnel. [30666]

Ms Glenda Jackson: The Government have not made any forecasts of Channel Tunnel passenger traffic. This is a matter for Eurotunnel who operate the shuttle trains for cars and coaches and who are paid a charge in respect of passengers passing through the Tunnel on Eurostar trains.

Radioactive Material (Air Transport)

45. **Mr. Baker:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce further regulations relating to the transportation of radioactive material by air. [30667]

Dr. Strang: The International Civil Aviation Organisation will revise its requirements for the transport of radioactive materials in the 2001/02 edition of its "Technical Instructions for the Safe Transport of Dangerous Goods by Air". It is my intention to amend the Air Navigation (Dangerous Goods) Regulations to adopt them from 1 January 2001.

Channel Tunnel Rail Link

46. **Mr. Mackinlay:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the measures Her Majesty's Government plan to take to alleviate the problems facing small and medium businesses facing blight on the channel tunnel rail link route. [30668]

Ms Glenda Jackson: London and Continental Railways, under the Development Agreement which remains in force, are obliged to follow compulsory purchase rules and honour the undertakings given to businesses during the passage of the Channel Tunnel Rail Link Act 1996. The provisions include: purchase on request of business premises with a rateable value of less than £18,000; all businesses to receive regular information and the offer of estimates of compensation; and early negotiations where previously promised.

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions if all agreements reached between London and Continental and landowners on the line of the Channel Tunnel Link route between Kent and London will be honoured, separately identifying those relating to timescales and funding for parallel operations. [32673]

Ms Glenda Jackson: For agreements reached in the near future the Secretary of State is willing to provide on request written assurances that if the Channel Tunnel Rail Link Development Agreement were to be terminated he would take on the purchases on those terms that would apply had compulsory purchase powers been used. Claims would be settled by agreement or, failing this, by reference to the Lands Tribunal.

Speed Limits

47. **Mr. Watts:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on speed limits in residential areas. [30669]

Dr. Strang: We are working to encourage greater compliance with speed limits in urban areas, which could result in a substantial reduction in deaths and injuries. We have also encouraged the creation of 20 mph zones, and I have already announced that we intend to give local authorities the power to decide whether reductions to 20 mph should be made in appropriate cases without reference to the Department.

Fishing Industry

48. **Mr. Andrew George:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to improve maritime safety in the fishing industry. [30670]

Ms Glenda Jackson: Several measures are currently planned to improve maritime safety in the fishing industry. These include bringing into force regulations implementing EC Directives on occupational health and safety on board fishing vessels: further work with industry on the development of a Code of Safe Practice for smaller fishing vessels and a joint initiative with fishing industry organisations to reduce accidents and encourage positive attitudes to safety.

Freight (Rail Transport)

50. **Mr. Barry Jones:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to encourage inward investors to make arrangements to transport their products to EU countries by rail; and if he will make a statement. [30672]

Ms Glenda Jackson: We are spending more than ever before on rail freight grants to cover the extra cost of transporting goods by rail. We have secured important commitments from Eurotunnel and the French Government to increase rail freight through the Channel Tunnel and beyond.

House Purchase

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to announce his proposals to facilitate house purchases. [30626]

Ms Armstrong: My Department has commissioned a wide-ranging study aimed at identifying the root causes of delays and other areas of inefficiency in the home buying process. I expect to be in a position to announce the outcome in the autumn.

China

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions if he will discuss human rights and Tibet with the Chinese authorities during his visit to China in June; and if he will make a statement on those discussions on his return. [30415]

Mr. Prescott: During my visit to China in June, I plan to discuss a broad range of issues and expect to make a public statement at the end of my trip. On my last visit to China, in January 1997 as Deputy Leader of the Opposition, I held useful discussions with Chinese leaders on human rights issues. This included discussion about one individual who was later released.

Ministerial Travel

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the engagements which *(a)* he and *(b)* the Minister for Transport undertook in the United Kingdom in the course of their duties during January indicating in each case which were accessed by *(a)* car, *(b)* train, *(c)* aeroplane and car, *(d)* aeroplane and train and *(e)* other means. [28945]

Mr. Prescott *[holding answer 10 February 1998]:* My right hon. Friend and I undertook a wide range of engagements during January. These took place in this and other Departments' offices, in the House, in other parts of London and elsewhere in the UK. We travelled to and from these engagements by whatever means were most convenient to enable us to conduct Government business most efficiently. This included walking, car and public transport.

White Asbestos

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what research he has commissioned into the protection of workers from white asbestos; what representations he has received from the Health and Safety Commission on such protection; and if he will make a statement. [30733]

Mr. Meacher: I have asked the Health and Safety Commission to develop proposals on a full range of regulatory measures to provide further protection for workers from all forms of asbestos. These measures include consideration of a mechanism and timetable for introducing a domestic ban on the import, supply and use of white asbestos. I will be making an announcement shortly on how the Government intend to proceed.

Travellers

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to make damage to sites by travelling people a criminal offence; [31050]

(2) what plans he has to introduce compensation for private landowners and local authorities who have had damage done to their property by travelling people. [31051]

Mr. Raynsford: I have considerable sympathy for landowners who suffer from damage to their land from unauthorised encampments.

We have no plans to make damage to land by travelling people a specific criminal offence, nor to introduce compensation for private landowners and local authorities who have suffered damage to their land. Trespassers on land are bound by the general criminal law as is anyone else. If they behave in a threatening or violent way, or commit offences such as criminal damage, the police may take appropriate action to deal with them.

Section 61 of the Criminal Justice and Public Order Act 1994 enables the police to direct trespassers to leave land if there are two or more persons present with the common purpose of residing there, and if any of the persons has caused damage to the land or to property on the land, or has used threatening, abusive or insulting behaviour towards the occupier, a member of his family or an employee or agent of his; or if the trespassers have between them six or more vehicles on the land. Failure to comply as soon as practicable with a direction to leave, or return to the land as a trespasser within 3 months of the date of the direction, are offences attracting a maximum fine of £2,500, or a maximum 3 months' imprisonment, or both. An offence under section 61 envisages serious nuisance having been caused, or being likely. It therefore carries a higher maximum penalty than an offence under section 77, of failing to comply with a local authority direction to leave land.

Local authorities have long been advised by my Department to consider providing emergency stopping places where gipsies can camp for short periods whilst visiting their area. The provision of such sites on council land, with basic sanitary and refuse collection facilities, may help to deter gipsies from camping on more unsuitable public or private land and from causing a nuisance to local people.

Mr. Hoyle: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the powers available to *(a)* local authorities and *(b)* private landowners to remove travellers from their land. [31052]

Mr. Raynsford: Section 77 of the Criminal Justice and Public Order Act 1994 gives all local authorities in England and Wales powers to direct any unauthorised campers to leave land where they are camped without consent. Failure to leave the land as soon as practicable when directed to do so, or return to the land with a vehicle within 3 months of the date of the direction, are offences attracting a maximum fine of £1,000.

It is open to any private landowner to ask his local authority to use their discretionary powers in section 77 of the 1994 Act to direct unauthorised campers to leave his land. If the authority choose not to do so, it is open to the private landowner to seek repossession of his land through the civil courts.

Damp Homes

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of homes that are affected by problems of *(a)* damp penetration, *(b)* condensation and *(c)* black mould growth. [31338]

Mr. Raynsford: Detailed estimates of the frequency and distribution of damp penetration, condensation and mould growth were published in the Department's "English House Condition Survey 1991: Energy Report" (Stationery Office 1996, Chapter 14) and copies placed in the Library. Estimates from the 1996 EHCS will be included in the next Energy Report, which is due for publication in Autumn this year.

London City Airport

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions when he will complete his review of the proposed increase in the number of air traffic movements at London City Airport. [31253]

Ms Glenda Jackson *[holding answer 25 February 1998]:* We expect to announce soon the Secretary of State's decision on whether or not to call in for his own determination the planning application for which the LDDC have resolved to grant planning permission.

Community Alarm Schemes

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to issue guidance on the statutory powers available to local authorities to provide community alarm schemes for their residents; and if he will make a statement. [31462]

Mr. Raynsford: We have no plans to issue such guidance. We are seeking views, in our consultation paper 'Local Democracy and Community Leadership', on local authorities' powers to meet the needs and priorities of their local communities, including the provision of such services as community alarms.

Smuggling

Mrs. Lait: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many vehicles involved in tobacco and alcohol smuggling and bootlegging have been found to be *(a)* untaxed, *(b)* uninsured, *(c)* stolen, *(d)* containing stolen parts and *(e)* driven by people who have no driving licences or whose licences have been withdrawn in each year since January 1993; [31519]

(2) how many prosecutions have been brought by trading standards departments of pubs, clubs, restaurants and off licences which have been selling bootlegged or smuggled alcohol in each year since 1993. [31520]

Ms Glenda Jackson: No central records are kept.

Taxi Drivers (London)

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the time it takes for a typical applicant for a licence to pass the knowledge test to become a London taxi driver administered by the Public Carriage Office from the day of registration; what was the equivalent figure *(a)* five and *(b)* 10 years ago; and what plans he has to reform testing procedures. [31765]

Ms Glenda Jackson: There are two stages to 'Knowledge' testing. Once an application for a taxi driver's licence has been accepted the applicant is invited to an 'initial talk' at which the topographical knowledge requirements are explained and the book of routes to be learned ('the Knowledge') is issued. The applicant is then allowed up to two years (extendable on request) to learn the Knowledge and apply for a first examination interview ('an appearance'). The average time between initial talk and first appearance has been:

1987: 448 days

1992: 478 days

1997: 484 days.

Thereafter, an applicant may require several appearances. The average time taken between first appearance and becoming licensed has been:

1987: 519 days

1992: 681 days

1997: 781 days.

The time taken for each stage depends on various factors, including the amount of time which an applicant can devote to Knowledge learning. The standard required of applicants has remained unchanged throughout the period.

Changes to testing procedures which have been introduced by the Public Carriage Office include:

an expanded booklet of the routes to be learned giving greater explanation of what is required;

an updated 'initial talk';

a written test which has to be passed before the applicant is granted a first 'appearance', so that the resources of examiners in oral interviews are not taken unnecessarily;

a revised marking and points system which ensures that candidates who are making progress move forward in the system whilst those who are under-performing revert to a previous stage, again without taking examiners' resources unnecessarily;

a more open assessment system.

Changes which the Public Carriage Office plan for the future include:

an increase in the number of examiners;

adoption of the Business Excellence Model (in progress);

an independent review of the Knowledge process; and

an investigation (already commenced) into the possible introduction of a computer-based testing system.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many officials are employed by the Public Carriage Office; and if he will list their grades and salaries. [31764]

Ms Glenda Jackson: The Public Carriage Office tell me that staff financed through licence fees are as follows:

£

Grade	*Number*	*Local pay average per annum*
Principal	1	38,152
Senior Executive Officer	1	29,910
Higher Executive Officer	1	24,553
Executive Officer	4	20,080
Administrative Officer	14	14,605
Administrative Assistant	2	11,134
Typist	1	11,134
Paperkeeper	1	12,475
Messenger	1.5	12,475
Senior Knowledge of London Examiner	1	24,553
Knowledge of London Examiner	6	14,605
Chief Inspecting Officer	1	29,910

£

Grade	Number	Local pay average per annum
Senior Public Carriage Examiner	4	24,553
Public Carriage Examiner	27	20,080

I am similarly told that Public Carriage Staff financed through the Metropolitan Police Fund and not through licence fees (because this is not a licensing function) are as follows:

£

	Number	Local pay average per annum
Cab Rank Liaison Officer		
Executive Officer	1	20,080
Lost Property Office		
Higher Executive Officer	1	24,553
Executive Officer	1	20,080
Administrative Officer	8	14,605
Administrative Assistant	1	11,134
Storeman	1	12,016
Messenger	0.5	12,475
Cab Enforcement Section		
Police Sergeant	1	36,757
Police Constable	4	33,600

Local pay averages include London Weighting and other allowances.

In addition to the staff figures shown, there is at present a supernumerary police constable in each of the Knowledge of London and Cab Enforcement Sections.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what targets have been set by the Public Carriage Office as to the number of licensed taxi drivers it intends to recruit in future years. [31767]

Ms Glenda Jackson: The Public Carriage Office does not set any targets or limits as to the number of London taxi drivers it licenses. All applicants who meet the criteria are licensed.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many people are currently registered applicants on the knowledge examination to become a licensed taxi driver; and how many applicants there were in *(a)* 1970, *(b)* 1975, *(c)* 1980, *(d)* 1985, *(e)* 1990 and *(f)* 1995. [31771]

Ms Glenda Jackson: Information on the number of registered applicants is not available in a useful form, as it is not known how many people who have initially registered have subsequently decided not to pursue Knowledge testing. The Public Carriage Office tell me that the number of new applicants in the years in question was as follows:

1970: 2,276

1975: 2,244

1980: 2,118

1985: 4,878

1990: 3,821

1995: 3,607 (calculation based on 10 months' data)

1997: 4,107.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each meeting which has taken place between his Department and the Public Carriage Office in the last year indicating its purpose. [31768]

Ms Glenda Jackson: There have been various meetings and discussions on a range of issues, including London minicab regulation, and resources and procedures for Knowledge of London testing for would-be taxi drivers.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the relationship between the Public Carriage Office and his Department indicating to whom the Principal Officer of the Public Carriage Office reports. [31769]

Ms Glenda Jackson: The Secretary of State's statutory responsibility in respect of taxi regulation has been delegated to an Assistant Commissioner of the Metropolitan Police Service. The officer in charge of the Public Carriage Office reports to that Assistant Commissioner. The fees charged by the Public Carriage Office are subject to approval by the Secretary of State.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what annual reports the Public Carriage Office publishes; and if he will place copies of these in the Library. [31834]

Ms Glenda Jackson: The Public Carriage Office (PCO) does not produce an annual report. The PCO is a branch of the Metropolitan Police Service, and each year the Commissioner presents his Annual Report for the Service to the Home Secretary.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many full-time examiners have been employed by the Public Carriage Office in each of the last 10 years. [31766]

Ms Glenda Jackson: The Public Carriage Office tell me that the information in respect of Knowledge of London examiners is as follows:

Year	Number
1989	6
1990	7
1991	7
1992	6.5
1993	7
1994	6.75
1995	6.5
1996	6.5
1997	7
1998	[1]8

[1] Including a supernumerary Police Constable.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Public Carriage Office has to recruit more examiners to test applicants to become a licensed taxi driver. [31770]

Ms Glenda Jackson: The Public Carriage Office intend to recruit two additional Knowledge of London Examiners in the coming year, subject to Ministerial approval for the licence fees, and subject to savings being achieved within the PCO.

Leaseholders

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions how many leaseholders in *(a)* the United Kingdom and *(b)* each London borough, who bought their properties from local authorities under the Right to Buy scheme, have been required to contribute financially to the cost of improvement works carried out by local authorities to their properties in each of the last five years; and what has been the average amount leaseholders have been required to contribute to the cost of improvement works in *(a)* and *(b)*. [31651]

Mr. Raynsford: This information is not held centrally. In 1995 my Department published research on local authority leaseholders as "Leaseholders and Service Charges in Former Local Authority Flats", a copy of which is held in the House of Commons Library. This includes information about levels of service charges including improvements and other works, but it does not include information at the level of detail sought by my hon. Friend.

Mileage Rates

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the bodies accountable to him which pay private mileage rates proportionate to car engine size, setting out the rates payable in each case; and if he will make a statement. [31683]

Ms Glenda Jackson *[holding answer 27 February 1998]:* Following are the rates payable within my department and its Agencies:

Rates per mile in pence

	Engine size in cc			
	–1000	1000–1500	1500–2000	+2000
Former DOT standard rate				
Up to 4,000 miles pa	27	35.7	42.0	46.0
Over 4,000 miles pa	15.0	19.0	23.0	30.0
Public transport rate		23.8—all engine sizes		
Former DOE standard rate				
Up to 4,000 miles pa	—	34.0	43.0	47.0
Over 4,000 miles pa	—	19.0	23.0	30.0
Public transport rate		23.8—all engine sizes		

These rates are currently being reviewed.

The Vehicle Certification Agency, the Marine Safety Agency and the Coastguard Agency all have the same rates as those for the former DOT. The Highways Agency and the Vehicle Inspectorate have the same rates as the former DOT except that there is no separate rate for up to 1000cc. The Driver and Vehicle Licensing Agency pays 27p up to 1000cc; 35.7p for 1000 to 1500cc and 44.2p over 1500cc. The rates of the Planning Inspectorate and Queen Elizabeth II Conference Centre are the same as those for former DOE.

Car Parking

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to reduce car use by Government departments and the number of car-parking spaces available to Ministers and staff. [32222]

Ms Glenda Jackson *[holding answer 2 March 1998]:* Government Departments will consider the availability of workspace parking spaces when drawing up Green Transport Plans. All Government Departments have been asked to draw up these plans for key buildings with the objective of minimising the environmental impact of their transport activities. The plans will be tailored to each location and the operational needs of individual Departments and the number of parking spaces required will be considered accordingly. The guide to Green Transport Plans issued to Government Departments in September last year explicitly encourages Departments to consider options for reducing or charging for car-parking spaces.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32455]

Ms Glenda Jackson: My Department will review the number of places and charging policy in preparing its green transport plan.

Northumberland National Park

Mr. Peter Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the persons he has appointed to the Northumberland National Park Authority and state which of those appointees lives within the park area. [32491]

Angela Eagle: The Secretary of State appoints ten members to the Northumberland National Park Authority. Six of them are appointed to represent the national interest; the remainder are nominated by parish councils in the National Park area. The current appointees are listed. All of them were appointed to the National Park Authority with effect from 1 October 1996.

Peter Forrester

Mr. Bryan Harwood

Mr. Peter Loyd

Mr. David Owen

Mr. Simon Rowarth

Ms Frances Rowe

Mr. Graham Dixon (parish member)

Mr. Clive Emerson (parish member)

Mr. Philip Straker (parish member)

Mr. John Wilson (parish member).

Of these, Mr. Loyd, Mr. Dixon and Mr. Wilson live within the park area.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32473]

Ms Glenda Jackson: The Department of the Environment, Transport and the Regions has had a Green Transport co-ordinator since the Department was created in June 1997.

Employee Travel

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the cost of employee travel on office business, broken down into *(a)* fuel allowances, *(b)* unproductive time during travel, *(c)* other costs related to car transport and *(d)* costs related to public transport, for (i) 1994–95, (ii) 1995–96, (iii) 1996–97 and (iv) 1997–98. [32442]

Ms Glenda Jackson: Information on employee travel costs for my Department is not available centrally and could be obtained only at disproportionate cost.

Land Development

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* sites of special scientific interest, *(b)* areas of outstanding natural beauty, *(c)* national parks and *(d)* hectares were affected by road building, housing or retail developments; and how many miles of roads were built on *(a)* to (c) in each of the last 12 years by (i) county and (ii) region. [32318]

Mr. Raynsford: Information on the number of designated area sites affected by road building, housing or retail development is not available. Information on damage to sites of special scientific interest (SSSIs) is published, but does not specifically cite damage by road building or housing and retail development. This information is published in "Digest of Environmental Statistics No. 19 1997", table 8.18. A copy of this is available in the House of Commons Library.

Local Authorities and the Highways Agency provide information on road lengths and changes in road lengths each year. However, they are required to provide only brief details of roads built and so statistics of road building in environmentally sensitive areas are not available.

The Department's Land Use Change Statistics for England provide some information on the number of hectares of land changing to highways and road transport, residential and retail uses. The table shows estimates of the number of hectares of land changing use to these three categories, for the period 1985 to 1992 (the latest data available). The figures represent all recorded changes to the specified new use; some of these changes will have been on previously developed sites.

Total land[1] changing to particular developed uses: England

hectares[2]

	New use		
	Highways and transportation[3]	*Residential*	*Retail*
1985	1,970	8,750	705
1986	1,780	7,050	570
1987	1,725	7,495	615
1988	2,185	7,720	830
1989	1,840	6,070	920

Total land[1] changing to particular developed uses: England

hectares[2]

	New use		
	Highways and transportation[3]	*Residential*	*Retail*
1990	2,595	8,065	930
1991	1,895	4,990	645
1992	1,875	5,640	680

[1] Estimates of the area of a site changing use, and the year in which the change took place, are made by OS surveyors, sometimes some years after the change happened. When a surveyor is uncertain of the exact year, their estimate is more likely to be for a round number such as 1990, than 1989 or 1991, say. Thus the allocation of change to specific years should be treated with caution.

[2] Rounded to the nearest 5 hectares.

[3] Includes bus stations and car parks.

Source:

Land Use Change Statistics.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions (1) what is the number and surface area of out-of-town shopping centres and leisure centres that have been built on Green Belt land in each of the last 12 years by *(a)* county and *(b)* region in England; [32327]

(2) what is the number and surface area of out-of-town shopping centres and leisure centres that have been built on greenfield land, excluding Green Belt, in each of the last 12 years by *(a)* county and *(b)* region in England; [32326]

(3) what is the number and surface area of out-of-town shopping centres and leisure centres that have been built on recycled land in each of the last 12 years by *(a)* county and *(b)* region in England. [32328]

Mr. Raynsford: The information requested is not held centrally. Most decisions on planning applications for out-of-town shopping and leisure developments are taken by local planning authorities. They provide statistical returns of all major "retail, distribution and servicing" applications which they handle, in order to provide an overall picture of planning activity. These data do not classify applications by location. It is, therefore, not feasible at the moment, to assemble such information, except at disproportionate cost.

Social Housing

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will reduce the number of units or hectares in a housing development above which local authorities can require an element of social housing to be provided in the development. [32335]

Mr. Raynsford: The Government consulted on proposed revisions to Circular 13/96: Planning and Affordable Housing in July last year, including one to lower the thresholds above which Local Authorities may require an element of affordable housing to be provided in a housing development. We proposed to lower the thresholds from 40 dwellings or 1.5 hectares normally and 25 dwellings or 1 hectare in Inner London and small rural settlements, to 25 dwellings or 1 hectare and 15 dwellings or 0.5 of a hectare. The Government will shortly be issuing a revised Circular on planning and affordable housing.

Planning Guidelines

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will amend planning guidelines to allow local authorities greater scope to turn down planning applications on the grounds of poor quality or design. [32334]

Mr. Raynsford: Local authorities have always had a discretion to refuse planning permission on grounds of poor quality or design. Detailed guidance on design issues are contained in PPG1: General Policy and Principles, published in February 1997.

Council Tax (Carers Discount)

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if his Department has written to all local authorities within the last six months to remind them of the requirements of council tax regulations in respect of the carers discount. [32677]

Mr. Raynsford: My officials wrote to all local authorities about the carers discount disregard on 15 September 1997. My officials also wrote to local authorities on 25 February about MENCAP'S report "Simply Disregarded—Why many Council Tax offices are failing the nation's carers", published on 23 February.

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to instigate an advertising campaign advising carers of their entitlement to the carers council tax discount. [32341]

Mr. Raynsford: My officials wrote to all local authorities about the carers discount disregard on 15 September 1997 and 25 February. It is the responsibility of local authorities to inform taxpayers about their entitlement to discounts taking into account their individual circumstances.

Minicabs

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his proposals for the regulation of minicabs and their drivers in London. [30651]

Ms Glenda Jackson: It remains Government policy that the London minicab trade should be regulated. The Government support the Private Hire Vehicles (London) Bill, introduced by the right hon. Member for North-West Hampshire (Sir G. Young).

Car Advertising

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to encourage adherence to the self-regulatory code on car advertising in other EU member States. [31709]

Ms Glenda Jackson: There is as yet no such EU Code governing the advertising of new cars with regard to road safety consideration. The European Commission hopes to bring forward, in the summer, proposals for voluntary guidelines, similar to the UK voluntary Codes, dealing with car advertising. My Department is keen to advance these proposals during the UK Presidency.

Social Housing

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the present legislation concerning the allocation of local authority housing. [31711]

Mr. Raynsford: When we bring forward proposals to implement the Manifesto commitment to place a new duty on local authorities to protect those who are homeless through no fault of their own and are in priority need, these will include consideration of any changes needed to the legislation on the allocation of social housing.

Council Tax

Mr. Flight: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of levels of increase in council tax in 1998–99. [30621]

Ms Armstrong: It would be premature to make such an assessment until all local authorities have set their budgets.

Correspondence (Femco Projects Ltd.)

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions if he will arrange for a substantive reply to be sent to Femco Projects Ltd. following their inquiry sent to Mr. Paul Lancaster of his Department in connection with the Channel Tunnel Link route on 3 February. [32674]

Ms Glenda Jackson: Femco Projects Ltd.'s request for the Secretary of State to offer assurances in relation to a property transaction required detailed discussions and drafting with lawyers. Femco's agent was kept in touch with progress and an agreement was sent on 20 February, and a revision, expressly to meet Femco Project Ltd.'s further concerns, issued on 27 February.

Police Officers (Stansted Airport)

Mr. Mackinlay: To ask the Secretary of State for the Environment, Transport and the Regions how many police officers have been deployed at Stansted Airport over each of the past five years; and how many of these were special constables. [32676]

Ms Glenda Jackson: I understand that the number of police officers and special constables deployed at Stansted Airport over the past five years is as follows:

Calendar year	*Number of regular police officers*	*Number of special constables*
1993–94	49	—
1994–95	49	—
1995–96	53	—
1996–97	53	—
1997–98	56	9

Second Homes

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what studies his Department has evaluated into the numbers of second homes let for fewer than 140 days a year. [32656]

Mr. Raynsford: None.

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the cost to public funds of the exemption of second homes let for fewer than 140 days per year from the uniform business rate in the last year for which figures are available. [32658]

Mr. Raynsford: The Department has no information on which to make such an estimate.

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions if he will list by local authority area the numbers of second homes let for fewer than 140 days a year. [32654]

Mr. Raynsford: The Department does not keep this information.

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the adequacy of the uniform business rate concession regulations relating to properties let for fewer than 140 days a year; and what measures he proposes to eliminate fraudulent claims in this area. [32657]

Mr. Raynsford: There are no regulations granting rating concessions to properties let for fewer than 140 days in a year. Under the provisions of section 66 of the Local Government Finance Act 1988 such properties are classified as domestic and subject to the Council Tax. Where it is the intention of the owner to let the property for 140 days or more the Act prescribes the property as being non-domestic and subject to the rates. It is the statutory duty of the Valuation Office Agency to maintain the rating list and to ensure that all properties that should be rated are entered into it.

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about business rate concessions on properties let for fewer than 140 days a year; and if he will make a statement. [32655]

Mr. Raynsford: The Department has received one representation about the loss of revenue to Central Government by not rating second homes and self catering holiday accommodation let for less than 140 days in a year. Under primary legislation, such properties are domestic and therefore subject to the Council Tax. Where it is intended to let these properties for more than 140 days to persons whose remain or sole residence is elsewhere on a short-term basis then they are classified as non-domestic and subject to the rates. These provisions were introduced so as not to discourage owners of second homes from letting their premises as holiday accommodation on an occasional basis. We have no plans to change them.

Green Belt (Planning Consents)

Sir John Stanley: To ask the Secretary of State for the Environment, Transport and the Regions for how many dwellings situated in the Green Belt he has given planning consent on appeal since 1 May 1997. [32258]

Mr. Caborn: Three hundred and seventy-three dwellings.

HEALTH

Cancer Surgery

Mr. Maples: To ask the Secretary of State for Health what are the most recent statistics his Department has collated on waiting lists for cancer surgery; and what is his forecast for waiting lists in the first quarter of 1998. [29013]

Mr. Milburn: Information is not available in the form requested. However, last year we set up a specialist Working Group to advise on the implementation of our manifesto commitment to end waiting times for cancer treatment. One of the group's main recommendations has been incorporated into our recently published White Paper "The New NHS". This guarantees that by April 1999 everyone with suspected breast cancer will be able to see a specialist within two weeks of their general practitioner deciding they need to be seen urgently and requesting an appointment, and by the year 2000 all suspected cancers will be dealt with in this period. We are currently looking at ways of monitoring achievement of these targets.

Homeopathic Treatments

Mr. Love: To ask the Secretary of State for Health (1) which health authorities currently fund homeopathic treatments *(a)* through contracts with service providers and *(b)* as extra contractual referrals; [29753]

(2) how many people have received homeopathic treatment on the NHS over the last five years and how many in each year in each health authority; [29754]

(3) how much has been spent each year over the last five years by each health authority on homeopathic treatment and how much as a proportion of their total budget. [29755]

Mr. Milburn: No information is collected centrally on the amount of homeopathic treatment being provided or on expenditure on these services. Some information on contracts for homeopathic treatment may be collected locally by health authorities but is not authorised or validated centrally.

Mr. Love: To ask the Secretary of State for Health what guidance the Government gives to health authorities on the use of and funding of homeopathic treatments; and if he will make a statement. [29756]

Mr. Milburn: Health authorities are able to include homeopathic services within the range of health services purchased to meet the health needs of their populations, if they wish to do so. Availability of homeopathic treatments within the National Health Service depends, therefore, on the decisions taken locally by health authorities and general practitioners about the clinical and cost effectiveness of such services, and the priority to be given to their provision in the light of other competing demands for the resources made available for local health needs.

No specific guidance has been issued to health authorities on the use and funding of homeopathic services and we have no plans to issue any.

Legal Actions

Mr. Harvey: To ask the Secretary of State for Health what guidance his Department gives to health authorities

and trusts about committing themselves to legal actions; and what procedures exist to *(a)* monitor and *(b)* audit the economy, efficiency and effectiveness of such actions. [31509]

Mr. Milburn: National Health Service trusts and health authorities have a legal duty to ensure public money is properly spent and are duty bound to exercise value for money. They have access to legal advice which will help them make judgments on whether any action they propose would be a good use of public funds. The decision whether or not to proceed with legal action is a matter for local discussion, which is taken after considering all the facts available at the time. No guidance has been issued by the Department on this issue.

Mr. Harvey: To ask the Secretary of State for Health what guidance his Department gives to health authorities and trusts on payment of costs incurred by employees summoned to answer charges brought by professional health bodies. [31510]

Mr. Milburn: The Department has not issued central guidance on this subject, which is a matter for local management decision.

Mr. Harvey: To ask the Secretary of State for Health what assessment he has made of the expenditure of the North and East Devon Health Authority and its predecessors on legal and other costs connected with its disputes with Mrs. Carol Rudd and other associated UKCC proceedings. [31508]

Mr. Milburn: The South and West Regional Office of the National Health Service Executive have investigated the expenditure of North and East Devon Health Authority and its predecessor in connection with its disputes with Mrs. Carol Rudd and are satisfied that the expenditure was lawful and proper.

NHS Trusts

Mr. Maples: To ask the Secretary of State for Health, pursuant to his answer of 17 February 1998, *Official Report*, column *552*, in what ways NHS trusts will be obliged to co-operate with other trusts; and what sanctions will apply against those not complying with the new regulations. [31332]

Mr. Milburn: Our changes will replace the former incentives for National Health Service trusts not to co-operate with each other, moving the emphasis from the competitive relationships and short-termism of the internal market to the development of stable longer-term partnerships focused on improving the health and health care of the local community.

NHS trusts will have new opportunities to shape local plans through the local health improvement programme, and will then be expected to play their agreed part in implementing these. In the rare event that an NHS trust failed to play its proper part in this, paragraph 6.20 of "The New NHS" sets out a graduated range of possible sanctions.

We shall bring forward detailed proposals for the revised legislative framework to support these changes, including the new statutory duty of partnership, in due course.

Nurses and Midwives

Mr. Fearn: To ask the Secretary of State for Health what assessment he has made of the likely impact on the recruitment of nurses and midwives in the NHS of the recent pay award and the time scale of its implementation. [31752]

Mr. Milburn: Research shows that pay is not the most significant factor for young people deciding on nursing a career, for nurses changing jobs or leaving the profession, and for persuading trained nurses to come back into nursing employment.

Community Care

Mr. Öpik: To ask the Secretary of State for Health what proposals he has to make more money available to local authorities to provide for community care; and if he will make a statement. [31584]

Mr. Boateng: An additional £371 million will be made available to local authorities in England in 1998–99, for adult services. Of this amount, £350 million will be paid as a special grant which must be used for community care.

Pen Needles

Dr. Brand: To ask the Secretary of State for Health (1) what assumptions his Department makes in assessing the issue of pen needles on prescription of *(a)* the number of times each needle is likely to be used for repeat injections and *(b)* the likely conversion of people with insulin dependent diabetes from using a syringe to using a pen injection device if needles were prescribable; [32056]

(2) what is his Department's current estimate of the cost of making pen needles available on prescription; [32084]

(3) if his Department is reviewing whether to make pen injection devices available on prescription. [32083]

Mr. Milburn: We are currently considering whether general practitioners should be allowed to prescribe insulin injection pens and pen needles on the National Health Service. Department of Health officials are in discussion with the major suppliers with a view to refining the cost estimates which are currently between £10 million and £30 million a year. In arriving at these figures we have taken account of the likely range of such factors as frequency of needle change and conversion from syringes to pens. We have not, at this stage, sought to estimate an average figure for these factors.

Children's Hospices

Mr. Reed: To ask the Secretary of State for Health what guidance he has provided to local health authorities relating to expenditure on and provision of children's hospices. [31973]

Mr. Boateng: Funding has been built into health authorities' general allocations to allow them to commission services to meet the needs of children suffering from life threatening and terminal conditions, including those services provided by children's hospices. Guidance on the provision of such services was published on 25 February, "Evaluation of the Pilot Project Programme for Children with Life Threatening Illnesses", copies of which have been placed in the Library.

Continence Products

Mr. Burstow: To ask the Secretary of State for Health if it is his policy to encourage NHS trusts to sell continence products to NHS patients. [31865]

Mr. Boateng *[holding answer 2 March 1998]:* We are committed to the principle that access to the National Health Service should be based on need alone, and not on ability to pay or who a patient's general practitioner is or where they live. This principle is set out in the White Paper "The New NHS" which was published on 9 December 1997.

Mr. Burstow: To ask the Secretary of State for Health if he will set out for each category of continence product purchased by the NHS National Supplies Trust in each of the last four years *(a)* the numbers of items purchased, *(b)* the total cost, *(c)* the percentage change in the number purchased from year to year; and what were the totals for all categories of continence products. [31867]

Mr. Boateng *[holding answer 2 March 1998]:* The available data (for only the last two years) are contained in the table. The overall drop in value and volume is likely to be explained by the ongoing trend towards home delivery rather than products going through National Health Service Supplies warehouses.

Continence supplies for 1996/97 and 1997/98

Product category	*February 1996–January 1997*		*February 1997–January 1998*			
	Value (£)	*Volume*	*Value (£)*	*Annual percentage change*	*Volume*	*Annual percentage change*
Disposable all-in-ones	7,113,717	23,731,448	6,488,050	–9	21,370,476	–10
Disposable rectangular pads	2,841,405	51,993,954	2,226,166	–22	39,920,304	–23
Disposable shaped pads	9,049,629	59,545,446	7,859,095	–13	49,347,961	–17
Stretch net pants (for use with disposable pads)	1,492,296	5,740,012	1,605,379	8	5,873,722	2
Disposable fluff pulp underpads	997,358	7,171,243	626,697	–37	4,543,550	–37
Reusable pants	94,269	93,490	114,954	22	76,206	–18
Reusable bed sheets	59,729	5,651	92,258	54	9,739	72
Total	21,648,403	148,281,244	19,012,598	–12	121,141,958	–18

Mr. Burstow: To ask the Secretary of State for Health what plans he has for his Department to issue guidance to NHS trusts about the availability of manual bowel evacuation to people with incontinence. [31864]

Mr. Boateng *[holding answer 2 March 1998]:* We have no plans to issue guidance on this specific issue. Advice on continence services is included in ML(91)1 "An agenda for continence". Copies are available in the Library.

Smoking

Dr. Kumar: To ask the Secretary of State for Health if he will make a statement on the number of people who died from smoking-related illnesses in the *(a)* United Kingdom, *(b)* Northern Region and *(c)* Teesside area in (i) 1995, (ii) 1996 and (iii) 1997. [32262]

Ms Jowell: The Health Education Authority estimate that in the United Kingdom in 1995 at least 120,000 people died as a result of their smoking. No estimates have been made for Northern Region or Teesside for the years requested.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for Health when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32469]

Ms Jowell: The Guide to Green Transport Plans circulated last September by the Parliamentary Under-Secretary of State at the Department of the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), encouraged departments to appoint green transport co-ordinators. The Department appointed a co-ordinator in January.

Employee Travel

Mr. Baker: To ask the Secretary of State for Health if he will estimate the cost of employee travel on office business, broken down into *(a)* fuel allowances, *(b)* unproductive time during travel, *(c)* other costs related to car transport and *(d)* costs related to public transport, for (i) 1994–95, (ii) 1995–96, (iii) 1996–97 and (iv) 1997–98. [32439]

Ms Jowell: Information is not held in the form requested. Costs incurred in 1996–97, and recorded to date in 1997–98 were:

£

	1996–97	*1997–98*
Reimbursement of cost of staff's use of their own cars	793,793	689,283
Costs of official vehicles	2,021,608	387,926
Car hire, rentals and other expenses	358,054	1,250,978
Public transport	3,001,368	2,699,959

Information for earlier years is not available on a comparable basis.

These figures do not include some expenditure by the Department's agencies which account separately for such payments.

I shall write to the hon. Member with more details as soon as possible.

Car Parking

Mr. Baker: To ask the Secretary of State for Health what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32452]

Ms Jowell: In line with the Guide to Green Transport Plans circulated last September by the Parliamentary Under-Secretary of State at the Department of the Environment, Transport and the Regions, my hon. Friend the Member of Hampstead and Highgate (Ms Jackson), the Department will be actively considering this issue in preparing green transport plans for its key buildings.

General Practitioners

Mr. Hinchliffe: To ask the Secretary of State for Health if he will bring forward proposals to amend the notional rent scheme in respect of general practitioners' surgeries to ensure that notional rent is not paid on the proportion of capital arising out of fundholder savings. [30846]

Mr. Milburn: It is our intention to ensure that National Health Service funding supports general practitioners fairly, for the benefit of patient care. In principle, we see no justification for the payment of notional rent on that part of premises improved using public moneys such as fundholder savings. We are considering the way forward on this.

Mrs. Ballard: To ask the Secretary of State for Health if he will make a statement on the impact of the phased pay award for GPs on those GPs retiring during the year. [32488]

Mr. Milburn: General Practitioners' pensions are based on total career earnings.

TREASURY

Individual Savings Accounts

Mr. Gibb: To ask the Chancellor of the Exchequer if he will provide a breakdown of the calculations of his estimate of the tax relief cost arising from the introduction of individual savings accounts and the abolition of PEPs and TESSAs. [19771]

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer what is his estimate of the total gross cost of the tax relief on the planned individual savings accounts in 2000–01; and if he will make a statement. [20683]

Mr. Darling *[holding answer 15 December 1997]:* The estimated cost to the Exchequer of the ISA proposals is broadly similar to the combined cost of TESSAs and PEPs, but estimates are sensitive to assumptions made, e.g. on the level of take up.

Inheritance Tax (Heritage Property)

Mr. Swayne: To ask the Chancellor of the Exchequer what was the annual cost to the Exchequer of the conditional exemption for heritage property from inheritance tax, and how many properties took advantage of the scheme, in the last year for which figures are available. [30465]

Dawn Primarolo: In 1996–97, the estimated cost to the Exchequer of conditional exemption was £30 million for chattels and £5 million for land and buildings. Conditional exemption was granted for chattels in 41 cases and for land and buildings in 16 cases. A case may include one or more conditionally exempt assets.

Film Industry

Mr. Sheerman: To ask the Chancellor of the Exchequer what has been the total revenue received from the film industry in each of the past 10 years. [29370]

Dawn Primarolo: Available estimates of the tax paid on the profits of companies and unincorporated businesses whose tax records show that their primary business is film or video production are as follows:

Year	*£ million*
1992–93	30
1993–94	30
1994–95	50
1995–96	50
1996–97	50

The figures exclude tax revenues from enterprises which make films but who are mainly involved in other aspects of the entertainment industry, for example television companies. They also exclude revenues from businesses which do not themselves make films or videos but which supply services to those who do, for example specialist lighting companies and set designers. Income tax paid on employment earnings in the film industry is also excluded.

Labour Statistics

Mr. Gibb: To ask the Chancellor of the Exchequer (1) how many employers with more than 50 employees he estimates have a majority of employees who earn below *(a)* £3.50 per hour, *(b)* £4 per hour and *(c)* £4.50 per hour; [31329]

(2) how many employers employ 50 employees or fewer; and what is the total number of employees involved. [31330]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Nick Gibb, dated 3 March 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary questions on employers.

There are 940,000 employers in the UK that employ 50 employees or fewer. These cover 5.3 million employees.

This is extracted from the ONS Inter Departmental Business Register (IDBR), which covers all UK businesses that are registered for Value Added Tax (VAT) and/or operate a Pay As You Earn (PAYE) scheme.

The data relate to April 1997 (time at which an annual extract is taken from the IDBR), and is based on the dataset used for the annual IDBR publication PA1003 (Size Analysis of UK Businesses).

The primary source of employee data on the IDBR is the ONS inquiry Annual Employment Survey.

Information from businesses about the pay of individuals is based on a one per cent. sample of employees. The number of returns for any single business is too small to assess rates of pay.

Alcohol and Tobacco Fraud Review

Mrs. Lait: To ask the Chancellor of the Exchequer when he plans to announce his decisions on the Alcohol and Tobacco Fraud Review. [31548]

Dawn Primarolo: Ministers are considering the findings and recommendations of the Review in the run up to the March Budget. There will be no announcement prior to the Budget.

Excise Duties

Mrs. Lait: To ask the Chancellor of the Exchequer when the issue of harmonisation of specialist excise duties was on the agenda of discussions on the single currency in an official EU forum since the Maastricht Treaty was agreed; and when it is planned to be *(a)* during the British presidency and *(b)* thereafter. [31516]

Dawn Primarolo: In the context of the single currency there have been no such discussions. However, excise duty rates on alcohol, tobacco and oils within the EU were discussed in ECOFIN on 23 October 1995 and at a Commission chaired conference held in Lisbon between 13 and 15 November 1995. So far as our current Presidency is concerned, and in so far as alcohol and tobacco are concerned, I refer the hon. Member to the reply I gave her on 12 February 1998, *Official Report*, column *386*.

Exchange Rate

Mr. Mitchell: To ask the Chancellor of the Exchequer what is the Government's policy on the exchange rate; what steps he has taken to ensure its implementation; and if he will make a statement. [31362]

Mrs. Liddell: The Government want to see a stable and competitive pound over the medium term, consistent with their objective of price stability. Government policy is designed to achieve the low inflation and sound public finances which are necessary conditions for sustained exchange rate stability.

National Insurance

Mr. Gibb: To ask the Chancellor of the Exchequer (1) at what level of earnings an employer would pay more national insurance under the regime proposed in Mr. Martin Taylor's letter of 19 February than is currently the case; [31552]

(2) what the employer national insurance charge would be under Mr. Martin Taylor's proposals set out in his letter of 19 February 1998 in respect of weekly incomes of *(a)* £107, *(b)* £108 and *(c)* £109; and how this compares to current rates; [31549]

(3) what the employer national insurance charge would be under Mr. Martin Taylor's proposals set out in his letter of 19 February 1998 in respect of weekly incomes of *(a)* £136, *(b)* £137, *(c)* £138, *(d)* £139, *(e)* £140, *(f)* £141, *(g)* £142, *(h)* £143, *(i)* £144, *(j)* £145, *(k)* £146, *(l)* £147, *(m)* £148, *(n)* £149, *(o)* £150, *(p)* £151, *(q)* £152, *(r)* £153 and *(s)* £154; and how this compares with current rates; [31550]

(4) what is the amount of employer national insurance payable under Mr. Martin Taylor's proposals in his letter of 19 February 1998 in respect of weekly incomes of *(a)* £188, *(b)* £189, *(c)* £190, *(d)* £191, *(e)* £192, *(f)* £193, *(g)* £194, *(h)* £195, *(i)* £196, *(j)* £197, *(k)* £198, *(l)* £199, *(m)* £200, *(n)* £201, *(o)* £202, *(p)* £203, *(q)* £204, *(r)* £205, *(s)* £206, *(t)* £207, *(u)* £208 and *(v)* £209; and what is the national insurance charge under current rates. [31617]

Dawn Primarolo *[holding answer 26 February 1998]:* Details of employer national insurance contributions payable on earnings for 1998–9 under the proposals contained in Mr. Martin Taylor's letter of 19 February are in the table, copies of which have been placed in the Members' Library.

Earnings (£)	*Employer NICs current system with 1998–99 lower earnings limit*	*Employer NICs Mr. Martin Taylor letter*	*Change in employer contributions*
63	0.00	0.00	0.00
64	1.92	0.00	−1.92
65	1.95	0.00	−1.95
66	1.98	0.00	−1.98
67	2.01	0.00	−2.01
68	2.04	0.00	−2.04
69	2.07	0.00	−2.07
70	2.10	0.00	−2.10
71	2.13	0.00	−2.13
72	2.16	0.00	−2.16
73	2.19	0.00	−2.19
74	2.22	0.00	−2.22
75	2.25	0.00	−2.25
76	2.28	0.00	−2.28
77	2.31	0.00	−2.31
78	2.34	0.00	−2.34
79	2.37	0.00	−2.37
80	2.40	0.00	−2.40
81	2.43	0.12	−2.31
82	2.46	0.24	−2.22
83	2.49	0.37	−2.12
84	2.52	0.49	−2.03
85	2.55	0.61	−1.94
86	2.58	0.73	−1.85
87	2.61	0.85	−1.76
88	2.64	0.98	−1.66
89	2.67	1.10	−1.57
90	2.70	1.22	−1.48
91	2.73	1.34	−1.39
92	2.76	1.46	−1.30
93	2.79	1.59	−1.20
94	2.82	1.71	−1.11
95	2.85	1.83	−1.02
96	2.88	1.95	−0.93
97	2.91	2.07	−0.84
98	2.94	2.20	−0.74
99	2.97	2.32	−0.65
100	3.00	2.44	−0.56
101	3.03	2.56	−0.47
102	3.06	2.68	−0.38
103	3.09	2.81	−0.28
104	3.12	2.93	−0.19
105	3.15	3.05	−0.10
106	3.18	3.17	−0.01
107	3.21	3.29	0.08
108	3.24	3.42	0.18
109	3.27	3.54	0.27
110	5.50	3.66	−1.84
111	5.55	3.78	−1.77
112	5.60	3.90	−1.70
113	5.65	4.03	−1.62
114	5.70	4.15	−1.55
115	5.75	4.27	−1.48
116	5.80	4.39	−1.41
117	5.85	4.51	−1.34
118	5.90	4.64	−1.26
119	5.95	4.76	−1.19
120	6.00	4.88	−1.12
121	6.05	5.00	−1.05
122	6.10	5.12	−0.98
123	6.15	5.25	−0.90
124	6.20	5.37	−0.83

Earnings (£)	Employer NICs current system with 1998–99 lower earnings limit	Employer NICs Mr. Martin Taylor letter	Change in employer contributions
125	6.25	5.49	–0.76
126	6.30	5.61	–0.69
127	6.35	5.73	–0.62
128	6.40	5.86	–0.54
129	6.45	5.98	–0.47
130	6.50	6.10	–0.40
131	6.55	6.22	–0.33
132	6.60	6.34	–0.26
133	6.65	6.47	–0.18
134	6.70	6.59	–0.11
135	6.75	6.71	–0.04
136	6.80	6.83	0.03
137	6.85	6.95	0.10
138	6.90	7.08	0.18
139	6.95	7.20	0.25
140	7.00	7.32	0.32
141	7.05	7.44	0.39
142	7.10	7.56	0.46
143	7.15	7.69	0.54
144	7.20	7.81	0.61
145	7.25	7.93	0.68
146	7.30	8.05	0.75
147	7.35	8.17	0.82
148	7.40	8.30	0.90
149	7.45	8.42	0.97
150	7.50	8.54	1.04
151	7.55	8.66	1.11
152	7.60	8.78	1.18
153	7.65	8.91	1.26
154	7.70	9.03	1.33
155	10.85	9.15	–1.70
156	10.92	9.27	–1.65
157	10.99	9.39	–1.60
158	11.06	9.52	–1.54
159	11.13	9.64	–1.49
160	11.20	9.76	–1.44
161	11.27	9.88	–1.39
162	11.34	10.00	–1.34
163	11.41	10.13	–1.28
164	11.48	10.25	–1.23
165	11.55	10.37	–1.18
166	11.62	10.49	–1.13
167	11.69	10.61	–1.08
168	11.76	10.74	–1.02
169	11.83	10.86	–0.97
170	11.90	10.98	–0.92
171	11.97	11.10	–0.87
172	12.04	11.22	–0.82
173	12.11	11.35	–0.76
174	12.18	11.47	–0.71
175	12.25	11.59	–0.66
176	12.32	11.71	–0.61
177	12.39	11.83	–0.56
178	12.46	11.96	–0.50
179	12.53	12.08	–0.45
180	12.60	12.20	–0.40
181	12.67	12.32	–0.35
182	12.74	12.44	–0.30
183	12.81	12.57	–0.24
184	12.88	12.69	–0.19
185	12.95	12.81	–0.14
186	13.02	12.93	–0.09
187	13.09	13.05	–0.04
188	13.16	13.18	0.02
189	13.23	13.30	0.07
190	13.30	13.42	0.12
191	13.37	13.54	0.17
192	13.44	13.66	0.22
193	13.51	13.79	0.28
194	13.58	13.91	0.33
195	13.65	14.03	0.38
196	13.72	14.15	0.43
197	13.79	14.27	0.48
198	13.86	14.40	0.54
199	13.93	14.52	0.59
200	14.00	14.64	0.64
201	14.07	14.76	0.69
202	14.14	14.88	0.74
203	14.21	15.01	0.80
204	14.28	15.13	0.85
205	14.35	15.25	0.90
206	14.42	15.37	0.95
207	14.49	15.49	1.00
208	14.56	15.62	1.06
209	14.63	15.74	1.11
210	21.00	15.86	–5.14
211	21.10	15.98	–5.12
212	21.20	16.10	–5.10
213	21.30	16.23	–5.07
214	21.40	16.35	–5.05
215	21.50	16.47	–5.03
216	21.60	16.59	–5.01
217	21.70	16.71	–4.99
218	21.80	16.84	–4.96
219	21.90	16.96	–4.94
220	22.00	17.08	–4.92
221	22.10	17.20	–4.90
222	22.20	17.32	–4.88
223	22.30	17.45	–4.85
224	22.40	17.57	–4.83
225	22.50	17.69	–4.81
226	22.60	17.81	–4.79
227	22.70	17.93	–4.77
228	22.80	18.06	–4.74
229	22.90	18.18	–4.72
230	23.00	18.30	–4.70
231	23.10	18.42	–4.68
232	23.20	18.54	–4.66
233	23.30	18.67	–4.63
234	23.40	18.79	–4.61
235	23.50	18.91	–4.59
236	23.60	19.03	–4.57
237	23.70	19.15	–4.55
238	23.80	19.28	–4.52
239	23.90	19.40	–4.50
240	24.00	19.52	–4.48
241	24.10	19.64	–4.46
242	24.20	19.76	–4.44
243	24.30	19.89	–4.41
244	24.40	20.01	–4.39
245	24.50	20.13	–4.37
246	24.60	20.25	–4.35
247	24.70	20.37	–4.33
248	24.80	20.50	–4.30
249	24.90	20.62	–4.28
250	25.00	20.74	–4.26
251	25.10	20.86	–4.24
252	25.20	20.98	–4.22
253	25.30	21.11	–4.19
254	25.40	21.23	–4.17
255	25.50	21.35	–4.15
256	25.60	21.47	–4.13
257	25.70	21.59	–4.11
258	25.80	21.72	–4.08
259	25.90	21.84	–4.06
260	26.00	21.96	–4.04
261	26.10	22.08	–4.02
262	26.20	22.20	–4.00
263	26.30	22.33	–3.97
264	26.40	22.45	–3.95

Earnings (£)	Employer NICs current system with 1998–99 lower earnings limit	Employer NICs Mr. Martin Taylor letter	Change in employer contributions
265	26.50	22.57	−3.93
266	26.60	22.69	−3.91
267	26.70	22.81	−3.89
268	26.80	22.94	−3.86
269	26.90	23.06	−3.84
270	27.00	23.18	−3.82
271	27.10	23.30	−3.80
272	27.20	23.42	−3.78
273	27.30	23.55	−3.75
274	27.40	23.67	−3.73
275	27.50	23.79	−3.71
276	27.60	23.91	−3.69
277	27.70	24.03	−3.67
278	27.80	24.16	−3.64
279	27.90	24.28	−3.62
280	28.00	24.40	−3.60
281	28.10	24.52	−3.58
282	28.20	24.64	−3.56
283	28.30	24.77	−3.53
284	28.40	24.89	−3.51
285	28.50	25.01	−3.49
286	28.60	25.13	−3.47
287	28.70	25.25	−3.45
288	28.80	25.28	−3.42
289	28.90	25.50	−3.40
290	29.00	25.62	−3.38
291	29.10	25.74	−3.36
292	29.20	25.86	−3.34
293	29.30	25.99	−3.31
294	29.40	26.11	−3.29
295	29.50	26.23	−3.27
296	29.60	26.35	−3.25
297	29.70	26.47	−3.23
298	29.80	26.60	−3.20
299	29.90	26.72	−3.18
300	30.00	26.84	−3.16
301	30.10	26.96	−3.14
302	30.20	27.08	−3.12
303	30.30	27.21	−3.09
304	30.40	27.33	−3.07
305	30.50	27.45	−3.05
306	30.60	27.57	−3.03
307	30.70	27.69	−3.01
308	30.80	27.82	−2.98
309	30.90	27.94	−2.96
310	31.00	28.06	−2.94
311	31.10	28.18	−2.92
312	31.20	28.30	−2.90
313	31.30	28.43	−2.87
314	31.40	28.55	−2.85
315	31.50	28.67	−2.83
316	31.60	28.79	−2.81
317	31.70	28.91	−2.79
318	31.80	29.04	−2.76
319	31.90	29.16	−2.74
320	32.00	29.28	−2.72
321	32.10	29.40	−2.70
322	32.20	29.52	−2.68
323	32.30	29.65	−2.65
324	32.40	29.77	−2.63
325	32.50	29.89	−2.61
326	32.60	30.01	−2.59
327	32.70	30.13	−2.57
328	32.80	30.26	−2.54
329	32.90	30.38	−2.52
330	33.00	30.50	−2.50
331	33.10	30.62	−2.48
332	33.20	30.74	−2.46
333	33.30	30.87	−2.43
334	33.40	30.99	−2.41
335	33.50	31.11	−2.39
336	33.60	31.23	−2.37
337	33.70	31.35	−2.35
338	33.80	31.48	−2.32
339	33.90	31.60	−2.30
340	34.00	31.72	−2.28
341	34.10	31.84	−2.26
342	34.20	31.96	−2.24
343	34.30	32.09	−2.21
344	34.40	32.21	−2.19
345	34.50	32.33	−2.17
346	34.60	32.45	−2.15
347	34.70	32.57	−2.13
348	34.80	32.70	−2.10
349	34.90	32.82	−2.08
350	35.00	32.94	−2.06
351	35.10	33.06	−2.04
352	35.20	33.18	−2.02
353	35.30	33.31	−1.99
354	35.40	33.43	−1.97
355	35.50	33.55	−1.95
356	35.60	33.67	−1.93
357	35.70	33.79	−1.91
358	35.80	33.92	−1.88
359	35.90	34.04	−1.86
360	36.00	34.16	−1.84
361	36.10	34.28	−1.82
362	36.20	34.40	−1.80
363	36.30	34.53	−1.77
364	36.40	34.65	−1.75
365	36.50	34.77	−1.73
366	36.60	34.89	−1.71
367	36.70	35.01	−1.69
368	36.80	35.14	−1.66
369	36.90	35.26	−1.64
370	37.00	35.38	−1.62
371	37.10	35.50	−1.60
372	37.20	35.62	−1.58
373	37.30	35.75	−1.55
374	37.40	35.87	−1.53
375	37.50	35.99	−1.51
376	37.60	36.11	−1.49
377	37.70	36.23	−1.47
378	37.80	36.36	−1.44
379	37.90	36.48	−1.42
380	38.00	36.60	−1.40
381	38.10	36.72	−1.38
382	38.20	36.84	−1.36
383	38.30	36.97	−1.33
384	38.40	37.09	−1.31
385	38.50	37.21	−1.29
386	38.60	37.33	−1.27
387	38.70	37.45	−1.25
388	38.80	37.58	−1.22
389	38.90	37.70	−1.20
390	39.00	37.82	−1.18
391	39.10	37.94	−1.16
392	39.20	38.06	−1.14
393	39.30	38.19	−1.11
394	39.40	38.31	−1.09
395	39.50	38.43	−1.07
396	39.60	38.55	−1.05
397	39.70	38.67	−1.03
398	39.80	38.80	−1.00
399	39.90	38.92	−0.98
400	40.00	39.04	−0.96
401	40.10	39.16	−0.94
402	40.20	39.28	−0.92
403	40.30	39.41	−0.89
404	40.40	39.53	−0.87

Earnings (£)	Employer NICs current system with 1998–99 lower earnings limit	Employer NICs Mr. Martin Taylor letter	Change in employer contributions
405	40.50	39.65	–0.85
406	40.60	39.77	–0.83
407	40.70	39.89	–0.81
408	40.80	40.02	–0.78
409	40.90	40.14	–0.76
410	41.00	40.26	–0.74
411	41.10	40.38	–0.72
412	41.20	40.50	–0.70
413	41.30	40.63	–0.67
414	41.40	40.75	–0.65
415	41.50	40.87	–0.63
416	41.60	40.99	–0.61
417	41.70	41.11	–0.59
418	41.80	41.24	–0.56
419	41.90	41.36	–0.54
420	42.00	41.48	–0.52
421	42.10	41.60	–0.50
422	42.20	41.72	–0.48
423	42.30	41.85	–0.45
424	42.40	41.97	–0.43
425	42.50	42.09	–0.41
426	42.60	42.21	–0.39
427	42.70	42.33	–0.37
428	42.80	42.46	–0.34
429	42.90	42.58	–0.32
430	43.00	42.70	–0.30
431	43.10	42.82	–0.28
432	43.20	42.94	–0.26
433	43.30	43.07	–0.23
434	43.40	43.19	–0.21
435	43.50	43.31	–0.19
436	43.60	43.43	–0.17
437	43.70	43.55	–0.15
438	43.80	43.68	–0.12
439	43.90	43.80	–0.10
440	44.00	43.92	–0.08

Note:
The figures in the table show the contracted-in rate of NICs.

Local Government Finance (Scotland)

Mr. Jenkin: To ask the Chancellor of the Exchequer what powers he will have to cap Scottish local authorities; and what criteria will determine the operation of capping. [31476]

Mr. Darling *[holding answer 26 February 1998]:* The power to cap local authorities in Scotland currently rests with the Secretary of State for Scotland. The Government's proposals for capping after Devolution are set out in chapter 7 of the White Paper, "Scotland's Parliament" [Cm 3658].

Travel Insurance

Mr. Rooney: To ask the Chancellor of the Exchequer in what circumstances the rate of insurance premium tax is 17½ per cent. on travel insurance. [31531]

Dawn Primarolo *[holding answer 26 February 1998]:* Higher rate insurance premium tax of 17.5 per cent. applies to travel insurance where the contract is arranged through or supplied by:

(i) a tour operator or travel agent;

(ii) a person connected to a tour operator or travel agent; or

(iii) a person who pays any part of the premium, or a commission or fee relating to the insurance contract, to one of the aforementioned.

However, where travel insurance is supplied free of charge to the consumer the premium paid to the insurer by the retailer is only subject to the standard rate of insurance premium tax (4 per cent.), regardless of supplier.

EAGGF Fund

Mr. Jack: To ask the Chancellor of the Exchequer how much of the 1996 underspend on the EAGGF fund is attributable to Britain. [31914]

Mrs. Liddell *[holding answer 27 February 1998]:* Because European Community Budgets do not generally earmark amounts to individual member states at the start of each budgetary year, there is no yardstick against which the outturn for each member state can be judged in order to ascertain what proportion of any underspending or overspending is directly attributable to them.

Abortions

Mr. Moss: To ask the Chancellor of the Exchequer how many *(a)* pregnancies and *(b)* abortions were undergone by girls under 16 years of age in each year from 1980 to 1995 in (i) England and Wales and (ii) Scotland. [32727]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Malcolm Moss, dated 3 March 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on pregnancies and abortions undergone by girls under 16 from 1980 to 1995.

The numbers of conceptions to girls aged under 16 in England and Wales are published in:

1985 Birth Statistics FM1 No 12 (for 1980–83)

1995 Birth Statistics FM1 No 24 (for 1984–94)

ONS Monitor FM1 97/2 Conceptions in England and Wales 1995.

These publications are available in the House of Commons Library.

The conceptions figures for England and Wales relate to pregnancies resulting in a live birth, a stillbirth or a therapeutic abortion; they do not include miscarriages or illegal abortions.

The numbers of conceptions to girls aged 13–15 in Scotland are as follows:

Year	Number
1984	811
1985	847
1986	848
1987	803
1988	828
1989	794
1990	750
1991	773
1992	761
1993	772
1994	801
1995	828

Data prior to 1984 and for girls aged under 13 are not readily available and could only be provided at a disproportionate cost.

Figures for Scotland relate to pregnancies resulting in a live birth, stillbirth, a therapeutic abortion or a spontaneous abortion (miscarriage).

Information on the number of legal abortions performed in England and Wales can be obtained from the OPCS/ONS Abortion Statistics publications, Series AB Nos. 7–22, 1980–96, available in the House of Commons Library.

The numbers of therapeutic abortions performed in Scotland on girls aged under 16 are as follows:

Year	*Number*
1980	236
1981	202
1982	246
1983	240
1984	320
1985	304
1986	310
1987	280
1988	283
1989	262
1990	240
1991	280
1992	247
1993	285
1994	293
1995	312

Dr. Vis: To ask the Chancellor of the Exchequer how many residents of Northern Ireland obtained abortions in England and Wales in each of the last three years for which figures are available. [32818]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Dr. Rudi Vis, dated 3 March 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on abortions on residents of Northern Ireland.

The numbers of legal abortions performed in England and Wales on residents of Northern Ireland for each of the last three years for which figures are available are as follows:

Year	*Number of Abortions*
1994	1,678
1995	1,548
1996	1,573

Retail Petrol Industry

Mr. Boswell: To ask the Chancellor of the Exchequer at what point in the supply chain the tax point arises for duty levied on *(a)* petrol refined in the United Kingdom and *(b)* imported petrol, in the case of supply to (i) independent retailers and (ii) supermarket outlets; and if he will make a statement. [31700]

Dawn Primarolo *[holding answer 2 March 1998]:* The duty point for excise duty on petrol refined in the United Kingdom is on removal of the oil from the UK refinery to home use. The duty point for excise duty on imported petrol is on removal of the oil from UK direct import warehouse to home use. The duty point is the same for both independent retailers and supermarket outlets.

Single Currency

Mr. Lilley: To ask the Chancellor of the Exchequer if he will list the studies referred to in paragraph 3.8 of his Department's document "UK Membership of the Single Currency-An Assessment of the 5 Economic Tests". [32071]

Mrs. Liddell *[holding answer 2 March 1998]:* The paragraph referred to discusses the evidence on exchange rate volatility and investment. It says that while there is some evidence that greater exchange rate volatility leads to lower investment, it is not conclusive.

Earnings

Mr. Fallon: To ask the Chancellor of the Exchequer if he will estimate the number of individuals in receipt of weekly earnings between *(a)* £107 and £109, *(b)* £136 and £154, *(c)* £188 and £209 and *(d)* £444 and above. [32490]

Mrs. Liddell: The information requested falls within the responsibility of the Chief Executive of the Office for National Statistics. I have asked him to arrange for a reply to be given.

Letter from Tim Holt to Mr. Michael Fallon, dated 3 March 1998:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on weekly earnings.

The latest information, from the New Earnings Survey 1997, is contained in the table below:

Employees on adults rates, whose pay for the survey pay-period was unaffected by absence, new earnings survey—April 1997

	Percentage of employees with gross weekly earnings (including overtime) in the range		
£	*Full-time*	*Part-time*	*All*
107–109	0.1	1.1	0.3
136–154	2.7	6.2	3.5
188–209	6.1	3.2	5.4
444 and above	24.1	1.2	18.9

Car Parking

Mr. Baker: To ask the Chancellor of the Exchequer what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32459]

Mrs. Liddell: In line with the Guide to Green Transport Plans circulated last September by the Parliamentary Under-Secretary of State, the Department of the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), the Treasury is considering this issue in preparing Green Transport Plans for its key buildings.

SCOTLAND

Birds

Mr. Dalyell: To ask the Secretary of State for Scotland what discussions he plans to have with the Royal Society for the Protection of Birds over Schedule 5 of the Scotland Bill. [23307]

Mr. McLeish *[holding answers 16 January 1998]:* My noble Friend the Minister with responsibility for agriculture, the environment and fisheries in Scotland held a seminar, on devolution and sustainable development, on 3 November at which the RSPB was represented at senior level, to give a range of public and non-government bodies an opportunity to consider a wide range of devolution issues with Ministers. No further discussions are currently arranged.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27766]

Mr. Dewar *[holding answer 5 February 1998]: (a)* The costs to my Department for Ministerial Cars and drivers are:

	£000
1996–97	358
1997–98 (to January)	372
1997–98 estimate	446

Figures for 1995–96 could be made available on a comparable basis only at disproportionate cost.

(b) The majority of my Department's use of taxis is covered by a contract arrangement in Edinburgh. Costs incurred under this contract are:

	£000
1995–96	53
1996–97	64
1997–98 (to January)	67
1997–98 estimate	80

Absenteeism

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will estimate the rates of absenteeism in his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies, for (i) 1995–96, (ii) 1996–97 and (iii) 1997–98 to date; and if he will make a statement. [26641]

Mr. Dewar *[holding answer 5 February 1998]:* The estimated rates of sickness absence (average number of working days absence per staff year) for the Scottish Office core and its Executive Agencies other than the Scottish Prison Service were 9.6 days for 1995 and 8.5 days for 1996 (calendar years). The corresponding figures for the Scottish Prison Service are 12.5 days in 1995 and 10.8 days in 1996.

These figures are extracted from published reports by the Occupational Health Service, on behalf of the Cabinet Office, on sickness absence patterns across the Civil Service. The report for 1997 is not yet available.

Information on absence rates for Non-Departmental Public Bodies is not held centrally.

CBI Scotland

Mr. Ancram: To ask the Secretary of State for Scotland what plans he has to meet representatives of CBI Scotland to discuss their participation in the development of the Scottish Parliament's consultative procedures. [28796]

Mr. McLeish *[holding answer 19 February 1998]:* My right hon. Friend and I have met representatives of CBI Scotland on a number of occasions in recent months to discuss a wide range of issues regarding the Scottish Parliament, including procedures for consulting business. The most recent meeting was on 30 January with my right hon. Friend. Further meetings are likely, but no dates have yet been fixed.

How the Scottish Parliament will work will be for the Scottish Parliament itself to determine. However, the all-party Consultative Steering Group which I chair will take forward consideration of this. The Group is keen to ensure that the views of interested bodies and individuals are taken into account in its deliberations. Should CBI Scotland wish to contribute to this process, the Group will be pleased to consider any submission which they may wish to make.

Market Testing

Ms Squire: To ask the Secretary of State for Scotland if he will list the health services which have been market-tested or notified to his Department and won by the private sector indicating *(a)* the location and *(b)* the organisation winning the tender. [28623]

Mr. Galbraith *[holding answer 9 February 1998]:* The Department has been notified of the following contract awards within the NHS in Scotland to private sector companies.

Health board area	*Service type*	*Contractor*	*No. of contracts*
Argyll and Clyde	Hotel services	Mediguard	1
	Painting	John Miller & Son	4
		Bell Decorating Group	1
		Capital Decorator	2
		Trident Main Services	1
	Grounds maintenance	Russell Landscape	1
	Information technology	CSC (Scotland) Healthcare	1

Health board area	Service type	Contractor	No. of contracts
Ayrshire and Arran	Hotel services	Mediguard	1
	Painting	Baxter & Gillespie	4
		Moss Painting	2
		Trident	1
	Financial	Bank of Scotland	1
	Transport	Cochrane Leasing	1
		Turner Hire Drive	1
	Vehicle maintenance	Maconochies of Kilmarnock	1
	Supplies	Meadowhead Stores	1
	Occupational health	SALUS	1
	Internal audit	BDO Stoy Haward	1
Borders	Banking	Bank of Scotland	1
Dumfries and Galloway	Estates maintenance	Crossan Electrical	1
Fife	Catering	Sodexho	2
	Ground maintenance	WCL Contracts	1
	General ancillary	Initial Healthcare	1
		Mediguard	1
	Ancillary and catering	Marriot Healthcare	1
Forth Valley	Clinical waste	Clinical Waste Ltd (White Rose Environmental)	1
	Computer services	CSC (Scotland) Healthcare	1
Grampian	Domestic	Mediguard	4
		Initial Hospital Services	1
	Car parking	Securicor	1
	Internal audit	Coopers & Lybrand	2
	Occupational health	RGIT Health Ltd	1
	Care management	CHS	1
	Desk top support & help desk	MDIS Ltd	1
	Data communications	CSC (Scotland) Healthcare	1
Greater Glasgow	Domestic	Pall Mall (Granada)	1
		Hospital Hygiene	2
		Sunlight	1
		Initial Healthcare	5
		Olscot Ltd	3
	Catering	Sodexho	1
	Portering	Sunlight	4
		Mediguard	1
		Hospital Hygiene (Bateman)	2
		Olscot Ltd	1
	Painting	HAT Painting Ltd	4
		McLean & Spiers Ltd	3
		Fitzroy Building	1
	Grounds maintenance	P & D Services	1
		CBC Lands Division	4
		OCS Cleanmaster Ltd	1
	Financial	Bank of Scotland	1
	Gardening contract	Caledonian Landscape Ltd	1
	Hotel services	Sodexho	1
		Initial	1
	Steam generation	FIHS Emstar (PFI)	1
	Facilities Management	Gardner Merchant	2
Highland	Computer services	CSC (Scotland) Healthcare	1
	Business Systems Department	CSC (Scotland) Healthcare	1
	Central Data Processing	CSC (Scotland) Healthcare	1
	Laundry	John O'Groat Co Ltd	2
	Internal Audit	Coopers & Lybrand	5
Lanarkshire	Portering	Sunlight	1
		Pall Mall Services	1
		Hospital Hygiene	1
	Multi-services	Sunlight	1
		Initial Healthcare	2
	Catering	Mediguard	1
	Estates maintenance	Serco Services Ltd	1
	Painting	HPC Coating	2
		Bell Decorating	1
	Hotel services	Pall Mall Healthcare	1
Lothian	Multi-service	Sodexho	1
	Domestic	Initial Healthcare	2
	Cleaning (kitchen)	Prof Hygiene	1
	Catering	Sodexho	1
		Mediguard	1
	Hotel services	Initial Healthcare	1
	Lift maintenance	Pickerings Ltd	1

Health board area	Service type	Contractor	No. of contracts
Lothian *(cont.)*	Painting	HAT Painting Ltd	1
		Town and Country	1
	Estates maintenance	Drake & Skull	1
	Engineering	Drake & Skull	1
	Computer services	CSC (Scotland) Healthcare	2
	Internal audit	Deloitte & Touche	1
		Price Waterhouse	1
	Banking services	Royal Bank of Scotland	1
	Telephone Network	Mercury	1
	Removal of clinical/radioactive waste	Clinical Waste Ltd (White Rose Environmental)	2
	Pest control	Pest Protection	1
	Lift maintenance	Pickerings Ltd	1
	Portable electrical appliance testing	BEAT Ltd	1
	Telecommunications	Mercury	1
Shetland	Hotel services	Gardner Merchant	1
	Internal audit	Coopers & Lybrand	1
Tayside	General ancillary	Taylorplan	1
	Car parking	Securicor Guard Service	1
	Laundry	Gordons	1
	Wheelchair technical support	Archibald Young	1
	Disposal of clinical waste	Eurocare Ltd	1
	Banking	Royal Bank of Scotland	2
	Catering	Mediguard	2
	Domestic/portering	Mediguard	1
Western Isles	Internal audit	Coopers & Lybrand	1
Orkney	Internal audit	Coopers & Lybrand	1
	Chiropody	George Randall	1

Gaelic Broadcasting

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what procedures he followed in the appointment of a consultant to report on the opportunities for Gaelic broadcasting in the digital era; what criteria were used for selecting the person appointed; how many candidates were considered for the position; what is the consultant's remit; what access the consultant has to commercially sensitive information; what timescale and fee the consultant has been given; and if he will make a statement. [29213]

Mr. Wilson *[holding answer 12 February 1998]:* A consultant was appointed following consideration of the need for informed advice on future options for Gaelic broadcasting. The consultant was invited to carry out the work on the basis of his knowledge of Gaelic broadcasting and of developments in digital broadcasting. The remit is:

"To assess the opportunities for Gaelic broadcasting with the advent of digital technology, with particular reference to the possibility of a co-ordinated Gaelic television service on a single dedicated channel;

To consider against this background of new opportunities, the contribution to Gaelic broadcasting of current service providers and future providers and the structure within which this might be implemented;

To make recommendations and report by 20 February 1998".

The consultant has no access to commercially sensitive information other than that offered by his informants. The study is to be completed by 20 February. A fee of £3,000 is payable. The study was announced by way of a Scottish Office news release and by direct communication with the broadcasting authorities.

Spend to Save Scheme

Mr. Jenkin: To ask the Secretary of State for Scotland how much each unitary and island authority in Scotland has saved as a result of the spend to save scheme in 1997–98. [31380]

Mr. Macdonald *[holding answer 26 February 1998]:* The spend to save scheme allows authorities to forgo part of their capital allocation and receive extra revenue grant instead. It is for authorities themselves to ensure that value for money is obtained from the use of the extra grant. In most cases, savings are likely to accrue over a number of years and it is not possible to say now what these might amount to.

Petrol Stations

Mr. Boswell: To ask the Secretary of State for Scotland what assessment he has made of the adequacy of the number of retail petrol stations in remote parts of Scotland to meet the needs of motorists. [31705]

Mr. Macdonald *[holding answer 2 March 1998]:* A study into rural petrol stations was announced in March 1997. It is looking at the contribution rural petrol stations make to the local community and at security of petrol supplies in Scotland in the future. It is gathering data on the characteristics of petrol stations in rural areas of Scotland. It will look into a range of issues, including the importance of petrol stations to the local economy. As part of the work, a survey of households has been undertaken to obtain information on petrol purchasing behaviour. We hope the study will also find innovative ways of securing and maintaining petrol supplies in rural areas. It is expected to report later this year.

Empty Properties

Mr. Brake: To ask the Secretary of State for Scotland how many *(a)* empty local authority homes, *(b)* empty private homes, *(c)* empty Government homes, *(d)* empty flats above shops, *(e)* vacant offices suitable for conversion into homes and *(f)* other non-residential premises suitable for conversion into homes there are in each region in Scotland. [32227]

Mr. Macdonald *[holding answer 2 March 1998]:* Information received from local authorities indicates that there were 18,085 vacant local authority dwellings as at 31 March 1997 and the figures for each local authority area are published in The Scottish Office Statistical Bulletin, "Housing Trends in Scotland: Quarter Ended 31 March 1997" (HSG/1997/7), November 1997. As at 1 October 1997, there were 4 houses owned by The Scottish Office empty for more than 6 months. Information on the other categories of empty properties is not held centrally.

Mr. Brake: To ask the Secretary of State for Scotland how much money his Department has allocated in the current financial year to fill *(a)* empty local authority homes, *(b)* empty private homes, *(c)* empty Government homes, *(d)* empty flats above shops, *(e)* vacant offices suitable for conversion into homes and *(f)* other non-residential premises suitable for conversion into homes in each region in Scotland. [32228]

Mr. Macdonald *[holding answer 2 March 1998]:* In the current financial year, £2 million has been allocated to an Empty Homes Initiative designed to help bring empty properties back into use for housing. These funds were allocated to 16 local authorities following a bidding process and I announced in December 1997 that a further £7 million will be available to fund empty homes projects through the Initiative in 1998–99. This is in addition to resources made available to local authorities and Scottish Homes for housing purposes which are not hypothecated specifically for expenditure on empty homes.

National Galleries of Scotland

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what discussions he had with the Chair of the Trustees of the National Galleries of Scotland prior to the recent appointment of new trustees; and if he will make a statement. [31927]

Mr. Galbraith *[holding answer 2 March 1998]:* Following convention, my right hon. Friend took the views of the Chairman on the list of candidates considered to be suitable for appointment by the Departmental Advisory Panel on Public Appointments.

Phosphorous Bombs

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland what estimate he has made of the number of phosphorous bombs which are likely to be washed ashore as a result of the laying of the Scotland to Northern Ireland electricity interconnector. [32027]

Mr. Macdonald *[holding answer 2 March 1998]:* I refer to my answer on 19 January 1998, *Official Report*, column *445*. It is not possible to estimate the number of phosphorous bombs, if any, which may be washed ashore but as I indicated in my answer the intention is that the cable will be laid to avoid any unidentified objects lying on the sea bed.

Beaufort's Dyke

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland how many unexplained explosions have been noted by the British Geological Survey in the vicinity of Beaufort's Dyke over the last 20 years; and what was their strength. [32025]

Mr. Macdonald *[holding answer 2 March 1998]:* The issue of unexplained explosions in an area stretching from Islay to the Isle of Man was publicly aired by the British Geological Survey in December 1995. This was followed up by the Scottish Office at that time and all explosions occurring in the Beaufort's Dyke area during 1995 were fully accounted for by either defence or marine construction activities including pipelaying. The passage of time precluded similar investigations of earlier years but there is no reason to believe that the source of these explosions was greatly different.

St. Ninian's Isle

Mr. Wallace: To ask the Secretary of State for Scotland if he will list the expenditure incurred by Historic Scotland in the maintenance and preservation of the St. Ninian's Isle Church site in Shetland since 1983. [31068]

Mr. Macdonald *[holding answer 2 March 1998]:* No expenditure has been incurred by Historic Scotland in the maintenance and preservation of the St. Ninian's Isle Church site in Shetland since 1983. St. Ninian's Kirk and burial ground, on St. Ninian's Isle, is a scheduled monument in private ownership.

Scalloway Castle

Mr. Wallace: To ask the Secretary of State for Scotland what steps Historic Scotland has taken to remove the temporary windows installed in Scalloway Castle in 1993; and if he will make a statement. [31069]

Mr. Macdonald *[holding answer 2 March 1998]:* Historic Scotland installed temporary windows in Scalloway Castle in a trial to establish their efficiency in reducing erosion caused by the scouring action of the wind on the masonry of the window openings. This experiment has been a success and Historic Scotland is now considering alternative designs for permanent window treatments, having regard to the general principle that they must be reversible and not damage the monument. The Agency will liaise with Shetland Islands Council on the design of permanent window treatment.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for Scotland when he appointed a Green Transport co-ordinator, and on what date the appointment took effect. [32481]

Mr. McLeish: My right hon. Friend appointed a green transport co-ordinator on 27 November 1997, with immediate effect.

Land Use Statistics

Mr. Brake: To ask the Secretary of State for Scotland how many *(a)* sites of special scientific interest, *(b)* areas of outstanding natural beauty, *(c)* national parks and *(d)* hectares were affected by road building, housing or retail developments; and how many miles of roads were built on *(a)* to (c) in each of the last 12 years by (i) county and (ii) region. [32329]

Mr. McLeish: The information being sought by the hon. Member is not held centrally. However, some information on damage to Sites of Special Scientific Interest is contained in the Digest of Environmental Statistics, No 19, 1997, a copy of which is held in the House of Commons Library.

Creutzfeldt-Jakob Disease

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland how many applications to the Scottish Legal Aid Board seeking damages as a result of the contracting of CJD have been made in each of the last five years; how many such applications *(a)* succeeded and *(b)* were refused; and what reasons were given for those which were refused. [32671]

Mr. McLeish: The Scottish Legal Aid Board has received 2 applications for civil legal aid in connection with actions for damages arising out of the contracting of CJD. These were made in 1997. Both were refused as they did not satisfy the statutory merits tests of probable cause and reasonableness.

Elderly People

Mr. Doran: To ask the Secretary of State for Scotland what estimates he has made of the future numbers of elderly people in *(a)* Scotland, and *(b)* Grampian; and what projections he has made of the numbers of elderly people in each case who will require over the next 10 years (i) continuing care in the National Health Service, (ii) long-term residential care and (iii) domiciliary care support services from local authorities, and on what basis he calculated those projections. [32254]

Mr. Galbraith: The estimated number of people over the age of 65 and 75 in Scotland and in the Grampian Health Board area for the years 1996 to 2006 is set out in the tables.

	Scotland		*Grampian*	
Year	*65+*	*75+*	*65+*	*75+*
1996	779,462	333,589	74,470	32,302
1997	782,450	339,410	75,164	33,034
1998	783,085	342,095	75,577	33,490
1999	784,014	344,977	76,108	33,927
2000	785,744	347,362	76,556	34,391
2001	788,069	350,580	77,071	34,827
2002	790,685	352,702	77,577	35,229
2003	793,970	354,230	78,141	35,628
2004	797,423	356,629	78,623	35,988
2005	800,671	359,228	79,276	36,379
2006	802,005	362,151	79,638	36,745

Source:
Government Actuaries Department in consultation with the Registrar General based on 1996 population projections for Scotland.

Assessment of current and future needs for care services for the elderly in their areas is primarily a matter for Health Boards and local authorities. The aim for all groups is to secure the most effective package of health and social care services, both in hospital and in the community, that meet the specific needs of individuals and, where appropriate, their carers.

The Government's assumption is that the growth in requirement for community services will broadly keep pace with the growth in numbers of older people. The balance between residential and domiciliary care services and between health and social care is best determined locally, to meet the needs of the local population.

Mr. Doran: To ask the Secretary of State for Scotland what criteria are applied in respect of the admission of elderly people in Grampian to continuing care in the National Health Service to assess whether they require continuing medical and nursing care; and in what respects these criteria differ from the criteria which are applied in other health board areas in Scotland. [32255]

Mr. Galbraith: The criteria are determined by guidance issued by the Scottish Office Department of Health to the NHS in Scotland and local authorities in 1996. Although local criteria may be developed, they must not involve a reduction of the published national terms. In this respect, Grampian does not differ from any other health board in Scotland. However, decisions about individual patients' care needs are ultimately for the clinical judgment of the consultant involved.

NHS Waiting Lists

Mr. Moore: To ask the Secretary of State for Scotland how many people in Scotland had been on waiting lists for NHS treatment for *(a)* nought to three months, *(b)* three to six months, *(c)* six to nine months, *(d)* nine to 12 months and *(e)* over 12 months, on (i) 1 January 1998, (ii) 1 October 1997, (iii) 1 July 1997, (iv) 1 April 1997, (v) 1 January 1997 and (vi) 1 January 1996. [31070]

Mr. Galbraith: Information on the number of patients with a guarantee and the time spent on waiting lists for NHS treatment in Scotland in the last 2 years is provided in the table. Data on waiting lists are recorded centrally via a census undertaken at the end of each quarter. Information is not available centrally on the number of patients waiting on the first day of each quarter.

NHS patients on waiting lists at Scottish hospitals: number and time spent on waiting lists

	Time spent on waiting list (months)[1]				
	Under 3	*3 to 6*	*6 to 9*	*9 to 12*	*Over 12*
31 December 1995	52,816	16,514	7,243	3,330	961
31 December 1996	52,486	16,546	7,598	3,348	272
31 March 1997	53,553	18,049	7,912	2,984	22
30 June 1997	54,155	17,602	7,729	3,127	142
30 September 1997	52,432	18,704	8,160	3,330	235
31 December 1997[2]	54,454	17,649	8,687	3,748	393

[1] Length of time patients with a waiting time guarantee have waited on the waiting list.
[2] Figures for 31 December 1997 for Yorkhill NHS Trust are not yet available, 30 September 1997 figures for that Trust have been used.
Source:
SMR3, ISD Scotland.

INTERNATIONAL DEVELOPMENT

Millennium Compliance

Sir Alastair Goodlad: To ask the Secretary of State for International Development if she will estimate the cost to her Department of *(a)* consultants and *(b)* contractors engaged to address millennium computer compliance problems; and if she will list them. [32414]

Clare Short: The cost of the millennium compliance for the main corporate systems was included in the move to general resource accounting. A specific consultancy cost for millennium compliance cannot be attributed. We have engaged Expertech Systems Ltd at a cost of £18,000 to convert non-compliant spreadsheets. A specification for further work expected to cost around £55,000 has also been drawn up. A company has not yet been selected for this additional work.

Sir Alastair Goodlad: To ask the Secretary of State for International Development when she last met the Chancellor of the Duchy of Lancaster to discuss her Department's progress towards millennium compliance. [32281]

Clare Short: I have not discussed the millennium compliance of my Department with the Chancellor of the Duchy of Lancaster.

Sir Alastair Goodlad: To ask the Secretary of State for International Development how many of those working within her Department on millennium compliance issues have *(a)* given notice of their intention to leave or *(b)* left her Department in the last six months. [32282]

Clare Short: None of my officials working on the millennium compliance issues has given notice of their intention to leave nor have any left the Department in the last six months.

Sir Alastair Goodlad: To ask the Secretary of State for International Development when all testing on millennium compliance will be completed within her Department. [32413]

Clare Short: We expect testing for millennium compliance to be completed by end-November 1998.

Sir Alastair Goodlad: To ask the Secretary of State for International Development when her Department will be fully millennium compliant. [32415]

Clare Short: My Department will be millennium compliant by the end of 1998.

Sir Alastair Goodlad: To ask the Secretary of State for International Development what will be the cost of millennium compliance to the Commonwealth Development Corporation. [32276]

Clare Short: The incremental costs of compliance for the Commonwealth Development Corporation are very small and cannot be disentangled from the normal process of replacing hardware and software packages which would have needed to happen in any case.

Sir Alastair Goodlad: To ask the Secretary of State for International Development when she last met a Treasury Minister to discuss the costs of millennium compliance in her Department. [32284]

Clare Short: I have not discussed the millennium compliance of my Department with a Treasury Minister.

Sir Alastair Goodlad: To ask the Secretary of State for International Development when all testing on Year 2000 compliance will be completed within the Commonwealth Development Corporation. [32274]

Clare Short: The Commonwealth Development Corporation expect testing for millennium compliance to be completed by end-November 1998.

Sir Alastair Goodlad: To ask the Secretary of State for International Development when the Commonwealth Development Corporation will be fully millennium compliant. [32275]

Clare Short: The Commonwealth Development Corporation will be millennium compliant by the end of 1998.

Sir Alastair Goodlad: To ask the Secretary of State for International Development from which budgetary sub-head the costs of millennium compliance will be met by her Department. [32283]

Clare Short: The Department for International Development will meet millennium costs from sub-head CO2 (Running costs, capital).

Commonwealth Development Corporation

Sir Alastair Goodlad: To ask the Secretary of State for International Development when she expects to bring forward legislation to introduce private capital into the Commonwealth Development Corporation; and if she will make a statement. [32287]

Clare Short: We are seeking to bring forward legislation to enable the creation of a new Public/Private Partnership for CDC as soon as parliamentary time permits.

North Korea

Mr. Vaz: To ask the Secretary of State for International Development what is the Government's response to the recent appeal of the United Nations World Food Programme regarding North Korea. [32058]

Clare Short: We are considering the appeal from the World Food Programme and discussing an appropriate response with counterparts in the European Union. The UK is expecting to lead a European Union technical mission to North Korea this month to assess current needs and review the targeting, delivery and sustainability of humanitarian assistance during 1998. The European Community has already allocated some £39 million to North Korea, mainly in food aid, since October 1996. The UK's share is over £6 million.

Yemen

Mr. Vaz: To ask the Secretary of State for International Development if Her Majesty's Government will increase aid to Yemen to alleviate poverty. [32059]

Clare Short: Future country allocations are currently being considered in the context of this year's Resource Allocation Round, and the wider Departmental Spending Review. We are reconsidering our assistance to Yemen as part of this process.

Women

Sir Alastair Goodlad: To ask the Secretary of State for International Development what initiatives are currently being pursued by her Department consequent on the Fourth World Conference on Women Platform for Action agreed in Beijing in 1995; in which countries; and at what cost. [32088]

Clare Short: We are fully committed to the implementation of the Platform for Action agreed at the Fourth World Conference on Women at Beijing in 1995. We are pursuing numerous initiatives in support of this, and are systematically incorporating gender concerns across the broad spectrum of work we support throughout the developing world. As is made clear in the White Paper on International Development, we are clear that there is a direct link between gender inequality and world poverty and that advancing the education of girls and the position of women is a precondition of development. We are pursuing a twin-track approach, addressing gender inequalities as an integral part of all our development activities, as well as continuing to support specific and focused initiatives to enhance women's empowerment, both in our own programmes and in our support to relevant national and multilateral organisations.

Over the past three years the proportion of bilateral commitments and expenditure which explicitly include gender concerns have increased by more than 50 per cent. In 1996–97 this amounted to expenditure of £155 million and a commitment of £310 million across a broad range of sectors, within which explicit attention is being paid to women's needs and gender equality. We expect this figure to continue to rise. We are also playing a leading role in the international community in building a global commitment to the Beijing Platform for Action. The facilitation of a renewed commitment among EU Member States and the European Commission to the implementation of the Beijing Platform is a priority of our current EU Presidency.

Polio

Sir Alastair Goodlad: To ask the Secretary of State for International Development what contribution her Department is currently making towards the eradication of polio from *(a)* India and *(b)* the rest of the world; and if she will make a statement. [32093]

Clare Short: The Department for International Development is currently supporting the mass polio vaccination programme in India with a contribution of £47.5 million over three years. In 1996–97, support for general vaccination and immunisation programmes throughout the world amounted to £13.5 million. These programmes, mainly in Africa, also include polio activities but disaggregation of polio specific components is not readily available.

UN Development Agencies

Sir Alastair Goodlad: To ask the Secretary of State for International Development how much aid is planned to be channelled through UN development agencies by her Department in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000; and what will be the sums involved. [32091]

Clare Short: In 1997–98, we plan to channel £126 million through UN development agencies. Future years' expenditure is currently being considered within my Department's resource allocation round.

Employee Travel

Mr. Baker: To ask the Secretary of State for International Development if she will estimate the cost of employee travel on office business, broken down into *(a)* fuel allowances, *(b)* unproductive time during travel, *(c)* other costs related to car transport and *(d)* costs related to public transport, for (i) 1994–95, (ii) 1995–96, (iii) 1996–97 and (iv) 1997–98. [32436]

Clare Short: I regret that this information is not collected centrally and could not be produced other than at disproportionate expense.

World Poverty

Sir Alastair Goodlad: To ask the Secretary of State for International Development if she will list by country those development projects which will be *(a)* cancelled and *(b)* reduced in size to take account of the recommendations contained in the White Paper, Eliminating World Poverty. [32286]

Clare Short: My Department is revising Country Strategy Papers. These will consider how we can work in partnership with individual developing country Governments towards the goal of poverty eradication set out in the White Paper. We expect this to result in some restructuring of individual country programmes. Country Strategy Papers will be made publicly available when they are finalised.

Afghanistan

Sir Alastair Goodlad: To ask the Secretary of State for International Development what requests she has received since 1 January for assistance in Afghanistan; and if she will make a statement. [32087]

Clare Short: The Department for International Development (DFID) has received the 1998 United Nations Consolidated Appeal for Afghanistan. This includes assistance to UN organisations and non governmental organisations and amounts to $157,308,144 (approximately £98 million). DFID has responded by providing £2 million for demining and mines awareness training, £1.9 million for support services (e.g. aircraft and communication) and strengthening co-ordination. A sum of £500,000 has been provided for the Food and Agriculture Organisation (FAO) for food security.

We have also received a request for a contribution to an appeal from the International Committee of the Red Cross (ICRC) for Afghanistan which amounts to Sfr 128,487,564 (approximately £53 million). We have responded with a contribution of £2 million for protection and medical relief services.

In addition we have also committed a total of £1 million bilaterally to various NGOs working in areas such as child protection, education and relief services. Additionally DFID provided a sum of $300,000 (approximately £187,000) to the United Nations in February 1998 to assist the victims of the recent earthquake in northern Afghanistan.

Africa (HIV)

Sir Alastair Goodlad: To ask the Secretary of State for International Development what assistance her Department is currently giving towards the reduction of HIV in Africa; in which countries; and if she will make a statement. [32092]

Clare Short: The Department is contributing to combating HIV/AIDS in Africa through the work of UNAIDS, which is responsible for co-ordinating the UN response to HIV/AIDS, the EC and international non governmental organisations such as the International Planned Parenthood Federation. DFID has significant bilateral co-operation in HIV prevention and care in many African countries, including Ghana, Kenya, Malawi, Nigeria, South Africa, Tanzania, Uganda, Zambia and Zimbabwe. We are also funding research which is contributing to the development of new methods of protection against HIV, such as microbicides.

A full policy statement is contained in a speech I gave to mark World AIDS Day in December 1997, a copy of which is being placed in the Libraries of the House.

Multilateral Contributions

Sir Alastair Goodlad: To ask the Secretary of State for International Development what percentage of her Department's programme multilateral contributions was spent on the European Community in *(a)* 1996–97 and *(b)* 1997–98; what percentage is planned to be so spent in 1998–99; and in each case what are the sums involved. [32090]

Clare Short: In 1996–97, around £151 million was spent through the European Development Fund. We do not yet have final figures for aid expenditure attributed to this Department through the EC budget but estimate it at about £460 million. Together these figures would represent some 60 per cent. of our multilateral expenditure in 1996–97.

In 1997–98, planned EC expenditure is £659 million. This represents around 60 per cent. of my Department's multilateral budget.

Future years' expenditure is currently being considered within my Department's resource allocation round.

Child Labour

Mr. Llwyd: To ask the Secretary of State for International Development what initiatives her Department is taking to alleviate problems arising from child labour. [32539]

Clare Short: I am supporting initiatives to raise awareness of the evils of exploitative child labour. One of these is the Global March Against Child Labour which will take place in many of the countries where child labour is common. Representatives of the march will arrive in Geneva as the Member states of the International Labour Office (ILO) begin work on a new international convention on child labour. My Department has provided assistance to the organisers of the March in developing countries and to the UK organising committee. The March will come to this country during the first two weeks in May. I hope to take part in the ILO Conference in Geneva in June when the new convention is discussed. We are already working with ILO's International Programme for the Eradication of Child Labour and I plan to increase our support this year.

I have also provided a grant to the Ethical Trading Initiative which brings together private sector companies, unions and NGOs to develop best practice in monitoring and implementing codes of practice for suppliers. Through this we are promoting a positive engagement between importers and their suppliers so that where child labour is found they will work together to find solutions. These must address the welfare of the children. In Pakistan we have financed a pilot project to provide social protection for children leaving the football stitching industry. This project, which was developed by Save the Children UK and the Pentland Group of companies, is an example of positive engagement. More initiatives are in preparation.

Car Parking

Mr. Baker: To ask the Secretary of State for International Development what plans she has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32465]

Clare Short: In line with the Guide to Green Transport Plans circulated last September by the Parliamentary Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), my Department will be considering this issue in preparing Green Transport Plans.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for International Development when she appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32470]

Clare Short: Green Transport issues are dealt with by a team of officials concerned with Green Housekeeping issues as a whole. No single individual has been designated to co-ordinate Green Transport issues separately.

Land Mines

Mr. Caton: To ask the Secretary of State for International Development what measures Her Majesty's Government are taking to assist with *(a)* landmine clearance, *(b)* landmine stockpile destruction and *(c)* recovery and rehabilitation of survivors of landmine injuries. [32181]

Clare Short: Last October, I announced the doubling, over the next three years, of UK annual commitments to demining activities from £5 million to £10 million. These funds will be used to support the detection and clearance of anti-personnel landmines and are available to help developing countries implement their obligations under the Ottawa Convention which may include stockpile destruction.

We contribute to international assistance to landmine survivors through our support to organisations such as the International Committee of the Red Cross (ICRC) and the World Health Organisation. In addition, in November

1997, the European Community committed some £5.9 million to the ICRC's 1997 and 1998 Special Appeals for Assistance to Mine Victims; the UK share of this assistance is about £860,000.

AGRICULTURE, FISHERIES AND FOOD

Fisheries Enforcement

Mr. Timms: To ask the Minister of Agriculture, Fisheries and Food what action is being taken to improve the effectiveness of fisheries enforcement in the UK; and if he will make a statement. [32957]

Mr. Morley: The Fisheries Departments and the Scottish Fisheries Protection Agency are currently spending some £25 million a year on fisheries enforcement, primarily on monitoring the application of the Common Fisheries Policy and ensuring that measures designed to conserve fish stocks and to safeguard the long-term interests of the fishing industry are respected.

Our present enforcement arrangements are highly regarded and I would like to pay tribute to the dedication of our UK fishery officers on shore and those at sea, including the Royal Navy and the SFPA Marine Service. There is, however, no room for complacency. Enforcement must be effective and, since taking office, this Government have made clear their determination to tackle the problems created by undeclared landings of fish.

Last year, we announced that we would be introducing a new licence condition prohibiting the discarding of stowed fish. That took effect from 1 January this year. We also advised that we would be assisting the Marine Safety Agency with checks for vessel safety certificates and crewing certificates. Checks by British Sea Fishery Officers on vessel safety certificates will begin in April and those for crewing certificates in June.

Progress is being made with the requirements for the introduction of satellite monitoring. The Fisheries Departments expect to award a contract for the establishment of a vessel tracking system in the next two months. That system should be operational by mid summer and within 18 months will monitor the movements of all UK vessels over 24 metres as well as those from other Member States operating in our waters. This will allow us to make more effective use of the resources we devote to aerial surveillance and inspections at sea.

Similarly, we need to make the best use of the resources we devote to port surveillance. We believe that the effectiveness of our land-based Inspectorates would be significantly improved by introducing a system of designated ports and discharge times for all non-pelagic landings made by vessels of 20 metres overall length and above. These vessels account for over 70 per cent. of the total tonnage and 65 per cent. of the total value of non-pelagic landings into the UK made by the over 10 metre fleet, and the ports that will be designated will cover over 90 per cent. of such landings. Nonetheless, we recognise that there are some vessels which are based at, or land into, non-designated ports. We shall continue to permit this, subject to these vessels providing a minimum of four hours notice of the discharge of their catch. A consultation paper setting out our proposals is being issued to the fishing industry and copies have been placed in the Libraries of both Houses. These arrangements, which will be subject to clearance with the European Commission, will complement those which already exist for the landing of pelagic species where the operation of designated ports, coupled with more rigorous surveillance at sea and separate area licensing has had a significant impact on addressing undeclared landings in the pelagic sector. The new control measures will be kept under close review by the Fisheries Departments to ensure that they are effective and practical and that they are meeting the desired objectives.

Apart from introducing designated ports, we continue to keep under review other measures for strengthening enforcement in the UK. This includes improving the arrangements for the submission of sales note data which has been a Community requirement since 1994. Further consideration will also be given to the adoption of a system of administrative penalties for fisheries offences. Such arrangements, which would need to be the subject of consultation with the fishing industry, would depend on changes being made to existing legislation so that action could be taken in respect of offences other than breaches of licence conditions.

Although action is being taken to improve the effectiveness of our national enforcement arrangements, the Government are equally committed to raising enforcement standards throughout the Community. If the CFP is to succeed, it is essential that fishermen should be subjected to the same level of control wherever they land. To this end we have been intensifying co-operation on enforcement with other Member States. Also, I am pleased to say that the Commission has now issued a report on fisheries monitoring under the CFP in time for discussion at the March Fisheries Council. That report reviews the operation of the existing fisheries enforcement arrangements in the Community and sets out a programme of action to improve control leading to a fairer and more effective enforcement regime. We will seek to take this work forward during the remainder of the UK Presidency.

Green Transport Co-ordinator

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32484]

Mr. Morley: The Guide to Green Transport Plans circulated last September by the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), encouraged Departments to appoint green transport co-ordinators. The Department appointed a co-ordinator on 9 October 1997 and the appointment took effect from that date.

Arable Area Payments Scheme

Mr. Tipping: To ask the Minister of Agriculture, Fisheries and Food how many payments in excess of *(a)* £500,000 and *(b)* £1 million were made under the arable area payments scheme in the last year for which figures are available. [32121]

Mr. Rooker: Under the 1997 Arable Area Payments Scheme, 25 claims attracted payments in excess of £500,000 and a further 5 claims payments in excess of £1 million in the UK.

Unpasteurised Milk

Mr. Laurence Robertson: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made on the safety of unpasteurised milk; what representations he has received from (i) individuals and (ii) organisations who believe it to be safe to drink; and if he will make a statement. [32119]

Mr. Rooker: The independent Advisory Committee on the Microbiological Safety of Food has expressed concern about the microbiological quality of unpasteurised cows' milk for drinking, and has recommended that sales of such milk be banned in England, Wales and Northern Ireland, as they are in Scotland.

In response to the consultation on our proposal to ban such sales, we have received several hundred letters from individuals claiming the right to decide for themselves what they drink. We have received several petitions signed by like-minded individuals. A number of organisations also wish for sales of raw cows' drinking milk to continue.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food how many people in England he estimates regularly drink unpasteurised milk. [31911]

Dr. John Cunningham *[holding answer 27 February 1998]:* This information is not available.

Central Science Laboratory

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food what is the estimated current value of the Central Science Laboratory sites at *(a)* Sand Hutton, York and *(b)* Colney Lane, Norwich. [32118]

Mr. Rooker: Assessments of value as at 31 March 1997 have been prepared for Capital Charging purposes. These valuations on a depreciated replacement cost basis have been made in accordance with the Appraisal and Valuation Manual published by the Royal Institution of Chartered Surveyors. The values assessed are £87,750,000 and £7,800,000 for Sand Hutton, York and for Colney Lane, Norwich respectively. They do not purport to be the values that might be achieved on disposal.

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food if he will list, for the Central Science Laboratory at *(a)* Sand Hutton, York and *(b)* Colney Lane, Norwich, the items of scientific and laboratory equipment, with their estimated current value, included in the National Asset Register. [32117]

Mr. Rooker: The National Asset Register summarised the asset groupings for the Central Science Laboratory. A list of the items concerned could be provided only at disproportionate cost. The estimated current value for scientific and laboratory equipment at the Sand Hutton, York site is £3.3 million and for the Colney Lane, Norwich site, £1.6 million.

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food how many non-scientific staff were employed and what was the total non-scientific pay bill at the Central Science Laboratory sites at *(a)* Sand Hutton, York and *(b)* Colney Lane, Norwich, in each of the last three years. [32109]

Mr. Rooker *[holding answer 2 March 1998]:* The Central Science Laboratory commenced relocation to Sand Hutton, York in the autumn of 1996 and this was completed in the summer of 1997. There is therefore no information available in relation to the Sand Hutton site for the last three years. The information for Colney Lane, Norwich is set out in the table.

£ million

	Non-scientists	*Non-scientific pay bill*
1995–96	27	0.34
1996–97	28	0.36
1997–98 (projected)	28	0.37

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food how much income was received by the Central Science Laboratory in the 1996–97 financial year from research contracts based primarily at *(a)* Sand Hutton, York and *(b)* Colney Lane, Norwich, from (i) his Department, (ii) other public sector agencies and (iii) private companies. [32112]

Mr. Rooker *[holding answer 2 March 1998]:* The Central Science Laboratory commenced relocation to Sand Hutton, York in the autumn of 1996 and this was completed in the summer of 1997. It is therefore not possible to provide information on the income from research contracts undertaken primarily at Sand Hutton for this period. The information for Colney Lane, Norwich is set out in the table.

£ million

	Income
MAFF	5.4
Other public agencies	0.3
Private sector	0.6
Total	6.3

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food what proportion of the available laboratory and office space at the Central Science Laboratory at Sand Hutton, York, would remain unoccupied if the Norwich-based scientific staff of CSL were relocated to York. [32116]

Mr. Rooker *[holding answer 2 March 1998]:* There would be no unoccupied laboratory and office space were the Norwich Laboratory to be relocated to York.

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food what were the annual overhead costs of the Central Science Laboratory sites at *(a)* Sand Hutton, York and *(b)* Colney Lane, Norwich, in each of the last three years. [32110]

Mr. Rooker *[holding answer 2 March 1998]:* The Central Science Laboratory commenced relocation to Sand Hutton, York in the autumn of 1996 and this was

completed in the summer of 1997. There is therefore no information available in relation to the Sand Hutton site for the last three years. The information for Colney Lane, Norwich is set out in the table.

£ million

	Costs
1995–96	0.77
1996–97	0.78
1997–98 (projected)	0.79

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food how many scientists working for the Central Science Laboratory are based at *(a)* Sand Hutton, York and *(b)* Colney Lane, Norwich. [32111]

Mr. Rooker *[holding answer 2 March 1998]:* Of the total number of scientists currently employed by the Central Science Laboratory, 328 are based at the Sand Hutton, York Laboratory and 109 at the Colney Lane, Norwich Laboratory.

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food if he will list for the Central Science Laboratory sites at *(a)* Sand Hutton, York and *(b)* Colney Lane, Norwich, (i) the total space available for laboratories and offices and (ii) the proportion of laboratory space which is currently unoccupied. [32115]

Mr. Rooker *[holding answer 2 March 1998]:* The office and laboratory floor area capable of practical use at the Central Science Laboratory, Sand Hutton, York is 15,600 square metres. There are no totally unoccupied offices or laboratories but some areas are under-utilised.

At the Central Science Laboratory site in Colney Lane, Norwich, the floor area capable of practical use is 2,200 square metres, but this figure includes common service areas that are duplicated at Sand Hutton, York. There are no unoccupied office or laboratory areas at Colney Lane.

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food if he will list the organisations which have made representations to his Department with proposals for future use of the CSL laboratories at *(a)* Sand Hutton, York and *(b)* Colney Lane, Norwich; and if he will place a summary of these representations in the Library. [32113]

Mr. Rooker *[holding answer 2 March 1998]:* The Department has received some correspondence on this matter and there have been meetings, together with my colleagues, with certain interests including representatives of the Universities of York and East Anglia, Bioscience York, and Members of Parliament from both cities. The representations have outlined, respectively, the importance of the Department's scientific activities and laboratories to each city, the present synergies with other local scientific facilities, and the prospects for their development.

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food what consideration his Department has given to the future of the CSL laboratories at York and Norwich following the conclusion of the prior options review in 1996. [32114]

Mr. Rooker *[holding answer 2 March 1998]:* Following the 1996 Prior Options review of Public Sector Research Establishments such as the Central Science Laboratory, we have been considering the best means of securing value for money given our substantial investments in the laboratories at York and Norwich. Independent management consultancy advice, informing the Prior Options process, noted that a key aspect was to ensure maximum utilisation of the new laboratory at Sand Hutton, York. We have taken no firm decisions at present but are exploring, from a number of aspects, the possibility of collocating the York and Norwich laboratories on the Sand Hutton site. I shall announce our findings on this in due course.

Food Science Research Contracts

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food if he will list the food science research contracts allocated by his Department in (a)1994–95, (b) 1995–96 and (c) 1996–97, broken down by length of contract, value of contract and institution securing the contract. [32108]

Mr. Rooker *[holding answer 2 March 1998]:* The information requested by my hon. Friend has been placed in the Library of the House.

Fishing Industry

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food and what estimate he has made of the impact on employment levels in the fishing industry if the derogation on fishing vessels is not extended beyond 2002. [31998]

Mr. Morley: The Government are committed to securing extension beyond 2002 of the restrictions on access by foreign fishing vessels within 12 mile limits. If these restrictions were not extended, there would be major adverse economic consequences for Member States' inshore fishing industries.

Departmental Report

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food what is his estimated outturn for the financial year 1997–98 for each of the programmes listed in Annex 1: Cash Plan Table of his Ministry's Departmental Report 1997. [31915]

Dr. John Cunningham *[holding answer 27 February 1998]:* The 1997–98 estimated outturn information is still being prepared. It is due to be published on 7 April in MAFF's 1998 Departmental Report, a copy of which will be placed in the Library of the House.

Calshot Oyster Fishery

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 10 February 1998, *Official Report*, column *166*, what fishing activities are currently permitted in the area proposed for extension to the Calshot Oyster Fishery; what enforcement action has taken place in the last four years; and what is his assessment of its effectiveness. [31730]

Mr. Morley: Trawling, dredging or laying nets in the area of the proposed extension is prohibited by directions issued by the Harbour Master for the Port of

Southampton, in order to prevent obstruction of shipping using the main navigation channel entering the port of Southampton.

Enforcement of these restrictions is a matter for the Harbour Authority.

Vitamin Supplements

Mr. Luff: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 2 February 1998, *Official Report*, column *550*, how many representations from scientists he passed on to the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment on the subject of vitamin B6; and how many representations he did not pass on. [31872]

Mr. Rooker: I refer the hon. Member to the answers I gave to him on 2 March 1998, *Official Report*, columns *497–98*.

Farm Subsidies

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food what was the average level of subsidy per farm holding paid to *(a)* hill farmers, *(b)* dairy farmers and *(c)* cereal farmers at 1996 prices in each year since 1979. [31087]

Mr. Rooker: Information on direct subsidies by type of farm is available only from 1984–85. The figures in the table do not include indirect subsidies such as market support measures. Due to a change in the definition of farm types, data for years before 1987 are not wholly comparable with the more recent data. Data for 1987–88 are given on both farm type definitions to give an indication of the degree of change.

Subsidies paid direct to full-time farms in England: £/farm in real terms at 1996 prices, as deflated by the RPI

Year	Dairy	Hill and upland livestock	Specialist cereals
1984–85	900	15,800	800
1985–86	1,100	15,900	900
1986–87	800	13,800	800
1987–88	600	12,500	700

	Revised farm type definitions:		
Year	*Dairy*	*LFA cattle and sheep*	*Cereals*
1987–88	500	11,900	800
1988–89	700	12,900	1,200
1989–90	1,100	11,800	1,700
1990–91	1,300	13,200	2,000
1991–92	1,400	16,800	3,000
1992–93	1,500	18,600	11,500
1993–94	3,700	22,900	28,100
1994–95[1]	4,600	23,300	34,900
1995–96	5,300	28,200	41,800
1996–97	5,500	29,100	40,900

[1] From 1994–95 subsidies were recorded in the year in which they were due. In previous years, subsidies were recorded in the year in which they were paid.

Source:
Farm Business Survey (England).

The figures in the table need to be interpreted with care because of the different mechanisms used to support agriculture and the changes in these mechanisms. For instance, subsidies paid to dairy farms reflect the direct payments in respect of other enterprises on the farm; support for milk is through market prices. Also, the MacSharry reforms of 1992 switched some support from consumers to taxpayers.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid (CJD)

Ms Roseanna Cunningham: To ask the Parliamentary Secretary, Lord Chancellor's Department how many applications to the Legal Aid Board for England and Wales seeking damages as a result of the contracting of CJD have been made in each of the last five years; how many such applications *(a)* succeeded and *(b)* were refused; and what were the reasons given in respect of those which were refused. [32672]

Mr. Hoon: The Legal Aid Board has received applications in respect of two categories of CJD cases. The difference between the two types is the alleged causation factor. The cases relate either to new variant CJD (nvCJD) allegedly arising out of BSE or the fear of contracting CJD as a result of receiving Human Growth Hormone (HGH) treatment. The table sets out the number of applications received in each action and those granted or refused.

	Applications		*Granted*		*Refused*	
	nvCJD-BSE	*CJD-HGH*	*nvCJD-BSE*	*CJD-HGH*	*nvCJD-BSE*	*CJD-HGH*
1993	0	41	0	41	0	0
1994	0	50	0	50	0	0
1995	0	38	0	38	0	0
1996	8	39	2	39	6	0
1997	8	21	8	19	0	2
1998	[1]3	4	1	3	0	1

[1] Two cases awaiting decision.

The six CJD-BSE cases refused legal aid in 1996 were refused as they failed to meet the merits test in each case.

One CJD-HGH case was refused in 1997 as the applicant was not financially eligible for legal aid, the other case was withdrawn.

The CJD-HGH case refused in 1998 was refused as the applicant was not financially eligible for legal aid.

Green Transport Co-ordinator

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32482]

Mr. Hoon: The Energy and Environment Manager of the Court Service assumed responsibility for green transport issues within my Department in November 1996. He was formally appointed as the green transport co-ordinator on 15 January 1998.

Legal Aid Board

Mr. Burnett: To ask the Parliamentary Secretary, Lord Chancellor's Department when he expects the Legal Aid Board's corporate information system to be fully operational. [32678]

Mr. Hoon: The Legal Aid Board's Corporate Information System is already operational in two of its thirteen area offices and in its central departments. Implementation is taking place on a phased basis and is planned to be completed by the end of 1998.

Car Parking

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32462]

Mr. Hoon: The Department has no final plans as yet to reduce the number of car parking spaces available for staff or to introduce charges for workplace parking. The provision of car parking does, however, form part of our draft Revised Environment Strategy and Green Transport Plan; it is our intention to carry out a full review of the provision and cost of parking spaces.

Employee Travel

Mr. Baker: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will estimate the cost of employee travel on office business, broken down into *(a)* fuel allowances, *(b)* unproductive time during travel, *(c)* other costs related to car transport and *(d)* costs related to public transport, for (i) 1994–95, (ii) 1995–96, (iii) 1996–97 and (iv) 1997–98. [32448]

Mr. Hoon: The table details expenditure on 'staff travel and subsistence' and 'official cars' for LCD Headquarters and Associated Offices, the Court Service Agency and the Public Trust Office Agency. The Department does not monitor separately expenditure incurred in the categories requested and the information could be provided only at disproportionate cost.

	[1]*1994–1995*	*1995–1996*	*1996–1997*	*1997–1998 Expenditure to date*
Public Trust Office				
Travel and subsistence	n/a	12,222	26,521	61,001
Official cars	n/a	0	0	0
Total	n/a	12,222	26,521	61,001
Court Service				
Travel and subsistence	n/a	2,796,797	2,653,742	2,494,295
Official cars	n/a	2,999,938	2,699,967	2,205,493
Total	n/a	5,796,735	5,353,709	4,699,788
LCD Headquarters				
Travel and subsistence	1,139,188	371,689	656,115	553,694
Official cars	3,847,672	54,769	62,930	91,409
Total	4,986,860	426,458	719,045	645,103

[1] PTO and Court Service assumed agency status July 1994 and April 1995 respectively, therefore figures for 1994–95 are included in LCD Headquarters.

Recovery of Costs

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the possible impact of capping successful litigants' ability to recover costs from their opponents on the ability of unions to pursue cases for their members. [31708]

Mr. Hoon: I have had several meetings with the TUC, with individual unions, with union lawyers and with Members of Parliament to discuss their concerns about this issue. My noble and learned Friend the Lord Chancellor and I will be taking all these views into consideration as we consider proposals for the future of the fast track costs regime.

PRIME MINISTER

Iraq

Mr. Dalyell: To ask the Prime Minister, pursuant to the oral answer of the Secretary of State for Defence of 17 February 1998, *Official Report*, column 987, what discussions he has had with the US authorities about the implications of their research at *(a)* Fort Detrich Maryland biological warhead facilities and *(b)* elsewhere into the likely effects of a near-miss of missiles or bombs on (i) anthrax and (ii) other chemical and biological warhead facilities. [31012]

The Prime Minister: I have had no such discussions. However, UK/US research collaboration on Chemical and Biological Defence is governed by a trilateral Memorandum of Understanding (UK/US/Canada) originally signed in 1980, and by the Technical Cooperation Programme and officials in the Ministry of Defence keep in contact with their US counterparts under the provision of these agreements.

Millennium Dome

Mr. Baker: To ask the Prime Minister how many representations he has received since 1 May in respect of the Millennium Dome, *(a)* in total and *(b)* which were (i) broadly supportive, (ii) broadly opposed and (iii) neither. [31928]

The Prime Minister *[holding answer 2 March 1998]:* I have received a number of representations expressing a wide range of opinion about the Millennium Dome.

EDUCATION AND EMPLOYMENT

Remploy

Mr. Alan Williams: To ask the Secretary of State for Education and Employment how many workers have been recruited by Remploy in the last 12 months; how many of these are in Remploy's factories; how many vacancies existed, at the latest available date, in these factories; and if recruiting is continuing as vacancies arise. [32598]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Alan Williams, dated 3 March 1998:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply direct to your questions about how many workers have been

recruited by Remploy in the last 12 months; how many of these are in Remploy's factories; how many vacancies existed, at the latest available date, in these factories; and if recruiting is continuing as vacancies arise. I am replying because the Employment Service has operational responsibility for Remploy.

On the question of recruitment, I understand from Remploy that they have recruited 1551 disabled people in the last 12 months, and that 757 of these were people placed into Remploy factories.

Turning to your question about vacancies, at the end of January—the latest date for which figures are available—there were 14 vacancies in Remploy factories.

As for vacancy filling, I am told by Remploy that, although in order to keep within their operating budgets they have temporarily suspended recruitment in some of their factory groups, they are continuing to recruit disabled workers into their Manufacturing Group.

I hope this is helpful.

New Deal (Employer Agreements)

Mr. Dorrell: To ask the Secretary of State for Education and Employment how many employers signed contractual agreements to provide places under the New Deal arrangements between 6 February and 17 February. [31869]

Mr. Andrew Smith: A total of 1,362 employers agreements were signed between 5 January and 20 February 1998. It is not possible to provide the number of sign-ups for the specific dates requested.

Access to Work

Mr. Oaten: To ask the Secretary of State for Education and Employment (1) how much Government money has been distributed to business as part of the Access to Work scheme since its inception; [32198]

(2) what methods of advertising the Access to Work scheme are currently being used; [32199]

(3) how much of the 1997–98 budget for the Access to Work scheme has been spent to date. [32201]

Mr. Alan Howarth: Responsibility for the subject of the questions has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Peter Collis to Mr. Mark Oaten, dated 27 February 1998:

The Secretary of State for Education and Employment has asked Leigh Lewis, the Chief Executive of the Employment Service, to write to you about how much money has been distributed to business as part of the Access to Work scheme since its inception, what methods of advertising the Access to Work scheme are currently being used, and how much of the 1997–98 budget for the Access to Work scheme has been spent to date. This is something which falls within the responsibilities delegated to Mr. Lewis. I am replying in his absence.

It may be helpful if I explain that information leaflets and other promotional material concerning the Access to Work scheme are freely available from Jobcentres, and Disability Employment Advisors visit employers to make them aware of the programme and other disability issues. The Employment Service also promotes Access to Work and other services through national and regional exhibitions and events aimed at employers and those seeking work, including disabled people.

Our own promotion is reinforced by a wide range of other organisations, particularly in the voluntary sector, who represent disabled people. We collaborate with them to help publicise Access to Work and our support for disabled people and employers seeking to employ people with disabilities.

Access to Work provides support to individual disabled people to help towards the extra costs in employment that result from their disability. Money is not always distributed directly to business, and often goes directly to the individual or to suppliers. Annual expenditure on Access to Work since its inception in June 1994 is as follows:

£ million

Year	*Expenditure*
1994–95	15.7
1995–96	19.9
1996–97	12.6
1997–98 (to January 1998)	11.3

I hope this is helpful.

Schools (Toilet Facilities)

Mr. Don Foster: To ask the Secretary of State for Education and Employment what is his estimate of the cost in *(a)* 1998–99, *(b)* 1999–2000, *(c)* 2000–01 and *(d)* 2001–02 of ensuring that by 2002 no maintained school has to rely on outside toilet facilities. [32315]

Mr. Byers: This information is not held centrally.

Class Sizes (Northumberland)

Mr. Peter Atkinson: To ask the Secretary of State for Education and Employment if he will list those schools in Northumberland with class sizes of over 30. [28450]

Mr. Byers: Information on class sizes for individual schools is not published centrally.

Failing Schools

Mrs. Shephard: To ask the Secretary of State for Education and Employment if he will list English local education authorities in order according to the numbers of failing schools each has, as identified by Ofsted inspectors. [29581]

Mr. Byers *[holding answer 16 February 1998]:* The position as of 12 February 1998 is given in the following table:

LEA area	*Schools*[1]
Barking and Dagenham	0
Barnet	0
Bath and NE Somerset	0
Bexley	0
Bournemouth	0
Bury	0
Corporation of London	0
Darlington	0
Derby City	0
Doncaster	0
Durham	0
Harrow	0
Hartlepool	0
Isles of Scilly	0
Kensington & Chelsea	0
NE Lincolnshire	0
North Tyneside	0
Poole	0
Redbridge	0
Redcar & Cleveland	0
Richmond upon Thames	0
Sefton	0
South Gloucestershire	0
Swindon	0

LEA area	Schools[1]
Wakefield	0
West Sussex	0
City of York	0
Bolton	1
Cheshire	1
Cornwall	1
East Riding of Yorks	1
Ealing	1
Gateshead	1
Hammersmith & Fulham	1
Kingston upon Thames	1
Knowsley	1
Merton	1
N Lincolnshire	1
Oldham	1
Portsmouth	1
Rochdale	1
Rotherham	1
Rutland	1
St. Helens	1
Trafford	1
Wigan	1
Wirral	1
Barnsley	2
Berkshire	2
Buckinghamshire	2
Dudley	2
Enfield	2
Havering	2
Hounslow	2
Isle of Wight	2
Luton	2
Middlesbrough	2
Newcastle	2
North Somerset	2
Solihull	2
Southampton	2
Stockton-on-Tees	2
Suffolk	2
Sunderland	2
Sutton	2
Tameside	2
Wiltshire	2
Brighton & Hove	3
Bromley	3
Camden	3
Dorset	3
East Sussex	3
Hillingdon	3
Kirklees	3
Leicestershire	3
Milton Keynes	3
Northumberland	3
Shropshire	3
Somerset	3
South Tyneside	3
Stockport	3
Warwickshire	3
Westminster	3
Brent	4
Calderdale	4
Cambridgeshire	4
Coventry	4
Gloucestershire	4
Hereford & Worc	4
Lincolnshire	4
North Yorkshire	4
Northamptonshire	4
Southwark	4
Tower Hamlets	4
Waltham Forest	4
Bedfordshire	5
Cumbria	5
Kingston upon Hull	5
Lewisham	5
Salford	5
Staffordshire	5
Stoke-on-Trent	5
Walsall	5
Wandsworth	5
Bradford	6
Croydon	6
Greenwich	6
Hackney	6
Haringey	6
Islington	6
Wolverhampton	6
Bristol	7
Devon	7
Hertfordshire	7
Leeds	7
Newham	7
Surrey	7
Derbyshire	8
Hampshire	8
Leicester City	8
Oxfordshire	8
Lambeth	9
Manchester	9
Sandwell	9
Sheffield	9
Norfolk	10
Birmingham	11
Liverpool	11
Nottinghamshire	11
Kent	18
Essex	19
Lancashire	20
Total	453

[1] The figures include grant maintained schools, independent special schools and schools which have been inspected but await the publication of the OFSTED report.

Family Credit

Mr. Lilley: To ask the Secretary of State for Education and Employment how much of the current expenditure on family credit would be reclassified as negative taxation if converted into an equivalent working families tax credit. [31389]

Dawn Primarolo *[holding answer 26 February 1998]:* I have been asked to reply.

Past and current expenditure on family credit is classified as part of General Government expenditure in the national accounts; outturn data for family credit would continue to be recorded in that way if family credit was replaced.

The treatment of any payments under a working families tax credit, if introduced, would need to be decided in the light of the details of any scheme which may be announced in the Budget.

Work Permits

Mrs. Gillan: To ask the Secretary of State for Education and Employment if he will list the Government Departments which have applied for work permits for foreign nationals to work on computer-related matters since 1 May 1997. [32350]

Mr. Alan Howarth: The Government Departments which have applied for work permits for work on computer-related matters since 1 May 1997 are the Home Office and the Department for International Development.

Mrs. Gillan: To ask the Secretary of State for Education and Employment if he will list the companies which have applied for work permits for foreign national IT staff in the last year. [32351]

Mr. Alan Howarth: A complete list of the companies which have applied for work permits for IT staff in the last year is not available from the Department's computer record and would be disproportionately costly to produce.

Mrs. Gillan: To ask the Secretary of State for Education and Employment how many requests for work permits have been received in the past 12 months for foreign nationals to work on computer-related matters. [32349]

Mr. Alan Howarth: Precise figures are not readily available. Approximately 4,800 work permit applications were received in the past 12 months in respect of work on computer-related matters.

Mrs. Gillan: To ask the Secretary of State for Education and Employment how many work permits have been issued to Indian nationals to work on computer-related matters in the last 12 months. [32348]

Mr. Alan Howarth: Precise figures are not readily available. Approximately 2,800 work permits were issued to Indian nationals for computer-related work in the last 12 months.

Mrs. Gillan: To ask the Secretary of State for Education and Employment what checks for work permits are made on IT consultancy firms who employ foreign nationals on contract in the United Kingdom. [32345]

Mr. Alan Howarth: All work permit applications are assessed against published criteria. Checks on companies' compliance with requirements for work permits is a matter for the Home Office.

Mrs. Gillan: To ask the Secretary of State for Education and Employment if he will estimate the number of IT professionals from countries whose nationals require a work permit, who are currently working in the United Kingdom without a work permit. [32344]

Mr. Alan Howarth: I am not able to make an estimate of the number of IT professionals currently working in the United Kingdom without a work permit.

Mrs. Gillan: To ask the Secretary of State for Education and Employment how many work permits have been issued to Chinese nationals to work on computer-related matters in the last 12 months. [32343]

Mr. Alan Howarth: Precise figures are not readily available. Approximately 40 work permits were issued to Chinese nationals for computer-related work in the last 12 months.

Mrs. Gillan: To ask the Secretary of State for Education and Employment how many work permits have been issued to IT professionals from countries outside the United Kingdom in the last 12 months. [32342]

Mr. Alan Howarth: Precise figures are not readily available. In the last 12 months over 3,000 work permits were issued to IT professionals.

SOCIAL SECURITY

Discretionary Social Fund

Mr. Watts: To ask the Secretary of State for Social Security what changes she plans to the Discretionary Social Fund; and if she will make a statement. [32875]

Mr. Denham: I am pleased to announce that my right hon. Friend the Secretary of State will be introducing a special Social Fund measure to provide more explicit help in the form of Community Care Grants for homeless people setting up home.

Homelessness is a major cause of poverty and social exclusion. The Government want to take all possible steps to prevent people from falling through the net.

This change will give many vulnerable people a better chance of getting permanent accommodation and leading a normal life.

That is why we are extending the rules to include specific help for people setting up home as part of a planned resettlement programme.

In addition, the Secretary of State is introducing a number of minor amendments to discretionary Social Fund directions and guidance to take effect from 6 April 1998.

Details of these changes have been placed in the Library.

Benefit Integrity Project

Mr. Burstow: To ask the Secretary of State for Social Security, pursuant to her answer of 23 February, *Official Report*, columns *124–25*, concerning disability living allowance claimants who have had their claims disallowed under the Benefit Integrity Project, if she will supply the equivalent figures for claimants who have had their disability living allowance reduced. [31885]

Mr. Denham: The administration of the Benefit Integrity Project is a matter for Peter Mathison, Chief Executive of the Benefit Agency. He will write to the hon. Member.

Letter from David Riggs to Mr. Paul Burstow, dated 2 March 1998:

The Secretary of State for Social Security has asked Peter Mathison to reply to your recent Parliamentary question asking pursuant to her answer of 24 February concerning Disability Living Allowance (DLA) claimants who have had their claims disallowed under the Benefits Integrity Project (BIP); if she will supply the equivalent figures for claimants who have had their DLA reduced. As Mr. Mathison is away from the office on leave, I am replying.

As at 31 December 1997, a total 40,615 cases have been examined as part of the BIP. Of the total cases dealt with 978 have had their benefit increased, 31,920 have been unchanged, 4,931 have had their benefit reduced and 2,786 have had their benefit stopped. The total includes 7,462 renewal cases; of which 242 had their benefit increased, 3,868 remain unchanged, 1,993 have had their benefit reduced and 1,359 have had their benefit stopped.

A brief monthly statistical report is produced and a copy of the report for December 1997 and subsequent months can be found in the House of Commons Library.

I hope you find this reply helpful.

Mr. Burstow: To ask the Secretary of State for Social Security what assessment she has made of the adequacy of the measures taken by *(a)* her Department and *(b)* the Benefits Agency to make disability living allowance claimants who are subject to the Benefit Integrity Project aware of their right to request copies of previous disability living allowance claims. [31888]

Mr. Denham: The administration of the Benefit Integrity Project is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from David Riggs to Mr. Paul Burstow, dated 2 March 1998:

The Secretary of State for Social Security has asked Peter Mathison to reply to your recent Parliamentary Question about what assessment she has made of the adequacy of the measures taken by (a) her Department and (b) the Benefits Agency (BA) to make Disability Living Allowance (DLA) claimants who are subject to the Benefits Integrity Project (BIP) aware of their right to request copies of previous DLA claims. As Mr. Mathison is away from the office on leave, I am replying.

Information about BIP has been publicised through disability organisations, the media, and by appearances in the media by Ministers.

We have made no specific assessment of the measures taken in relation to BIP. This is because it is normal practice to give customers copies of DLA claim packs used to decide their current entitlement, on request. This has always been the case and is not specific to the BIP.

I hope you find this reply helpful.

Mr. Oaten: To ask the Secretary of State for Social Security if she has personally reviewed individual Benefit Integrity Project appeal cases. [32333]

Mr. Keith Bradley: Responsibility for the administration of the Social Security appeals system rests with the Independent Tribunal Service. It would be improper for Ministers to intervene.

N. T. Lawless

Mr. Lidington: To ask the Secretary of State for Social Security when she expects to offer a date for a DLA review to N. T. Lawless (ref YR 983555A), which was requested on 3 December 1997. [31673]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits agency. He will write to the hon. Member.

Letter from David Riggs to Mr. David Lidington, dated 27 February 1998:

The Secretary of State for Social Security has asked Peter Mathison to reply to your recent Parliamentary Question regarding when she expects to offer a date for a DLA review to N. T. Lawless, which was requested on 3 December 1997. As Mr. Mathison is away from the office on leave, I am replying.

Following Mr. Lawless' request, an Adjudication Officer reviewed the claim on 16 February 1998 and Mr. Lawless was informed of the decision on 20 February.

I hope you find the reply helpful.

Parking Car

Mr. Baker: To ask the Secretary of State for Social Security what plans she has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32464]

Mr. Field: In line with the Guide to Green Transport Plans circulated last September by the Parliamentary Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), this Department will be actively considering this issue in preparing Green Transport Plans for its key buildings.

Benefits Agency Medical Service

Mr. Oaten: To ask the Secretary of State for Social Security how many companies bid for the tender to provide outsourcing of the Benefits Agency Medical Service. [32200]

Mr. Keith Bradley: Three companies bid for the provision of the medical service to the Department.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for Social Security when she appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32468]

Mr. Denham: The Guide to Green Transport Plans circulated last September by the Parliamentary Under-Secretary for the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), encouraged Departments to appoint green transport co-ordinators. This Department appointed a co-ordinator in December 1997. The appointment took effect from 1 January.

Employee Travel

Mr. Baker: To ask the Secretary of State for Social Security if she will estimate the cost of employee travel on office business, broken down into *(a)* fuel allowances, *(b)* unproductive time during travel, *(c)* other costs related to car transport and *(d)* costs related to public transport, for (i) 1994–95, (ii) 1995–96, (iii) 1996–97 and (iv) 1997–98. [32435]

Mr. Field: The information is not yet available in the format requested. Such information as is available for staff numbers between 82,000 and 93,000 in the relevant years is as follows.

Claims for travel and related expenses are made and authorised locally across the Department with only the total amount paid being recorded in the accounting system. Changes have been made to the Department's payroll systems to provide greater analysis of the individual elements of expenses payment from April 1998 onwards. No information is held centrally on the journey times involved in official travel. Figures are not yet available for 1997–98.

Departmental UK travel

£

Year	*Amount of UK travel*
1994–95	24,500,782
1995–96	24,158,110
1996–97	21,147,786

For planning and estimating purposes the Department has a statistical model based on a sampling exercise which breaks down the total expenses paid into travel costs (fuel, rail journeys and other public transport) and subsistence costs (hotel, meal allowances etc). The information based on this estimating model is as follows.

Departmental travel and subsistence costs

£ million

Year	*Subsistence costs*	*Travel costs*
1994–95	10.1	14.4
1995–96	10.0	14.2
1996–97	8.6	12.4

Note:

1. Figures do not sum due to rounding.

Pension Review

Mr. Jim Cunningham: To ask the Secretary of State for Social Security what measures the Secretary of State will be taking, in the course of the Government's pension review, to provide a more flexible decade of retirement for pensioners aged 55 to 65 years. [31707]

Mr. Denham: I refer my hon. Friend to the reply I gave to him on 22 December 1997, *Official Report*, column *469*.

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for Social Security if she will list those visits made within the United Kingdom since 1 May on which *(a)* she and *(b)* other Ministers within her Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23754]

Ms Harman *[holding answer 19 February 1998]:* No such visits have been made.

Lone Parents

Mr. Burns: To ask the Secretary of State for Social Security how many of the 1,015 lone parents who have gained employment through the New Deal for lone parents between July and 31 December 1997 are now in receipt of income support and have no earnings. [32040]

Mr. Keith Bradley *[holding answer 2 March 1998]:* The information requested is not available and can be obtained only at disproportionate cost.

To calculate how many lone parents who have gained employment through the New Deal for lone parents between July and 31 December 1997 are now in receipt of Income Support and have no earnings, it would be necessary to examine each individual's records on two different computer systems.

The cost of this exercise is directly related to the number of lone parent cases to be investigated. It was possible to answer the hon. Member's previous question on a similar subject on 25 February 1998, *Official Report*, column *205*, because only 433 cases needed to be examined. The investigation of over a thousand cases could be undertaken only at disproportionate cost.

The Government will conduct a full independent evaluation of the New Deal for Lone Parents, which will measure the impact of the New Deal for Lone Parents in the eight prototype areas with the outcomes for lone parents in six similar but geographically separate control areas, where the New Deal for Lone Parents is not available.

Buildings Refurbishment

Mr. Malcolm Bruce: To ask the Secretary of State for Social Security what is her estimate of the cost of buildings refurbishment carried out by her Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if she will make a statement. [26623]

Mr. Denham *[holding answer 5 February 1998]:* The information is not available in the format requested. Such information as is available is as follows.

It is estimated that this Department spent a total of £50.677 million refurbishing its buildings in 1995–96 and £29.236 million in 1996–97. Up to 31 December 1997 the Department had spent a total of £8.888 million on building refurbishment and estimates show that a total of £16.213 million will be spent during the whole of the current financial year.

Notes:

1. The information relates to refurbishment works costing more than £5,000.

WALES

Beef Ban

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will list those public bodies in Wales which currently operate a ban on British beef. [30951]

Mr. Win Griffiths: The information requested is not held centrally.

Council Tax

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales by how much council tax rates rose in 1997–98; and what estimate he has made of the amount by which they will rise in 1998–99, by unitary authority. [31360]

Mr. Win Griffiths: The information requested is given in the table.

Increases in average band D council tax in 1997–98 and 1998–99

Unitary authority	*Increase between 1996–97 and 1997–98 payable council tax*[1]		*Increase between 1997–98 and 1998–99 council tax*[2]	
	£	%	£	%
Isle of Anglesey	7	2	52	13
Gwynedd	35	7	70	14
Conwy	1	0	53	14
Denbighshire	69	15	67	13
Flintshire	10	2	51	11
Wrexham	31	6	52	11
Powys	−8	−2	70	17
Ceredigion	52	10	70	13
Pembrokeshire	15	4	53	12
Carmarthenshire	4	1	54	10
Swansea	23	5	70	15
Neath Port Talbot	78	14	70	12
Bridgend	39	8	60	11
The Vale of Glamorgan	8	2	50	12
Rhondda Cynon Taff	65	13	70	13
Merthyr Tydfil	74	15	70	12
Caerphilly	53	11	62	12
Blaenau Gwent	64	15	70	14
Torfaen	45	10	47	10
Monmouthshire	−6	−1	48	12
Newport	22	6	52	13
Cardiff	61	14	60	12
Wales	33	7	60	12

[1] Payable council taxes for 1996–97 and 1997–98 including amounts collected for community councils and discretionary non-domestic rate relief and derived from local authority returns.

[2] The estimated council tax figures for 1998–99 are those that would be set if each local authority set its budget at the maximum allowable under capping, but exclude council tax raised for community councils and discretionary non-domestic rate relief as these lie outside the capping regime.

Welsh Language

Mr. Öpik: To ask the Secretary of State for Wales what percentage of his Department's expenditure is spent on the teaching and promotion of the Welsh language; and if he will make a statement. [31542]

Mr. Ron Davies: In 1996–97, the latest outturn year available, some 0.2% of the expenditure within my right hon. Friend's responsibility was spent on teaching and promotion of the Welsh language. Local authorities also fund Welsh medium education; the funding comes from the unhypothecated annual local government revenue settlement, and it is for individual authorities to decide how much they spend.

Abortion

Mr. Wigley: To ask the Secretary of State for Wales how many residents of Wales who met the requirements for an abortion as specified by the Abortion Act 1967 were unable to obtain an abortion paid for by the NHS in *(a)* 1996 and *(b)* 1997. [31345]

Mr. Win Griffiths: The information requested is not collected centrally or at a local level.

Hospital Appointments

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales how many patients who failed to turn up for appointments with consultants at (i) Ysbyty Gwynedd, (ii) Ysbyty Glan Clwyd and (iii) Ysbyty Maelor in each of the last three years for which figures are available. [31741]

Mr. Win Griffiths: The information is given in the table.

Patients not attending out-patient appointments

	1994–95		1995–96		1996–97	
	Number	*Per cent.*[1]	*Number*	*Per cent.*[1]	*Number*	*Per cent.*[1]
Total out-patient appointments:						
Ysbyty Gwynedd	15,907	12.0	13,012	10.2	17,352	12.8
Ysbyty Glan Clwyd	12,530	9.9	13,576	9.7	13,464	9.9
Ysbyty Maelor	18,576	10.3	18,942	10.4	19,062	10.8

[1] Per cent. of all appointments.
Source:
Hospital Bed Use Statistics, Volume 2: Out-patients.

Merchant Designs Manufacturing

Mr. Öpik: To ask the Secretary of State for Wales (1) what plans he has to recover the money paid by Powys TEC to Merchant Designs Manufacturing for employee training; and from whom; [31893]

(2) what communication he has had from the receiver concerning the money given to Merchant Designs Manufacturing for employee training by Powys TEC; and if he will make a statement. [31892]

Mr. Hain: No correspondence has been received from the Official Receiver about funding given to Merchant Designs Manufacturing by Powys TEC. The TEC has been told that any funding received from the Welsh Office which was not used for training will be repayable to the Department. Recovery of its funding from the company is a matter for the TEC.

Mr. Öpik: To ask the Secretary of State for Wales what plans he has in respect of redundancy payments for the former employees of Merchant Designs Manufacturing in Machynlleth; and if he will make a statement. [31896]

Mr. Ian McCartney: I have been asked to reply.

Merchant Designs Manufacturing was put into creditors' voluntary liquidation on 30 January 1998. Claims from fifty nine former employees for payment of statutory redundancy entitlement and salary and holiday pay arrears under the Employment Rights Act 1996 were received at Birmingham Redundancy Payments Office on 10 February. All those who were entitled have been paid. Claims for pay for unworked notice are being received and processed.

Rural Economy

Sir Raymond Powell: To ask the Secretary of State for Wales if he will make a statement on the effect on Her Majesty's Government's policy on the rural economy in Wales. [32208]

Mr. Win Griffiths: The Government's policies and programmes for creating jobs, protecting and enhancing the environment, strengthening and supporting communities, creating opportunities for education and training and supporting businesses are relevant throughout Wales.

Nevertheless, the uniqueness and special needs of the countryside mean that the rural dimension is an important consideration of any Government policy affecting these areas. My right hon. Friend is committed to fostering an integrated approach to rural policy and to sustaining growth of the rural economy.

On 13 January, my right hon. Friend told the Welsh Affairs Committee that, in addition to strong regional directorates, he envisaged the new economic development powerhouse would have a central rural affairs unit. This, in partnership with the National Assembly for Wales and others, would be well placed to meet the needs and secure the future prosperity of rural communities.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for Wales when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32483]

Mr. Hain: A Green Housekeeping co-ordinator was appointed by the Welsh Office in 1992. Green Housekeeping covers a wide range of environmental action, including policies and initiatives aimed at reducing vehicle emissions.

Employee Travel

Mr. Baker: To ask the Secretary of State for Wales if he will estimate the cost of employee travel on office business, broken down into *(a)* fuel allowances, *(b)* unproductive time during travel, *(c)* other costs related to car transport and *(d)* costs related to public transport, for (i) 1994–95, (ii) 1995–96, (iii) 1996–97 and (iv) 1997–98. [32449]

Mr. Ron Davies: Records of costs are not held separately in the form requested.

Parking Car

Mr. Baker: To ask the Secretary of State for Wales what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32463]

Mr. Hain: *(a)* None; *(b)* None.

Air Quality

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will list those areas, by unitary authority, where air quality breached the limits set by his Department during 1997. [31742]

Mr. Win Griffiths: Information is not available in the form requested. A summary of air quality information recorded at national automatic monitoring sites in Wales, during 1997, is presented in the table in the form of the national air quality descriptors—'low' pollution, 'moderate' pollution, 'high' pollution, 'very high' pollution. The breakpoint between 'low' pollution and 'moderate' pollution corresponds to the national air quality standards set out in the National Air Quality Strategy.

Site	*Unitary authority*	*Days 'low'*	*Days 'moderate'*	*Days 'high'*	*Days 'very high'*	*Data capture (%)*
Ozone						
Aston Hill	Powys	340	28	0	0	93
Narberth	Pembrokeshire	294	28	0	0	76
Cardiff Centre	Cardiff	359	12	0	0	97
Swansea Centre	Swansea	361	13	0	0	97
Port Talbot	Neath Port Talbot	340	19	0	0	90
Nitrogen Dioxide						
Narberth	Pembrokeshire	286	0	0	0	74
Cardiff Centre	Cardiff	357	0	0	0	96
Swansea Centre	Swansea	358	0	0	0	96
Port Talbot	Neath Port Talbot	320	0	0	0	85
Carbon Monoxide						
Cardiff Centre	Cardiff	348	0	0	0	94
Swansea Centre	Swansea	358	0	0	0	96
Sulphur Dioxide						
Narberth	Pembrokeshire	297	0	0	0	78
Cardiff Centre	Cardiff	332	0	0	0	89
Swansea Centre	Swansea	361	0	0	0	96
Port Talbot	Neath Port Talbot	332	8	0	0	87
Particulate matter (PM_{10})						
Narberth	Pembrokeshire	286	0	0	0	76
Cardiff Centre	Cardiff	352	19	0	0	96
Swansea Centre	Swansea	357	9	0	0	98
Port Talbot	Neath Port Talbot	326	48	6	0	88

Out-of-town Developments

Mr. Brake: To ask the Secretary of State for Wales what is the number and surface area of out-of-town shopping centres and leisure centres that have been built on Green Belt land in each of the last 12 years by *(a)* county and *(b)* region in Wales. [32321]

Mr. Win Griffiths: None. There are currently no Green Belts in Wales.

Mr. Brake: To ask the Secretary of State for Wales (1) what is the number and surface area of out-of-town shopping centres and leisure centres that have been built on green-field land, excluding Green Belt, in each of the last 12 years by *(a)* county and *(b)* region in Wales; [32320]

(2) what is the number and surface area of out-of-town shopping centres and leisure centres that have been built on recycled land in each of the last 12 years by *(a)* county and *(b)* region in Wales. [32322]

Mr. Win Griffiths: The information requested is not held centrally.

Designated Land (Development)

Mr. Brake: To ask the Secretary of State for Wales how many *(a)* sites of special scientific interest, *(b)* areas of outstanding natural beauty, *(c)* national parks and *(d)* hectares were affected by road building, housing or retail developments; and how many miles of roads were built on *(a)* to (c) in each of the last 12 years by (i) county and (ii) region. [32331]

Mr. Win Griffiths: The information requested is not held centrally. Information on damage to sites of special scientific interest (SSSIs) is published, but does not specifically cite damage by road building or housing and retain development. This information is published in "Digest of Environmental Statistics No. 19 1997", table 8.18. A copy of this is available in the Library of the House.

Empty Properties

Mr. Brake: To ask the Secretary of State for Wales if he will make a statement on trends in the number of empty *(a)* local authority homes, *(b)* private homes, *(c)* Government properties containing residential accommodation and *(d)* flats above shops in each of the last 12 years. [32332]

Mr. Win Griffiths: The number of vacant dwellings owned by local authorities in each of the last 12 years is shown in the table, along with the other available information from 1994. The number of unoccupied homes owned privately is not collected centrally. Unoccupied

homes owned by Government Departments other than the Welsh Office are not disaggregated for Wales. Statistics are not collected centrally on empty flats above shops.

Vacant dwellings[2]

	Local Authority	*Welsh Office*	*National Health Service in Wales*
1986	2,928	[1]—	[1]—
1987	3,329	[1]—	[1]—
1988	3,189	[1]—	[1]—
1989	2,952	[1]—	[1]—
1990	3,023	[1]—	[1]—
1991	2,430	[1]—	[1]—
1992	2,034	[1]—	[1]—
1993	2,028	[1]—	[1]—
1994	2,339	23	20
1995	2,774	40	22
1996[3]	3,489	38	12
1997[3]	4,722	33	[1]—

[1] Not available.
[2] At 1 April.
[3] Local authority vacant dwellings at 31 March.

Planning Applications

Mr. Brake: To ask the Secretary of State for Wales if he will amend planning guidelines to allow local authorities greater scope to turn down planning applications on the grounds of poor quality or design. [32338]

Mr. Win Griffiths: No. Existing guidance, as contained in Planning Guidance (Wales): Planning Policy (May 1996) and Technical Advice Note (Wales) 12 'Design' (October 1997), makes it clear that applicants for planning permission should demonstrate how they have taken account of the need for good design in their proposals, and that local planning authorities should reject obviously poor designs.

Social Housing

Mr. Brake: To ask the Secretary of State for Wales if he will reduce the number of units or hectares in a housing development above which local authorities can require an element of social housing to be provided in the development. [32339]

Mr. Win Griffiths: Guidance in Wales does not advise local authorities on thresholds for this purpose.

Millennium Compliance

Mr. Evans: To ask the Secretary of State for Wales if the pilot study of computer millennium compliance in respect of the Welsh Development Agency has been completed; what conclusions have been drawn; when millennium compliance will be achieved; at what cost to public funds; and if he will make a statement. [32769]

Mr. Ron Davies: The Welsh Development Agency is in the process of conducting an in-house millennium compliance assessment of all its computer hardware and software and I will arrange for the Chief Executive of the Agency to write to the hon. Member on the questions he has raised. A copy of his letter will be placed in the Library of the House.

Mr. Evans: To ask the Secretary of State for Wales when all testing on year 2000 computer compliance will be completed in the Welsh Office. [32762]

Mr. Ron Davies: The Central IT Unit at the Cabinet Office and its agent, the Central Computer and Telecommunications Agency, set a model timetable for Departments to follow. The Welsh Office has followed this timetable and aims to complete its testing by the end of December 1998.

Mr. Evans: To ask the Secretary of State for Wales (1) if the pilot study of computer millennium compliance in respect of the Welsh Office has been completed; what conclusions have been drawn; when millennium compliance will be achieved; at what cost to public funds; and if he will make a statement; [32766]

(2) when he last met Treasury Ministers to discuss the costs of computer millennium compliance; and from which budgetary sub-head the costs will be met; [32764]

(3) what estimate he has made of the cost to the Welsh Office of *(a)* consultants and *(b)* contractors engaged by his Department to address the issue of computer millennium compliance; and if he will list them. [32765]

Mr. Ron Davies: My right hon. Friend the Chancellor of the Duchy of Lancaster has today presented to Parliament his first quarterly review of progress on tackling the millennium computer problem across central Government. Copies of the questionnaires completed by departments and agencies on progress towards millennium compliance, have been placed in the Library.

Mr. Evans: To ask the Secretary of State for Wales how many officials or other individuals in the Welsh Office working on computer millennium compliance have *(a)* given notice of their intention to leave or *(b)* left this Department in the last six months. [32761]

Mr. Ron Davies: No officials or other individuals in my Department working on this project have either given notice of their intention to leave or left in the last six months.

Mr. Evans: To ask the Secretary of State for Wales if the pilot study of computer millennium compliance in respect of the Development Board for Rural Wales has been completed; what conclusions have been drawn; when millennium compliance will be achieved; at what cost to public funds; and if he will make a statement. [32771]

Mr. Ron Davies: The Development Board reviewed the millennium compliance of its IT and telecoms systems during 1996–97. Although the result was that some systems were not compliant at that time, the Board concluded that its normal programme of upgrading and replacement would achieve full compliance by 2000.

It is expected that compliance will be achieved at minimal additional cost to public funds since programmed upgrades and replacements have specified year 2000 compliant products.

The process of merger into the economic powerhouse has halted DBRW investment in its IT systems, except in those areas which have been agreed to be a requirement of the new WDA. Millennium compliance for the new body will be a matter for the merger implementation team to consider.

Mr. Evans: To ask the Secretary of State for Wales how many officials or other individuals in the Welsh Office are currently working on computer millennium compliance. [32760]

Mr. Ron Davies: An assessment of the effect of the millennium date change has been undertaken and around 25 staff are spending some time working on the various systems throughout the Department. A central unit is co-ordinating this work.

Mr. Evans: To ask the Secretary of State for Wales when he last met the Chancellor of the Duchy of Lancaster to discuss the progress of the Welsh Office towards achieving computer millennium compliance. [32763]

Mr. Ron Davies: The Under-Secretary, my hon. Friend the Member for Neath (Mr. Hain), attended the two meetings of the Cabinet Ministerial Group on the millennium date change, at which my right hon. Friend the Chancellor of the Duchy of Lancaster was present, at the end of January 1998.

Mr. Jenkin: To ask the Secretary of State for Wales what contingency plans he will establish in case of failure on 1 January 2000 of computer systems in the Welsh Office. [32773]

Mr. Ron Davies: My right hon. Friend the Chancellor of the Duchy of Lancaster has today presented to Parliament his first quarterly review of progress on tackling the millennium computer problem across central Government. Copies of the questionnaires completed by departments and agencies on progress towards millennium compliance have been placed in the Library of the House.

Mr. Jenkin: To ask the Secretary of State for Wales if the pilot study of computer millennium compliance in respect of the Land Authority for Wales has been completed; what conclusions have been drawn; when millennium compliance will be achieved; at what cost to public funds; and if he will make a statement. [32772]

Mr. Ron Davies: The Land Authority for Wales has consulted its internal auditors and the National Audit Office and, with their agreement, is in the process of conducting an in-house millennium compliance assessment of all its computer hardware and software. No problems have yet been detected.

Computer Systems

Mr. Evans: To ask the Secretary of State for Wales if he will list the main computer systems in the Welsh Office and its agencies. [32759]

Mr. Ron Davies: Basic Office automation systems, Finance and Statistics, Grants and Subsidies are the main computer systems in my Department.

DUCHY OF LANCASTER

Millennium Compliance

Mr. Dennis Turner: To ask the Chancellor of the Duchy of Lancaster what results he obtained from his first quarterly review of progress on tackling the millennium computer problem within central government. [32993]

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster what plans he has to inform the House about progress of government departments on millennium compliance. [32360]

Dr. David Clark: In my statement to the House on 27 November 1997, *Official Report*, columns 1104-16, I announced that I would review progress on tackling the millennium computer problem within central Government on a quarterly basis. To this end, monitoring questionnaires were sent to all departments and agencies last month. I am arranging for all the completed questionnaires and a summary to be placed in the Libraries of the House and published on the internet.

The progress reports indicate that many organisations have reached the testing stage, and in some cases completed work, for significant systems. On skills and resources, programmes continue generally to be assessed as adequately resource. The returns also indicate an increased awareness of the need for contingency planning.

Departments and agencies report that they have sought and in most cases received assurance of compliance from IT product suppliers. We will continue to monitor this closely. More needs to be done to obtain similar assurances from non-IT suppliers, and I have written to Ministerial colleagues to ask them to make sure that this is done, and that projects fully cover non-IT aspects of the problem, such as embedded systems and external dependencies.

As expected, there are a number of variations from the original cost and completion date estimates, and these are documented in the returns. The total cost estimate in the plans is now £393 million, compared with £370 million on the last round. Further variations are to be expected as this work is carried forward. I will continue to monitor these closely and to pursue any points of concern with colleagues.

I will keep the House fully informed in due course, following the next quarterly review.

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster (1) which departments have reported problems with obtaining responses from suppliers over remedying the millennium computer problem; [32357]

(2) if he will make it his policy to supply a detailed breakdown of all costs for each department for achieving millennium compliance; [32361]

(3) what estimate he has made of the numbers of departments that have begun code renovation work for millennium compliance. [32358]

Dr. David Clark: I refer the hon. Member to the reply I gave my hon. Friend the Member for Wolverhampton, South-East (Mr. Turner) today and the quarterly progress reports I placed in the Libraries of the House.

Mrs. Gillan: To ask the Chancellor of the Duchy of Lancaster when he last met *(a)* Treasury Ministers and *(b)* the Prime Minister to discuss the costs of millennium compliance across Government. [32359]

Dr. David Clark: I am in regular contact with the Prime Minister and other Ministerial colleagues on this issue.

Green Transport Co-ordinator

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32474]

Dr. David Clark: The Guide to Green Transport Plans circulated last September by the Parliamentary Under-Secretary of State, Department of the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), encouraged Departments to appoint green transport co-ordinators. My Department is actively considering this issue.

Car Parking

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32456]

Dr. David Clark: In line with the Guide to Green Transport Plans circulated last September by the Parliamentary Under-Secretary of State, Department of the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), my Department will be actively considering this issue in preparing Green Transport Plans for its key buildings.

Age Profiles

Mr. Barnes: To ask the Chancellor of the Duchy of Lancaster what statistics he collates on the age profile of those employed in the Civil Service and Government agencies. [32120]

Dr. David Clark: Almost all departments and agencies provide my department with information on the date of birth of each of their permanent staff. Regular analyses of this information are published in "Civil Service Statistics". A copy of the 1997 edition is in the libraries of the House. These analyses include the age profiles of all staff, of entrants and of staff who have resigned (figure 11, tables 8 and 9 respectively). A further source, also in the libraries, is the "Civil Service Data Summary 1996".

Open Government

Mr. Jim Cunningham: To ask the Chancellor of the Duchy of Lancaster what plans he has to replace the Open Government Code of Practice with a more legally enforceable system. [31712]

Dr. David Clark: The White Paper "Your Right to Know" (Cm 3818) published on 11 December 1997 sets out the Government's proposals for a wide ranging Freedom of Information Act. The Act will provide people with a legally enforceable right to official information and will replace the present non-statutory "Code of Practice on Access to Government Information".

Written Answers to Questions

Wednesday 4 March 1998

DEFENCE

Official Cars

Mr. Bercow: To ask the Secretary of State for Defence how many official cars are available for use by Ministers in his Department; and how many new cars have been acquired for the use of Ministers in his Department since 1 May. [25171]

Mr. George Robertson *[holding answer 23 January 1998]:* Four official cars are available for use by Ministry of Defence Ministers and no new cars have been acquired for this purpose since 1 May 1997.

Surveys

Mr. Forth: To ask the Secretary of State for Defence if he will list each information, promotional, marketing and opinion survey contract, with its value, concluded by his Department and its agencies for the years *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–2001 and *(e)* 2001–2002. [32013]

Mr. Spellar: This information is not held centrally and could be provided only at disproportionate cost.

Royal Dragoon Guards

Mrs. Ann Cryer: To ask the Secretary of State for Defence what guidance on the prevention of hearing damage has been issued to the 4/7 Royal Dragoon Guards since 1979. [32588]

Mr. Spellar: The 4th/7th Royal Dragoon Guards no longer exists, having amalgamated with the 5th Royal Inniskilling Dragoon Guards in 1992 to form the Royal Dragoon Guards (RDG). Since their formation the RDG have complied with MOD policy on occupational noise as laid down in Joint Service Publication 375 (the MOD Health and Safety Handbook) Volume 3, Chapter 13, a copy of which is being placed in the Library of the House. We have no record of guidance which might have been issued separately to the 4/7 RDG before 1992 as documents which pre-date the amalgamation were not retained.

Army (Northern Ireland)

Mr. McNamara: To ask the Secretary of State for Defence what has been the cost of maintaining the Army presence in Northern Ireland in each year since 1995; and what is the projected figure for 1998. [32777]

Dr. Reid: The overall budgets held by the General Officer Commanding (Northern Ireland) for 1995–96 to 1997–98 are as follows:

£ million

Financial year	*General Officer Commanding (Northern Ireland)'s budget final outturn*
1995–96	475
1996–97	[1]514
1997–98	[2]508

[1] This figure represents the estimated outturn given in Vote 1, section B of the 1997–98 Class I Supply Estimates (HC 335).
[2] This figure represents the provision made in Vote 1, section B of the 1997–98 Class I Supply Estimates (HC 335).

The 1998–99 Estimate for the General Officer Commanding (Northern Ireland)'s budget has yet to be finally approved but will be published in the Supply Estimates next month.

Deep Waste Repository

Mr. Gardiner: To ask the Secretary of State for Defence if he will make a statement on the impact of the delay to the Deep Waste Repository on the afloat storage of decommissioned nuclear submarines. [33272]

Mr. George Robertson: Afloat storage is not time limited and is safe. However, space at Devonport Naval Base and at Rosyth Royal Dockyard is finite and is expected to reach its capacity some years before any Deep Waste Repository may become available. As a result, my Department is now investigating other options, including interim land storage and other sites for storage afloat. Safety to the public and to the environment will be of paramount importance when considering the way forward.

HOME DEPARTMENT

Correspondence

Mrs. Ewing: To ask the Secretary of State for the Home Department what is his policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28055]

Mr. Straw *[holding answer 10 February 1998]:* A reply, where one is needed, is given to letters received in these as in other languages. The overwhelming majority of letters received a reply in English but replies to letters received in Welsh are given in Welsh. If the hon. Member has information that this policy has given rise to any difficulty I would be glad to have it and to look at the matter.

Social Workers (London Prisons)

Mr. Cox: To ask the Secretary of State for the Home Department how many social workers are employed in each of the London prisons. [30571]

Ms Quin: None. However, probation officers employed by the London prisons will normally hold social work qualifications. A total of seven senior probation officers and 41.5 probation officers are currently employed in the seven London prisons.

Young Offenders

Dr. Cable: To ask the Secretary of State for the Home Department (1) what assessment he has made of the effect on 15 and 16-year-old offenders of sharing a secure young offender unit with offenders in the age group 17 to 21 years; [31279]

(2) if he will reduce the age range of the intake at Feltham Young Offender Unit. [31262]

Ms Quin: No final assessment has been made of the effect on 15 and 16-year old offenders of sharing a secure young offender unit with offenders in the age group 17 to 21 years. However, the Government take the view, which has also been taken in Court Judgments and by Her Majesty's Chief Inspector of Prisons, that separation of juveniles is desirable. The Government are also reviewing the juvenile secure estate as part of the Comprehensive Spending Review.

Feltham is used exclusively for young offenders and is the only establishment which covers London. There are currently no plans to reduce the age range of its intake, but the Prison Service is reviewing provision for 15 to 17-year-olds.

Proportional Representation

Mr. Clappison: To ask the Secretary of State for the Home Department what assessment he has made of the paper of 17 December 1997 written by Professor Ian McLean of Oxford University on the effect of different proportional representation formulae on the allocation of seats to parties in the European elections with particular reference to his conclusions on the use of the d'Hondt and Saint-Lague divisions. [30826]

Mr. George Howarth *[holding answer 23 February 1998]:* Professor McLean's paper has been read with interest. The Government remain of the view that the d'Hondt divisor is the most suitable one to use for European Parliamentary elections, a view which was endorsed in a division on 26 February when the Committee of the whole House considered the European Parliamentary Elections Bill.

Firearms

Mr. Beith: To ask the Secretary of State for the Home Department how many illegally held firearms, by category, have been handed in to the police in each of the last five years; if he will indicate how many were handed in as part of a firearms amnesty; and if he will make a statement. [31955]

Mr. Michael: Information on the number of illegal firearms handed in to the police in general is not held centrally.

During the national firearms amnesty held in June 1996, the number of items surrendered was 22,823, consisting of 4,442 handguns, 1,859 rifles, 8,649 smooth bore guns, 5,361 air weapons and including 1,937 imitation firearms and 575 other.

At the request of the local community and the police, my right hon. Friend endorsed a recent local amnesty held in November in the London Borough of Lambeth. A total of 24 firearms were surrendered, consisting of 16 handguns, four shot guns, two rifles and two air weapons. Additionally, four imitation firearms and a canister of pepper spray were handed in.

We will continue to endorse similar initiatives which have the same excellent level of community and public support.

Driving Offences

Mr. Healey: To ask the Secretary of State for the Home Department how many people the police have successfully prosecuted each year since 1990 for the offences of *(a)* dangerous driving, *(b)* careless driving and *(c)* failing to exercise proper control of a vehicle; and what percentage of these were using a mobile phone while driving. [31951]

Mr. Michael: Information on the number of convictions for dangerous driving and careless driving are published annually in Statistical Bulletin 'Motoring Offences, England and Wales' (table 11), a copy of which is in the Library. Careless driving includes offences of failing to exercise proper control of a vehicle, but are not separately identifiable.

The proportion of offences involving the use of a mobile phone while driving is not available, as the detailed circumstances are not collected centrally.

Asylum Seekers

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many persons resident in Pakistan whose asylum applications were determined in each of the last three years had to wait more than *(a)* five years, *(b)* six years, *(c)* seven years, *(d)* eight years, *(e)* nine years and *(f)* 10 years for them to be finally determined. [32219]

Mr. Mike O'Brien: The available information is given in the table and relates to the time taken to reach an initial decision on those asylum applications lodged in the United Kingdom by nationals of Pakistan.

Number of initial decisions made in 1995, 1996 and 1997 on asylum applications lodged in the United Kingdom for nationals of Pakistan, by time taken to reach an initial decision[1]

Percentage[1]

Time between application and initial decision	*Year of initial decision*		
	1995	*1996*	*1997*
5 years or less	98	98	87
Between 5–6 years	1	1	7
Between 6–7 years	—	—	6
Between 7–8 years	—	—	1
Between 8–9 years	—	—	—
Between 9–10 years	—	—	—
10 years or more	—	—	—
Total	1,680(100%)	2,640(100%)	2,925(100%)

[1] Estimated proportions rounded to the nearest one per cent. Due to rounding individual columns may not total 100 per cent.

Prison Service

Mr. Beith: To ask the Secretary of State for the Home Department how much was spent by the Prison Service on (i) fuel and (ii) food in each of the last five years. [32406]

Ms Quin: The available information is as follows:

Expenditure on all forms of fuel, namely electricity, gas, solid fuels and liquid fuels:

	£000
1992–93	29,304
1993–94	30,535
1994–95	27,683
1995–96	26,721
1996–97	26,449

Expenditure on inmates' food

	£000
1992–93	13,002
1993–94	16,321
1994–95	17,865
1995–96	19,520
1996–97	21,410

Europol

Mr. Denzil Davies: To ask the Secretary of State for the Home Department (1) if legal aid and a reimbursement of travel costs will be available to appellants to the Appeal Committee of the Joint Supervisory Body of Europol; [32403]

(2) where the proposed Joint Supervisory Body of Europol and its Appeal Committee are to be located. [32402]

Mr. Michael: These matters have not yet been decided. Both the location of the Joint Supervisory Body of Europol, and any arrangements for the provision of assistance and the reimbursement of costs to applicants to its Appeals Committee will be settled in the context of its Rules of Procedure, which are still under discussion.

Violence (Women)

Mr. Flynn: To ask the Secretary of State for the Home Department when he expects to bring forward proposals for tackling crimes of violence against women. [31786]

Mr. Michael *[holding answer 2 March 1998]:* We are closely monitoring the working of the criminal justice system in relation to crimes of violence. One example of a recent initiative is the adoption by the police and other agencies of new procedures for handling cases of domestic violence. Ministers across Whitehall are co-operating in efforts to co-ordinate work to provide help and information to the victims of domestic violence.

My right hon. Friend the Secretary of State for Social Security and Minister for Women announced in the House on 27 February 1998 the drawing up of a National Strategy to tackle all forms of violence against women.

Emergency Planning

Mr. Robert Jackson: To ask the Secretary of State for the Home Department what advice has been received by Ministers on the future role and funding of emergency planning on the basis of the recent consultation exercise; and for what reasons Home Office officials have declined to provide this advice to interested organisations. [32430]

Mr. George Howarth: A working document entitled "The future role and funding of local civil protection in England and Wales" was issued in November 1997 for discussion in the context of the Government's Comprehensive Spending Review (CSR). The CSR is reviewing all aspects of public expenditure, with a view to ensuring that taxpayers' money is being spent effectively in order to fulfil the Government's manifesto commitments.

It is not current practice to publish the advice given by officials to Ministers.

Mr. Robert Jackson: To ask the Secretary of State for the Home Department if he will publish the statistics of the replies to the survey questionnaire on emergency planning by categories of council. [32431]

Mr. George Howarth: A working document entitled "The future role and funding of local civil protection in England and Wales" was issued in November 1997 for discussion in the context of the Government's Comprehensive Spending Review (CSR). The CSR is reviewing all aspects of public expenditure, with a view to ensuring that taxpayers' money is being spent effectively in order to fulfil the Government's manifesto commitments.

The document was sent to all the major stakeholders, including local authority Chief Executives, local authority Emergency Planning Departments, the Local Government Association, the Emergency Planning Society, the emergency services and voluntary organisations. Recipients of the working document were not asked to identify themselves when returning the questionnaire and it is therefore not possible to publish the statistics of the replies by categories of council.

Mr. Robert Jackson: To ask the Secretary of State for the Home Department what consultation process on emergency planning took place at the Home Office Emergency Planning College in Easingwold, near York, on 15 and 16 January 1998; and what was the agreed basis for a review of the future of emergency planning. [32429]

Mr. George Howarth: As part of the Comprehensive Spending Review across central government, the Fire and Emergency Planning Directorate of the Home Office have issued a number of Working Documents for consultation. One of these is on the future role and funding of local civil protection in England and Wales. The Workshop which took place at the Emergency Planning College on 15 and 16 January was part of this consultation process. All the major stakeholders, including the Local Government Association, the Emergency Planning Society, the emergency services and the voluntary organisations were invited to send representatives.

Private Prisons

Mr. Sutcliffe: To ask the Secretary of State for the Home Department if he will list the *(a)* number, *(b)* place and *(c)* age and status of each victim of self-inflicted deaths in private prisons in the last five years. [32195]

Ms Quin *[holding answer 2 March 1998]:* The information requested is as follows:

Prison	
Blakenhurst	
1995	1 sentenced prisoner aged 37
1996	1 sentenced prisoner aged 40
	1 unsentenced prisoner aged 26
Buckley Hall	
1996	1 sentenced prisoner aged 29
Doncaster	
1994	2 sentenced prisoners aged 20 and 31
1995	2 unsentenced prisoners aged 20 and 16
1996	1 unsentenced prisoner aged 18
Parc	
1997	1 unsentenced prisoner aged 29
The Wolds	
1993	1 unsentenced prisoner aged 30
1995	1 unsentenced prisoner aged 32
1996	1 sentenced prisoner aged 33

Family Court Welfare Service

Mr. Laurence Robertson: To ask the Secretary of State for the Home Department what assessment he has made of the workings of the Family Court Welfare Service; what plans he has to reform it; and if he will make a statement. [32047]

Ms Quin *[holding answer 3 March 1998]:* The performance of probation services, including work on family court welfare matters, is subject to independent review to ensure they provide a satisfactory service to the courts and the public by Her Majesty's Inspectorate of Probation. They recently published a report of a review of family court welfare work. This found that judges and magistrates praised and valued the work of court welfare officers.

As part of the Comprehensive Spending Review, the full range of services provided to the courts on child welfare matters within family law, including that provided by the Probation Service, is under consideration.

I refer the hon. Member to the reply my right hon. Friend gave my hon. Friend the Member for Broxtowe (Dr. Palmer) on 16 February 1998, *Official Report*, column *465*, which announced that further work was to be pursued on the provision of the range of services currently provided to the courts on child welfare matters within family law by the Probation Service, Guardian ad litem and Reporting Officer Service and the Official Solicitor's Department and which set out the detailed terms of reference for that work.

Employee Travel

Mr. Baker: To ask the Secretary of State for the Home Department if he will estimate the cost of employee travel on office business, broken down into *(a)* fuel allowances, *(b)* unproductive time during travel, *(c)* other costs related to car transport and *(d)* costs related to public transport, for (i) 1994–95, (ii) 1995–96, (iii) 1996–97 and (iv) 1997–98. [32441]

Mr. Mike O'Brien *[holding answer 3 March 1998]:* For the core Home Office (excluding the Agencies and Non-Departmental Public Bodies) the estimates are:

(a) No fuel allowances are paid.

(b) Not available, neither productive nor unproductive time during travel is measured centrally and no reliable estimate can be made.

(c) Motor mileage allowance is paid to officials when they use their own private motor vehicles for journeys recognised by the Department as appropriate for official travel by private motor vehicle. For the years in question, the amounts paid are:

Year	£
1994–95	Disproportionate cost
1995–96	1,196,690
1996–97	1,090,207
1997–98 (year to date)	777,270

(d) Public transport costs for the years in question are:

£

Year	*Overseas*	*Inland*	*Total*
1994–95	638,544	Disproportionate cost	638,544
1995–96	993,768	260,448	1,254.216
1996–97	1,096,901	343,495	1,440,396
1997–98[1]	941,404	257,333	1,198,737

[1] Year to date.

Prison and Probation Service Review

Mr. Beith: To ask the Secretary of State for the Home Department how many meetings *(a)* Prison Service and *(b)* Probation personnel have had which involved consultation on the options for the Prison-Probation review; and if he will make a statement. [32485]

Ms Quin *[holding answer 3 March 1998]:* The Review is being led by myself, in light of my ministerial responsibility for both services, and I am in regular touch with service representatives on this and other issues. I have appointed a Project Board to steer the work of the Review. The Board includes members of both services, and the two chief inspectors. The Board has so far met seven times. Since my right hon. Friend announced the Review on 16 July 1997, a variety of meetings have been held at which management and staff from both services have been briefed on progress and given opportunities to make their views known.

Twenty-five meetings have been held with Prison Service staff, at ten of which probation staff were also present; and five with probation committee chairs and chief probation officers. In addition, consultants who are assisting the Review on costing identified options have had a number of discussions with staff from both services.

As my right hon. Friend announced in July 1997, the main public consultation with all concerned will follow my consideration of the Review's examination of options for improving on present arrangements. There is no predetermined outcome; and my right hon. Friend and I shall take the views of all concerned into full account before we decide on the best way forward.

Road Blocks

Mr. Beith: To ask the Secretary of State for the Home Department how much money was spent by the Metropolitan Police on undertaking road blocks, in the last year for which figures are available; and if he will list the occasions when road blocks were undertaken in conjunction with other agencies, other than for national security reasons. [32584]

Mr. Michael: The Metropolitan Police Commissioner tells me that there is no current requirement within the Metropolitan Police Service to keep account of the costs for road checks. The checks are a core function of the Metropolitan Police Service's work and do not incur any additional expense to the budget.

During 1 January 1997 to 31 December 1997, nine road checks were carried out. Two checks were for the purpose of ascertaining whether a vehicle was carrying a person reasonably suspected of having committed a serious arrestable offence and seven checks were where it was suspected that the vehicles carried a witness to a serious arrestable offence.

Operation Mermaid, a nationally co-ordinated road check involving most United Kingdom police forces targets the safe operation of commercial vehicles. The checks are undertaken on the same day and for the same duration by each participating police force.

The checks for 1997 were conducted on:

9 April: 0700 to 1500

10 June: 1600 to 2400

10 September: 1200 to 2000

18 November: 0700 to 1500.

Other agencies involved were:

Customs and Excise: for illegally imported goods and/or non duty paid fuel

Vehicle Inspectorate: for vehicle condition

Benefit Fraud Investigation Unit: detection of fraudulent claims to the Department of Social Security.

Additionally, an officer assists Westminster City Council for 12 hours a week with a pilot enforcement scheme under the Road Traffic (Vehicle Emission) (Fixed Penalty) Regulations 1997. The power to stop the vehicles is exercised under section 163 of the Road Traffic Act 1988.

Jason Marcus Sebastian

Mr. Tony Clarke: To ask the Secretary of State for the Home Department what action he proposes to take following the inquest into the death of Jason Marcus Sebastian; and if he will make a statement. [32699]

Ms Quin: The Prison Service has now received the coroner's comments following the inquest into the death of Jason Marcus Sebastian at Belmarsh prison on 19 September 1997. The evidence which was presented at the inquest and the comments made by the coroner are being carefully considered.

In the light of an internal Prison Service investigation, the governor of Belmarsh has already implemented a number of changes in the prison's procedures and personnel, and carried out a full review of the prison's suicide awareness policies.

These changes include: the appointment of a full-time suicide awareness co-ordinator and a new Head of Health Care, who is a senior nurse; regular care reviews of "at risk" prisoners; and more thorough assessments of all prisoners by a medical officer before they leave the health care centre. All staff working directly with prisoners are receiving refresher training in suicide awareness as a matter of urgency. The procedure for medical assessment prior to adjudications at the prison has also been improved.

FOREIGN AND COMMONWEALTH AFFAIRS

Official Entertainment

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs how many receptions have been held in his Department since he took office; how many people have attended; and what was the total cost of these events. [25178]

Mr. Robin Cook *[holding answer 23 January 1998]:* Since 1 May 1997, FCO Ministers have hosted 17 receptions attended by approximately 3,400 people at a cost of £42,786.51 (two bills are outstanding).

High Commissions (Sports Facilities)

Mr. Breed: To ask the Secretary of State for Foreign and Commonwealth Affairs what categories of persons, other than his Department's staff, are permitted to use the sports and recreation facilities provided at the British High Commissions in *(a)* Nairobi, *(b)* Dar es Salaam, *(c)* Kampala and *(d)* Harare. [32631]

Mr. Fatchett: Sport and recreational facilities at the four British High Commissions mentioned can be used by the UK-based staff of the mission (and their dependants), other Crown Servants (and their dependants) and their invited guests.

Mr. Breed: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the total weekly usage by officials and their families of the sport and recreation facilities provided at the British high commissions in *(a)* Nairobi, *(b)* Dar es Salaam, *(c)* Kampala and *(d)* Harare for the first week in (i) March, (ii) June and (iii) November 1997. [32629]

Mr. Fatchett: No records are kept of weekly usage of the sport and recreation facilities provided at the four British High Commissions mentioned. The facilities are used on a regular basis.

Mr. Breed: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the costs for the financial year 1996–97 attributable to the operation of the sports and recreation facilities provided for officials and their families at the British high commissions in *(a)* Nairobi, *(b)* Dar es Salaam, *(c)* Kampala and *(d)* Harare. [32627]

Mr. Fatchett: The information requested is not readily available and could be provided only at disproportionate cost.

European Council (Tapes)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Presidency has access on request to tapes held by the General Secretariat of the European Council. [32295]

Mr. Doug Henderson: The Secretariat's tapes are for the use of the Secretariat, who assist the Presidency of the day.

EU Information Projects (Funding)

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 3 February 1998, *Official Report*, column *597*, on funding for EU information projects, if he will estimate the amount spent in the United Kingdom in the current financial year. [32196]

Mr. Doug Henderson *[holding answer 2 March 1998]:* The Commission Representation in the UK does not compile accounts showing all EU spending on information projects in the UK. It is therefore difficult to estimate the amount spent in the current financial year, but it is probably less than 10% of the total EU budget for such projects.

EU Business

Dr. Gibson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the forthcoming business in the Council of the European Union for March and the major European Union events for the next six months. [32950]

Mr. Doug Henderson: The information requested has been placed in the Library.

Bosnia and Herzegovina

Dr. Gibson: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will support the appeal made by the International Criminal Tribunal for the former Yugoslavia for funds in support of the Prosecutor's 1998 programme of exhumations in Bosnia and Herzegovina. [32951]

Mr. Tony Lloyd: We fully support the work of the International Criminal Tribunal for the former Yugoslavia. Progress with the exhumations work is of great importance not only for the investigation and prosecution of suspected war criminals, but for the people of the region who have lost friends and relatives during the war. I am pleased to announce that the Government are making an immediate contribution of £1.22 million ($2 million) to the Tribunal's Trust Fund so that the 1998 exhumations programme can begin on schedule on 1 April.

Dr. Gibson: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will offer financial support to the United Nations' programme to develop democratic, professional police forces in Bosnia and Herzegovina as a key element in implementing the Dayton Agreement. [32952]

Mr. Tony Lloyd: We fully support the work of the United Nations in Bosnia and Herzegovina, and in particular its programme to develop a professional, effective, and democratic police force. I am pleased to announce that the Government are making an immediate contribution of up to £3 million to the UN Trust Fund for Police Restructuring, to provide equipment and training for the local police forces in both Entities, under the programme managed by the UN's International Police Task Force.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32477]

Mr. Fatchett *[holding answer 3 March 1998]:* The Guide to Green Transport Plans circulated last September by the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Mr. Jackson), encouraged Departments to appoint green transport co-ordinators. My Department is actively considering this issue.

Car Parking

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32458]

Mr. Fatchett *[holding answer 3 March 1998]:* In line with the Guide to Green Transport Plans circulated last September by the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend The Member for Hampstead and Highgate (Ms Jackson) my Department will actively be considering the issue in preparing Green Transport Plans for its key buildings.

Gas Imports

Mr. Grogan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the security of supply of Britain's gas imports over the next 25 years. [32054]

Mr. Battle: I have been asked to reply.

This issue is being addressed as part of the Review of Energy Sources for Power Generation.

TRADE AND INDUSTRY

Company Law

Mr. Caplin: To ask the President of the Board of Trade what plans she has for the reform of company law; and if she will make a statement. [33143]

Mrs. Beckett: I am today publishing a consultation paper, "Modern Company Law for a Competitive Economy". The paper sets out my plans for a major review of company law and its relationship with corporate governance codes. The review will focus on the Companies Act 1985. Insolvency and Financial Services legislation will not in general fall within its scope.

The review is an important part of the Government's strategy to modernise the nation. While much of the relevant statute has stood the test of time, the review will ensure that company law statute can continue to underpin

the growth, competitiveness and accountability of British companies into the 21 Century. It will, for example, consider whether, taking account of partnership law and the proposed Limited Liability Partnership, business has the right choice of legislative vehicles for growth. It will address the complexity of the current legislation, and ensure a structure that is clear to users; and it will seek a flexible framework of regulation which is cost effective for companies, and fair to all interests.

The review will be a considered, consultative and long-term process. A Steering Group, chaired by my Department, will manage the review process; and there will be a widely-based Consultative Committee to ensure active representation of all wider interests. Full public consultation will continue at the end of this year with the first report of a first expert working group, and will continue throughout the process.

The review will culminate in the publication of a White Paper on proposed company law reforms, towards the end of this Parliament.

Employment Agencies

Mr. Jim Cunningham: To ask the President of the Board of Trade what plans she has to require employment and labour agencies to register with her Department. [32122]

Mr. Ian McCartney: My officials are considering the regulatory structure for the recruitment industry. In due course we plan to issue a consultation document on the existing regulations governing agency conduct, and I am also ready to listen to all suggestions concerning the wider regulation of the industry, including proposals for a registration system.

Dounreay

Ms Roseanna Cunningham: To ask the President of the Board of Trade how much *(a)* public, *(b)* private and *(c)* overseas money has been spent on modifying UKAEA's D2670 plant at Dounreay Nuclear Establishment to enable the reprocessing of spent fuel from the ICI TRIGA reactor at Billingham; if she will list the countries of origin of the overseas money; and if she will make a statement. [31749]

Mr. Battle: No public money will be spent on modifying the D2670 plant to undertake this work as the contractual arrangements with ICI allow for the full recovery of UKAEA's costs. Any funds required from the private sector and their sources are a matter for ICI.

Duty Free

Mr. Cox: To ask the President of the Board of Trade what action her Department is taking to express the views of the United Kingdom within the European Union on the proposed abolition of the European Duty Free purchasing schemes in 1999. [24080]

Mrs. Beckett: European Community excise and VAT issues are discussed in the Economic and Finance Council where the United Kingdom is represented by the Chancellor of the Exchequer.

Mrs. Ewing: To ask the President of the Board of Trade what assessment she has made of the Pieda Report on the impact of the abolition of duty free sales on the Scotch whisky industry; and if she will make a statement. [29456]

Mrs. Roche *[holding answer 17 February 1998]:* My Department is currently examining the contents of the report.

Correspondence

Mrs. Ewing: To ask the President of the Board of Trade what is her policy for responding to letters received in the *(a)* Scottish Gaelic, *(b)* Welsh, *(c)* Urdu, *(d)* Hindi and *(e)* Chinese language. [28064]

Mrs. Beckett *[holding answer 10 February 1998]:* My Department seeks to respond in the language of the letter received.

Mr. Redwood: To ask the President of the Board of Trade if she will publish in the *Official Report* her letter of 25 February 1998 to the hon. Member for Wokingham concerning the BEUA. [32686]

Mrs. Beckett *[holding answer 3 March 1998]:* No.

Assisted Area Status

Dr. Ladyman: To ask the President of the Board of Trade on how many occasions regional selective assistance has been granted to an investor in an area of intermediate assisted area status at a level higher than usual level because of the potential impact the investment will have on an adjacent area with full assisted area status in each region of England in 1997. [32556]

Mrs. Roche: The ceilings for regional selective assistance in intermediate and development areas are fixed by the EU and cannot be exceeded. The Government also impose cost per job limits on the total RSA that can be offered to individual projects. Within these limits each case is judged on its own merits. One case was approved for exceptional treatment above the internal limits in 1997.

Sulphur Protocol

Mr. Redwood: To ask the President of the Board of Trade when the Government will announce its conclusions on the sulphur protocol, and its impact on the coal industry. [31880]

Mrs. Beckett *[holding answer 27 February 1998]:* The UNECE Second Sulphur Protocol was signed in 1994 and ratified in 1996 by the previous Government. The Government have no plans to announce retrospective conclusions on the Protocol and its impacts.

Coal Purchases

Mr. Redwood: To ask the President of the Board of Trade to what extent the agreements by the generators to bring forward purchases of coal from the third to the second quarter of 1998 are enforceable. [32692]

Mrs. Beckett *[holding answer 3 March 1998]:* The implementation of the terms of the arrangements made in December between the electricity generators and RJB Mining is a matter for the parties concerned.

Inward Investment

Mr. Redwood: To ask the President of the Board of Trade what ceiling she plans to place on offers of grant made by the regional development agencies to inward investors. [32680]

Mrs. Beckett *[holding answer 3 March 1998]:* The Government have made clear in their White Paper "Building Partnerships for Prosperity" (Cm 3814), that Regional Selective Assistance (RSA) will remain the responsibility of my Department. The Regional Development Agencies will have no responsibility for making offers of RSA scheme grants.

Mr. Redwood: To ask the President of the Board of Trade what communications she has received from the Northern Development Corporation concerning the concordat on Inward Investment; and if she has replied. [32679]

Mrs. Beckett *[holding answer 3 March 1998]:* My Department and the Northern Development Company communicate with each other on a regular basis on a wide range of business. I regard this correspondence as confidential.

Exports (Indonesia)

Mr. Redwood: To ask the President of the Board of Trade how much loan and cover is required from the Export Credits Guarantee Department for the 16 Hawk jets which were to be supplied to Indonesia after 1 May 1997. [32683]

Mrs. Beckett *[holding answer 3 March 1998]:* ECGD supported a £280 million loan for these aircraft in March 1996. The principal and interest guaranteed in respect to this loan totals £362 million.

Technology Transfer

Mr. Stunell: To ask the President of the Board of Trade what action her Department is taking in the development of technology transfer to developing countries under the auspices of the convention on biological diversity. [31988]

Mr. Battle: My Department's approach to technology co-operation relevant to the objectives of the convention on biological diversity is the same as that which applies to environment-related technologies more generally. It continues to promote a framework of policies nationally and internationally, including effective protection of intellectual property rights, which encourages private investment in developing, commercialising and diffusing technology.

To provide practical help, following the Earth Summit in Rio in 1992 where the Convention on Biological Diversity was agreed, the UK launched the Technology Partnership Initiative. TPI, which is run by the Joint (DTI/DETR) Environmental Markets Unit (JEMU), aims to improve access by business in developing countries to information on up-to-date technological solutions and best practice available from UK companies, and foster improved business to business contacts.

French Lorry Blockades (Compensation)

Mr. Baker: To ask the President of the Board of Trade how many claims for compensation have been submitted to the French authorities since 1 January 1995 following lorry blockades; and how many have been *(a)* paid in full, *(b)* paid in part and *(c)* not paid at all. [31923]

Ms Glenda Jackson *[holding answer 2 March 1998]:* I have been asked to reply.

I regret that this information is not available. My Department provided detailed advice and assistance in respect of the 1996 blockades, during which many UK hauliers were stranded, and forwarded those claims that were routed through it. Other claims were submitted direct to the French authorities and so we do not know the total number. Settlement and payment of claims is a matter between the French authorities and individual claimants. My Department is continuing to work closely with the French authorities to ensure that claims are dealt with fairly within the framework of French law.

HOUSE OF COMMONS

Parliamentary Estate

Mr. Llwyd: To ask the Chairman of the Accommodation and Works Committee how much has been spent on *(a)* building and *(b)* refurbishing works in the parliamentary estate in each of the last five years. [32545]

Sir Sydney Chapman: The responsibility of the Accommodation and Works Committee extends only to areas of the Parliamentary estate administered by the House of Commons. Gross expenditure from the House of Commons Works Vote in each of the past five years is as tabulated.

£ million

Financial Year	*New works*	*Maintenance*
1993–94	16.448	8.898
1994–95	13.458	8.663
1995–96	25.331	7.556
1996–97	41.268	6.351
1997–98 (to date)	39.895	7.756

ENVIRONMENT, TRANSPORT AND THE REGIONS

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for the Environment, Transport and the Regions how many meetings have been requested with his Department's Ministers by *(a)* Labour and *(b)* Conservative hon. Members; and how many meetings have been granted in each category. [31290]

Angela Eagle: Ministers at the Department of the Environment, Transport and the Regions receive numerous requests for meetings from both hon. Members

and organisations on the full range of the Department's responsibilities. Since 1 May 1997, Ministers have held 277 meetings at which hon. Members were present.

House Building

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his oral statement of 23 February 1998, *Official Report*, columns 21–25, if he will now reduce the targets for new housebuilding in the West Midlands region in the current plan period. [31512]

Mr. Raynsford: No. The revised provision of 335,000 for the region was based on comprehensive advice from the West Midlands Forum of Local Authorities who worked with both the House Builders Federation and the Council for the Protection of Rural England in arriving at that advice.

This level of provision over the 20 year period 1991–2011 requires no more than maintaining the level of housebuilding achieved in the region during the 1990s.

Green-field Sites

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy in respect of the development of new towns on green-field sites; and what representations he has received on Eagle Star's proposals for Micheldever Station, Hampshire. [31874]

Mr. Raynsford: National planning policy guidance on new settlements is set out in PPGs 3 and 13, and the recent policy document "Planning for the Communities of the Future" (Cmd 3885). It is for local authorities to decide their policy on new settlements in the light of their development plan strategy and the need to promote sustainable patterns of development.

Since the publication of the Hampshire Structure Plan EIP panel report the Government have received around 30 letters of representation concerning the new settlement proposals at Micheldever Station. Lord Lucas also tabled a Lords question in June 1997. The Dever Society has recently sent me a copy of a Sustainability Assessment of BAT/Eagle Star's proposal, prepared for them by Land-Use Consultants.

Leaseholders

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what assistance local authorities are able to offer to leaseholders who are unable to meet their share of the cost of improvement works; what additional assistance the Government propose to offer; and if he will make a statement. [31652]

Mr. Raynsford: There are a number of options available to local authorities to assist their leaseholders. The previous Government issued directions to local authorities and other social landlords, allowing them to reduce charges for works of improvement, repair and maintenance in some cases, and requiring them to do so in certain cases where central Government funding was being sought. Other options available to authorities include deferring charges, abating charges in extreme hardship cases, or offering discretionary loans. Local authorities also have powers to repurchase properties. It is for each authority to decide what help it can give, having regard to its existing housing priorities and its available resources.

We are considering, in the context of our Comprehensive Spending Review, whether further measures are needed to help leaseholders. We intend to publish a consultation paper later this Spring on a range of issues of concern to leaseholders.

Bathing Water

Mr. Gordon Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what new steps his Department is taking to increase the number of bathing waters in the Blackpool/Fylde coast area that comply with EU standards. [31661]

Angela Eagle: Following my right hon. Friend the Minister for the Environment's call on the Environment Agency and North West Water to work together to identify the causes of failure of these bathing waters and improve performance, they announced on 26 February plans for action both in the short and long term to increase compliance with the EU standards. The Government welcome this announcement and the high priority being given to improving bathing water quality standards along this stretch of coast.

Public Interest Reports

Mr. Oaten: To ask the Secretary of State for the Environment, Transport and the Regions under what statutory authority local authorities make a financial charge for sending out copies of district auditors' public interest reports. [31744]

Mr. Raynsford: Section 18(5) of the Local Government Finance Act 1982 requires a local authority to include with the documents open to public inspection before a meeting, a copy of any report prepared by an auditor under section 15(3) of the 1982 Act, which is to be discussed at the meeting. Section 100H of the Local Government Act 1972 provides that members of the public may require copies of such documents upon payment of a reasonable fee. Section 18A of the 1982 Act requires a local authority to provide to any member of the public on request, on payment of a reasonable sum, a copy of, or of part of, any report by an auditor under section 15(3) of the Act made to the authority before the conclusion of the audit.

Listed Buildings

Mr. Beith: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase the information about planning requirements required to be given in response to house purchase searches in respect of listed buildings and buildings in conservation areas; and if he will make a statement. [32096]

Mr. Raynsford: I have no such plans. Except for information recorded on the Local Land Charges Register, the present system for dealing with search inquiries on these matters rests on voluntary arrangements agreed between local authorities and the Law Society. The Government do not determine the content of these inquiries or the information given to inquirers.

Coastguard Stations

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions (1) what action he has taken following the failure of the database computer at Liverpool Coastguard Station on 31 January 1998; and what action he intends to take to ensure that a full maintenance programme is in place; [31948]

(2) if he will list by coastguard station the dates on which the station has been staffed below the recommended watch level since 1 January; [31950]

(3) if he will list the number of occasions telephone communications between the coastguard station on the Shetland Islands and the Scottish mainland have failed during the last 12 months. [31949]

Ms Glenda Jackson: The failure of the Action Data System at Liverpool on 31 January was dealt with under the current 24 hour maintenance contract within the required response time. There are no plans to change this contract.

In the last twelve months there have been no known occasions when the telephone communications between Shetland Maritime Rescue Sub-Centre and the Scottish Mainland have failed.

There are no recommended watch levels for Her Majesty's Coastguard co-ordination centres. Suggested watch levels were set out in the "Focus for Change" review and can be varied locally following an assessment of perceived and actual operational demand and risk. The attached matrix shows, by station and date, the number of hours when watch levels were below suggested levels.

Number of hours when watch levels fell below assessed level

	MRSC														
1998	*Shetland*	*Pentland*	*Forth*	*Tyne-Tees*	*Humber*	*Thames*	*Solent*	*Portland*	*Brixham*	*Milford Haven*	*Holyhead*	*Liverpool*	*Oban*	*Stornoway*	*Belfast*
1 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	12	—
2 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
3 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
4 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
5 Jan	—	—	—	—	—	—	12	—	—	—	—	—	—	12	—
6 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	12	—
7 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
8 Jan	—	12	—	—	—	—	—	12	—	—	—	—	—	—	—
9 Jan	—	12	—	—	—	—	—	—	—	—	—	—	—	—	—
10 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
11 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
12 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	12
13 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
14 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
15 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	12
16 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
17 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
18 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
19 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	12
20 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
21 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
22 Jan	—	—	—	—	—	—	—	—	—	12	—	—	—	12	—
23 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
24 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
25 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
26 Jan	—	—	—	—	—	—	12	—	—	—	—	—	—	—	—
27 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
28 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
29 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	12	—
30 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	12	—
31 Jan	—	—	—	—	—	—	—	—	—	—	—	—	—	12	—
1 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
3 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
4 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
5 Feb	—	—	—	—	—	—	—	—	—	—	—	5	—	—	—
6 Feb	—	—	—	—	—	—	—	—	12	—	—	12	—	—	—
7 Feb	—	—	—	—	—	—	—	—	—	—	—	7	—	—	—
8 Feb	—	—	10	—	—	—	—	—	—	—	—	—	—	—	—
9 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	12	—
10 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
11 Feb	—	—	—	—	—	—	—	—	6	—	—	—	—	—	—
12 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
13 Feb	—	—	12	—	—	—	—	—	—	—	—	—	—	—	—
14 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
15 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
16 Feb	—	—	—	—	—	—	—	—	—	—	—	2	—	—	—
17 Feb	—	—	—	—	—	—	—	—	—	—	—	2	—	—	—
18 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
19 Feb	—	—	—	—	—	—	—	—	—	—	—	5	—	—	—
20 Feb	—	—	—	—	—	—	—	—	—	—	—	7	—	—	—
21 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
22 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
23 Feb	—	—	—	—	—	—	—	—	—	—	—	2	—	—	—
24 Feb	—	12	—	—	—	—	—	—	—	—	—	—	—	12	—
25 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	12	—
26 Feb	—	5	—	—	—	—	—	—	—	—	—	—	—	—	—
27 Feb	—	7	—	—	—	—	—	—	—	—	—	—	—	—	—
28 Feb	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Number of hours when watch levels fell below assessed level

1998	*Aberdeen*	*Yarmouth*	*Dover*	*Falmouth*	*Swansea*	*MRCC Clyde*
1 Jan	—	—	—	—	—	—
2 Jan	—	—	—	—	—	—
3 Jan	12	—	—	—	—	—
4 Jan	—	—	—	—	—	—
5 Jan	—	—	—	—	—	—
6 Jan	17	—	—	—	—	—
7 Jan	19	—	—	—	—	—
8 Jan	5	—	—	—	—	—
9 Jan	7	—	—	—	—	—
10 Jan	—	—	—	—	—	—
11 Jan	—	—	—	—	—	—
12 Jan	—	—	—	—	—	—
13 Jan	12	—	—	—	—	—
14 Jan	12	—	—	—	—	—
15 Jan	—	—	—	—	—	—
16 Jan	—	—	—	—	—	—
17 Jan	12	—	—	—	—	—
18 Jan	12	—	—	—	—	—
19 Jan	12	—	—	—	—	—
20 Jan	—	—	—	—	—	—
21 Jan	5	—	—	—	—	—
22 Jan	—	—	—	—	—	—
23 Jan	5	—	—	—	—	—
24 Jan	7	—	—	—	—	—
25 Jan	—	—	—	—	—	—
26 Jan	12	—	—	—	—	—
27 Jan	—	—	—	4	—	—
28 Jan	—	—	—	4	—	—
29 Jan	—	—	—	—	—	—
30 Jan	—	—	—	—	—	—
31 Jan	17	—	—	—	—	—
1 Feb	5	—	—	—	—	—
2 Feb	12	—	—	—	—	—
3 Feb	12	—	—	—	—	—
4 Feb	12	—	—	—	—	—
5 Feb	12	—	12	—	—	—
6 Feb	17	—	—	—	—	—
7 Feb	12	—	—	—	—	—
8 Feb	13	—	—	—	—	—
9 Feb	12	—	—	—	—	—
10 Feb	—	—	—	—	—	—
11 Feb	—	—	—	—	—	—
12 Feb	—	—	—	—	—	—
13 Feb	—	—	—	—	—	—
14 Feb	12	—	—	—	—	—
15 Feb	—	—	—	—	—	—
16 Feb	7	—	—	—	—	—
17 Feb	—	—	—	—	—	—
18 Feb	12	—	—	5	—	—
19 Feb	12	—	—	12	—	—
20 Feb	17	—	—	7	—	—
21 Feb	24	—	—	—	—	—
22 Feb	7	—	—	—	—	—
23 Feb	—	—	—	—	—	—
24 Feb	—	—	—	—	—	—
25 Feb	—	—	—	—	—	—
26 Feb	12	—	12	—	—	—
27 Feb	12	—	—	—	—	—
28 Feb	5	—	—	—	—	—

Surveys

Mr. Forth: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each information, promotional, marketing and opinion survey contract, with its value, concluded by his Department and its agencies for the years *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–2001 and *(e)* 2001–2002. [32007]

Angela Eagle: The Department of the Environment and the Department of Transport published annual information on surveys and this practice will be continued by the combined DETR Survey Control Unit. I refer the right hon. Member to earlier responses given on this subject on 10 February 1998, *Official Report*, column *127* and 5 February 1998, *Official Report*, column *728*.

It is not possible to provide costs for opinion surveys that the Department of the Environment, Transport and the Regions and its agencies have yet to carry out.

Social Services

Dr. Harris: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the level of the SSA on social services on elderly people in Oxfordshire. [31992]

Mr. Raynsford: No such assessment has been made, because the impact of any change in the level of the SSA for Personal Social Services for elderly people depends upon local authorities' decisions on the size and allocation of their budgets.

Hedgerows

Mr. Hurst: To ask the Secretary of State for the Environment, Transport and the Regions what length of hedgerow in England and Wales has *(a)* been destroyed in each year from 1992 to 1997 and *(b)* been created in each year from 1992 to 1997. [32246]

Angela Eagle: The latest survey into changes in countryside hedgerows in England and Wales, which was undertaken by the Institute for Terrestrial Ecology, covered the years 1990 to 1993. This estimated that on average some 3,600 km of hedgerows were lost due to outright removal each year, whilst an average of 4,400 km of new hedgerows were planted per year.

British Rail Land

Sir Raymond Powell: To ask the Secretary of State for the Environment, Transport and the Regions (1) how much land in Wales previously owned by British Rail has been disposed of for *(a)* industries, *(b)* housing and *(c)* other developments since privatisation; [32240]

(2) how much land previously owned by British Rail has been disposed of for *(a)* industrial, *(b)* housing and *(c)* other developments in the United Kingdom since privatisation; [32239]

(3) how much land previously owned by British Rail has been disposed of for *(a)* industrial, *(b)* housing and *(c)* other developments in Scotland since privatisation. [32241]

Ms Glenda Jackson: I regret that information on sales of land by British Rail since privatisation is not kept in the form requested. Disposal of land transferred by British Rail to Railtrack and other railway businesses at privatisation is a matter for the companies concerned.

Set-aside Land

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions if the proposals to improve access to open country apply to set-aside land. [32098]

Angela Eagle: Access to set-aside is already encouraged under MAFF's Countryside Access Scheme. The Government's proposals, set out in their consultation

paper, *"Access to the Open Countryside"*, identify mountain, moor, heath, down and registered common land as the types of land to which priority for greater access should be given. The Government's proposals do not apply to developed land or to land used for agriculture (including set-aside), other than for extensive grazing.

Grouse Moorlands

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of *(a)* changes in the population of birds of prey on grouse moorlands since 1990 and *(b)* the reasons for such changes. [32211]

Angela Eagle: Two species of birds of prey are associated with predation of red grouse on grouse moors, the hen harrier and the peregrine falcon. The last survey of the hen harrier was undertaken in 1988, and a further survey will commence in the summer of 1998. However, recent work on the hen harrier has indicated that their survival rate on grouse moors was lower than on other moorland habitats, and this has been attributed to illegal persecution.

The peregrine falcon has significantly increased in recent years following a decline caused by the use of organochlorines in the 1950s and 1960s. However, persecution and environmental pollutants may restrict the population in some areas.

Sites of Special Scientific Interest

Mr. Randall: To ask the Secretary of State for the Environment, Transport and the Regions what policies are applied by English Partnerships when deciding whether to fund development proposals affecting sites of special scientific interest; and if he will make a statement. [32080]

Angela Eagle: English Partnerships' statutory remit is to regenerate derelict, contaminated, vacant and underused sites to bring them back into beneficial use. The Agency works exclusively in areas of economic and social need. The nature of the Agency's remit is such that the environmental impact of its work is almost always positive. Where it is involved in proposals affected by SSSIs, it is usually because the Agency is investing in enhancing the environmental quality of that area.

There are, however, hard cases where the Agency needs to consider development proposals which might adversely affect areas of special scientific interest. In these circumstances, the Agency considers all the environmental effects of the project including the removal of environmental hazards and nuisances, the potential visual improvement and nature conservation issues. These factors then have to be weighed alongside the economic and social needs of the local population.

The Agency also operates, however, within the statutory planning system. It would therefore expect issues concerning the status of an SSSI to have been considered in the local development plan and, subsequently, at planning application stage. Of particular relevance in this context is the role of English Nature as statutory consultee.

Mr. Randall: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list those SSSIs that have been affected by development projects funded by English Partnerships; and if he will in each case set out the nature of the damage; [32079]

(2) what SSSIs currently being considered as sites for developments are in part or wholly funded by English Partnerships. [32078]

Angela Eagle: I will write to the hon. Member.

Rainham Marshes

Mr. Randall: To ask the Secretary of State for the Environment, Transport and the Regions if he intends to call in the proposed development in the Thames Marshes SSSI at Havering Riverside (Rainham Marshes) promoted and funded by English Partnerships. [32081]

Mr. Caborn: This application is currently before the London Borough of Havering for their consideration. If they resolve to grant permission for the development, the application will then be referred to the Secretary of State under the Shopping Direction and consideration will be given to whether the application should be called in.

Climate Change

Mr. Stunell: To ask the Secretary of State for the Environment, Transport and the Regions when the Government plan to ratify the Kyoto Protocol on Climate Change. [31987]

Angela Eagle: It is the Government's intention that the UK should sign the Kyoto Protocol at an early date, subject to discussion with our EU colleagues to maximise the participation of Member States and the Community in signing the Protocol at the same time. Thereafter, the Government are keen that the Protocol should be brought into force at an early stage. However before ratification satisfactory progress on a number of outstanding issues is necessary, particularly with regard to the operation of flexible mechanisms such as emissions trading, joint implementation and the clean development mechanism.

Sludge

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those bodies classified as sludge producers that maintain registers for the purposes of the Sludge (Use in Agriculture) Regulations 1989. [32186]

Angela Eagle: Registers are maintained by:

Anglian Water
East of Scotland Water
North West Water
North of Scotland Water
Northumbrian Water
Severn Trent Water
South West Water
Southern Water
Thames Water
Welsh Water
Wessex Water
West of Scotland Water
Yorkshire Water.

Coal Industry

Liz Blackman: To ask the Secretary of State for the Environment, Transport and the Regions what factors governed the composition of the Steering Committee of his Department's project on chemical variation and end users of coal. [32565]

Mr. Raynsford: The factors involved in this selection included the need to obtain commercially sensitive information from suppliers, users and the owners of coal, to ensure that those responsible for coal industry regulation and for advising on planning applications to extract coal were involved, and to obtain the views of the communities directly affected by the industry's operations.

Local Government Finance

Mr. Fallon: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities in the North East Region which have not *(a)* made representations or *(b)* sought meetings with Ministers, in respect of the local government financial settlement for 1998–99. [32724]

Mr. Raynsford: Of those authorities within the boundary of the Government Office for the North East, the following did not make written representations during consultation on the provisional local government finance settlement 1998/99:

Hartlepool
Durham City
Sedgefield
Teesdale
Wear Valley
Alnwick
Berwick upon Tweed
Blyth Valley
Tynedale
Sunderland.

In addition, the following did not seek meetings with Ministers during consultation on our proposals:

Hartlepool
Redcar & Cleveland
Stockton on Tees
Chester le Street
Darlington
Derwentside
Wear Valley
Alnwick
Berwick upon Tweed
Blyth Valley
Tynedale
Gateshead
Durham City
Easington
Sedgefield
Teesdale
Sunderland
Cleveland Constabulary
Durham Constabulary
Northumbria Police Authority.

Private Hire Vehicles

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to change regulations concerning *(a)* private hire vehicles and *(b)* the eligibility of drivers to drive private hire vehicles; and when any new regulations will come into force. [32537]

Ms Glenda Jackson: My Department consulted last year on a proposal to make an order under the Deregulation and Contracting Out Act 1994, with a view to relaxing the constraints on who may drive licensed private hire vehicles in the light of the Benson *v.* Boyce judgment. The results of that consultation process are at present under consideration.

Telecommunications Masts

Ms McCafferty: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have to control the spread of mobile phone communications masts and to establish how many have been erected *(a)* with and *(b)* without planning permission; and if he will halt further developments. [31790]

Mr. Raynsford *[holding answer 2 March 1998]:* This Government's general policy on telecommunications development is to facilitate the growth of telecommunications systems while protecting the environment. We attach considerable importance to minimising the environmental impact of telecommunications mast development. For that reason, we last year announced our expectation that operators would provide evidence to local planning authorities that they have carefully considered the use of existing masts, buildings and other structures before seeking to erect any new mast. Telecommunication operators licensed by the Department of Trade and Industry generally have permitted development rights to erect masts of up to 15 m in height, subject to a prior approval procedure. This gives the local planning authority the opportunity to say whether it wishes to approve, within 28 days, details of the mast's siting and appearance. If the authority considers that the development will pose a serious threat to amenity, it may refuse approval. A planning application is required for the erection of masts in protected areas such as National parks, areas of outstanding natural beauty and conservation areas, and for masts above 15 m in height elsewhere. It is open to the local planning authority to take enforcement action against masts which enjoy neither permitted development rights nor planning permission. We have no plans to collect centrally information on the number of masts erected *(a)* with and *(b)* without planning permission.

Ms McCafferty: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have to protect *(a)* ancient woodland and *(b)* sensitive wildlife habitats from damage by telephone communications masts. [31791]

Mr. Raynsford *[holding answer 2 March 1998]:* Planning Policy Guidance note 9: Nature Conservation gives guidance on how the Government's policies for the conservation of our natural heritage are to be reflected in land use planning. Local authorities are advised that development plans should include planning policies to be

applied to nature conservation sites. Such policies should have regard to the relevant guidance given in PPG9. Key ancient woodland and sensitive wildlife sites in England receive protection from development through designation by English Nature as Sites of Special Scientific Interest (SSSIs). Other mechanisms which offer protection to ancient woodlands include the requirement to obtain felling licences and the use of tree preservation orders by local planning authorities.

As I explained in my earlier answer to my hon. Friend today, telecommunications mast development is subject to either a full planning application or a prior approval procedure. Where a mast is proposed in an SSSI that lies within a designated area such as a National Park, an area of outstanding natural beauty or conservation area, or where the proposed mast exceeds 15 m in height, a full planning application will be required. The planning authority is required to consult English Nature before granting permission for development in an SSSI. Where a mast is proposed in an SSSI outside such designated areas, the local planning authority is able to give or refuse approval to siting and appearance under the "prior approval procedure". The Code of Best Practice for handling mast/tower proposals under this procedure, published by my Department, highlights the need for early consultation in these cases between the operator, local planning authority and English Nature.

Sites of Special Scientific Interest also derive protection from the requirement for owners and occupiers to notify English Nature of plans to carry out specified operations which it has listed as likely to damage the interest of the site. This could include the erection of telecommunications masts. Notification enables English Nature to consider whether to give consent to the scheme or to invite the owner or occupier to discuss possible modifications.

Air Traffic Control

Mrs. May: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the progress in developing the Swanwick Air Traffic Control Centre, indicating the proposed opening date for the new centre. [32725]

Ms Glenda Jackson: I refer the hon. Member to the oral answer given by my noble Friend Baroness Farrington to Lord Campbell on 26 February 1998, *Official Report, House of Lords,* column 787.

New Forest

Mr. Swayne: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement regarding his plans to consult about the future status of the New Forest. [32624]

Angela Eagle: The Countryside Commission will report to Ministers later in the spring on a number of issues relating to the protection of nationally important landscapes. The report will include initial advice on whether National Park status might be a more effective and appropriate solution for any of the areas, including the New Forest, which may be considered as in need of particular protection. All the options for the future protection of the New Forest will be considered very thoroughly in the light of the Commission's advice. The New Forest Committee has also carried out its own consultation, the results of which will be taken into account.

Parish Councils

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions what recourse is open to a member of the public who is dissatisfied with the treatment he receives from his parish council. [32271]

Mr. Raynsford *[holding answer 3 March 1998]:* Individual electors can raise any concern they have about the business or conduct of a parish council at the parish meeting. Where parish councils carry out a function on behalf of a local authority, complaints alleging injustice on account of maladministration may be investigated by the Local Government Ombudsman.

Building Regulations

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to extend the scope of Part M of the Building Regulations to apply to buildings requiring a change of use. [32595]

Mr. Raynsford *[holding answer 3 March 1998]:* There are no current plans for extending the scope of Part M of the Building Regulations to buildings requiring a change of use. Any proposal for making such a change would need to take into account the implications of the Disability Discrimination Act 1995 and any future legislation relating to disabled people.

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to incorporate Part M of the Building Regulations into the criteria for planning approval, when an applicant applies for a change of use. [32596]

Mr. Raynsford *[holding answer 3 March 1998]:* The planning system and approval under the building regulations are two separate control regimes with their own objectives and criteria. Planning Policy Guidance Note 1, "General Policy and Principles" explains that

"The grant of planning permission does not remove the need to obtain any other consents which are necessary nor does it imply that such consents will necessarily be forthcoming."

We have no plans to make planning permission conditional on obtaining other forms of consent. However, access issues can be material considerations under the planning system and PPG1 advises that

"Local planning authorities, both in development plans and in determining individual planning applications, should take into account access issues".

Politically Restricted Posts

Mr. Pickthall: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the Local Government (Politically Restricted Posts) (No. 2) Regulations 1990. [32597]

Mr. Raynsford *[holding answer 3 March 1998]:* On 30 September my hon. Friend the Minister for Local Government and Housing announced a review of the regulations governing politically restricted posts in local

government. The Government remain firmly committed to the principle of political impartiality among senior and other front line public servants, but we wish to satisfy ourselves that the detail of the restrictions, and the level and number of local government officers affected, are appropriate. We intend to publish proposals for consultation by Easter.

St. Piran's Day

Mr. Flynn: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to celebrate St. Piran's day in future years. [31792]

Angela Eagle: I have no special plans to celebrate St. Piran's Day.

Empty Housing (Nottinghamshire)

Mr. Tipping: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the number of empty housing units in each district council area in Nottinghamshire in *(a)* 1995, *(b)* 1996 and *(c)* 1997, (i) in total and (ii) by sector. [32124]

Mr. Raynsford: The numbers of vacant local authority and housing associations dwellings in each district area council in Nottinghamshire on 1 April are set out alongside the local authority's estimates of private and other public sector vacant dwellings.

	1995	*1996*	*1997*
Ashfield			
Housing authority[1]	144	173	233
Housing association[2]	38	47	37
Other public sector[1]	7	32	35
Private sector[1]	1,756	1,611	1,456
Total	1,945	1,863	1,761
Bassetlaw			
Local authority[1]	244	311	267
Housing association[2]	11	16	17
Other public sector[1]	20	20	20
Private sector[1]	1,650	1,823	1,732
Total	1,926	2,170	2,036
Broxtowe			
Local authority[1]	43	20	44
Housing association[2]	33	16	14
Other public sector[1]	1	37	0
Private sector[1]	1,020	1,122	1,184
Total	1,097	1,195	1,242
Gedling			
Local authority[1]	66	50	44
Housing association[2]	26	16	22
Other public sector[1]	6	10	11
Private sector[1]	1,045	1,045	1,139
Total	1,143	1,121	1,216
Mansfield			
Local authority[1]	548	597	576
Housing association[2]	39	75	107
Other public sector[1]	0	0	0
Private sector[1]	1,923	2,133	1,983
Total	2,510	2,805	2,666
Newark and Sherwood			
Local authority[1]	75	79	118
Housing association[2]	35	59	48
Other public sector[1]	25	28	31
Private sector[1]	1,889	1,538	2,359
Total	2,024	1,704	2,556
Nottingham			
Local authority[1]	630	673	617
Housing association[2]	266	246	301
Other public sector[1]	27	19	19
Private sector[1]	2,541	2,560	2,316
Total	3,464	3,498	3,253
Rushcliffe			
Local authority[1]	28	24	21
Housing association[2]	8	6	8
Other public sector[1]	67	213	53
Private sector[1]	971	336	555
Total	1,074	579	637

Source:
[1] Annual Housing Investment Programme (HIP1) returns.
[2] Annual HAR 10/1 returns.

Empty Housing

Judy Mallaber: To ask the Secretary of State for the Environment, Transport and the Regions what are the latest figures for vacant dwellings in England. [33101]

Mr. Raynsford: The total number of vacant dwellings in England is down by 23,000 on the April 1996 figure. This fall is encouraging.

At 1 April 1997, a total of 81,200 council homes in England were empty, 2.4 per cent. of local authorities' stock. The 1996 figure was 79,600 (2.3 per cent.). All of the increase was in "management vacants" (dwellings available for letting immediately or after minor repairs) which account for 61 per cent. of all vacant local authority homes.

I am disappointed to see that the total number of local authority vacants has risen for the third year running, after falling in successive years between 1990 and 1994. It is clearly part of good housing management practice for local authorities to keep their empty dwellings to a minimum. My Department's Working Group on Best Value in Housing will be looking at performance indicators, and will consider whether it would be appropriate for local authorities to establish local targets for reducing the proportion of their housing stock which is out of effective use.

We are making nearly £800 million available to local authorities in 1997–98 and 1998–99 through the Capital Receipts Initiative, and I hope that local authorities will make the very best use of this additional spending power to improve and renovate their existing stock and make it more attractive to prospective tenants.

It is also disappointing to note that vacancy rates in the Registered Social Landlord (RSL) sector have risen from 23,600 (2.5 per cent.) at April 1, 1996 to 26,800 (2.7 per cent.) at April 1, 1997. The Housing corporation has published research and held seminars to inform and

encourage RSLs to take action to reduce void levels. RSLs should also benefit from the development of Best Value in Housing.

Many local authorities and RSLs already have good empty property strategies for which they can take credit. But there is still much to be done, and the Government will continue to encourage social housing providers to develop, and implement, effective empty property strategies to make the best use of existing housing stock.

The number of vacancies in the private sector fell from 667,000 in 1996 to 640,000 in 1997. This is the fourth successive year that the numbers have fallen. About 45 per cent. of private sector empty homes are "transactional" vacancies, which are properties lying vacant for a short period as part of the normal buying and selling process. Some 225,000 are problematic vacants which may require action to bring them back into use.

In the Government sector, the number of empty homes held by my Department, the Ministry of Defence and the Home Office fell by 754 between 1 April 1996 and 1 April 1997. The number of Government empty homes is still too high, and this government is determined to improve on these figures in the future.

I am placing in the Library of the House a list of local authorities in England, ranked on the basis of their management vacants at 1 April 1997.

Opencast Coal

Mr. Healey: To ask the Secretary of State for the Environment, Transport and the Regions what conclusions he has reached following his consultations in 1997 in reviewing planning policy on opencast coal. [33127]

Mr. Caborn: My right hon. Friend, the Deputy Prime Minister, has taken into account the responses to the consultation on planning policy on opencast coal conducted last year, and the announcement last December by my right hon. Friend the Prime Minister of a full review of energy policy. In consultation with his colleagues he has concluded that there should be a full review of Minerals Planning Guidance Note 3 on Coal Mining and Colliery Spoil Disposal. This will run in conjunction with the present review of energy policy, and will take into account its conclusions. The energy policy review will in turn take into account the planning issues raised by coal extraction, including the issues on opencast coal dealt with in the 1997 consultation paper.

Water Pollution

Mr. Etherington: To ask the Secretary of State for the Environment, Transport and the Regions what steps he has taken to enhance protection of the aquatic environment against pollution by dangerous substances. [33228]

Angela Eagle: New regulations have today been laid in the House setting environmental quality standards (EQSs) for 20 List II substances under the Dangerous Substances Directive. The substances are:

4-chloro-3-methyl-phenol
2-chlorophenol
2,4-dichlorophenol
2,4 D (ester and non ester)
1,1,1-trichloroethane
1,1,2-trichloroethane
bentazone
benzene
biphenyl
chloronitrotoluenes
demeton
dimethoate
linuron
mecoprop
mevinphos
naphthalene
omethoate
toluene
triazaphos
and xylene.

These substances are in addition to the EQSs for 13 substances in regulations made in November last year.

Nuclear Waste

Sir Robert Smith: To ask the Secretary of State for the Environment, Transport and the Regions what is the Government's policy towards the management of *(a)* high level, *(b)* intermediate level, *(c)* low level and *(d)* very low level nuclear waste. [32082]

Mr. Macdonald: I have been asked to reply.

The overall policy on the management of all types of radioactive waste was most recently set out in the White Paper "Review of Radioactive Waste Management Policy" (Cm 2919), published in 1995.

The Government have been considering the implications of the decision of the former Secretary of State for the Environment to dismiss Nirex's appeal against the refusal of planning permission for a rock characterisation facility at Longlands Farm, near Sellafield. The House of Lords Select Committee on Science and Technology is currently undertaking an inquiry into nuclear waste management. We welcome the committee's inquiry, and will wish to await their report—which is expected in the summer—and undertake widespread consultation before coming to a firm view on the way forward.

SCOTLAND

Local Government Elections

Mr. Gorrie: To ask the Secretary of State for Scotland if he will assess the advantages of setting up an electoral commission to report to the Scottish Parliament on measures to reform local government elections. [30704]

Mr. Macdonald *[holding answer 26 February 1998]:* My right hon. Friend the Secretary of State for Scotland announced on 23 January 1998, *Official Report*, columns *704–05*, the establishment of the Commission on Local Government and the Scottish Parliament. It will be open to that Commission to consider whether any changes to the way in which local authorities are elected are

desirable in the interests of promoting their democratic accountability. The Commission will report as soon as possible after the election of the Scottish Parliament.

Funicular Railway, Cairngorm

Mr. Randall: To ask the Secretary of State for Scotland what discussions he has held with the European Commission with regard to the proposed expenditure of structural funds on the proposed funicular railway on Cairngorm. [31239]

Mr. Macdonald *[holding answer 2 March 1998]:* Officials in the Department have maintained contact with desk officers in Directorate-General XVI dealing with Scottish Structural Funds Programmes.

Empty Properties

Mr. Brake: To ask the Secretary of State for Scotland if he will make a statement on trends in the number of empty *(a)* local authority homes, *(b)* private homes, *(c)* Government properties containing residential accommodation and *(d)* flats above shops in each of the last 12 years. [32330]

Mr. Macdonald *[holding answer 3 March 1998]:* Information on the number of local authority vacant dwellings in each of the last 12 years and the number of Scottish Office vacant dwellings since 1989 is shown in the table. Information on vacant private dwellings and vacant flats above shops is not collected centrally. Information on Scottish Office vacant dwellings is not available for the period before 1989.

Year	*Local authorities dwellings vacant at 31 March[1] (rounded to nearest 100)*	*Scottish Office vacant dwellings at 1 April[1] (inclusive of NHS properties)*	*Scottish Office vacant dwellings at 1 April[2] (exclusive of NHS property)*
1986	20,700	not available	not available
1987	22,100	not available	not available
1988	23,800	not available	not available
1989	25,900	502	not available
1990	26,000	319	not available
1991	23,200	310	not available
1992	22,300	246	not available
1993	18,600	239	not available
1994	17,800	158	not available
1995	16,400	not available	6
1996	18,100	not available	4
1997	18,100	not available	[3]4

[1] Statistics relate to all dwellings which were vacant for any reason.
[2] Statistics relate to dwellings which have been vacant for more than 6 months and which are now available for sale.
[3] Figure relates to 1 October 1997.

Planning Applications

Mr. Brake: To ask the Secretary of State for Scotland if he will amend planning guidelines to allow local authorities greater scope to turn down planning applications on the grounds of poor quality or design. [32336]

Mr. Macdonald *[holding answer 3 March 1998]:* "National Planning Policy Guideline 1 (NPPG): The Planning System" informs local authorities and others that quality and design are material considerations to be taken into account when determining applications; thus authorities have scope to reject applications which are deficient in either quality or design. Research is currently underway which will advise on the operation and adequacy of the current framework of guidance, and we intend to issue a consultation paper later this month or early next on the quality of new housing in the Scottish countryside. The need for further guidance will be considered once the findings from both these exercises have been evaluated.

Out-of-town Shopping and Leisure Centres

Mr. Brake: To ask the Secretary of State for Scotland (1) what is the number and surface area of out-of-town shopping centres and leisure centres that have been built on greenfield land, excluding Green Belt, in each of the last 12 years by *(a)* county and *(b)* region in Scotland; [32323]

(2) what is the number and surface area of out-of-town shopping centres and leisure centres that have been built on recycled land in each of the last 12 years by *(a)* county and *(b)* region in Scotland; [32325]

(3) what is the number and surface area of out-of-town shopping centres and leisure centres that have been built on Green Belt land in each of the last 12 years by *(a)* county and *(b)* region in Scotland. [32324]

Mr. Macdonald *[holding answer 3 March 1998]:* This information is not held centrally. However, research has recently been commissioned to investigate the establishment of a new database for monitoring retail development in Scotland.

Local Curfew Schemes

Mr. Beith: To ask the Secretary of State for Scotland what research his Department has *(a)* commissioned and *(b)* evaluated on the operation of local curfew schemes; and if he will make a statement. [32583]

Mr. McLeish: The Scottish Office commissioned a research consultant in November 1997 to evaluate aspects of Strathclyde Police's Child Safety Initiative in Hamilton. A draft report is scheduled for submission to The Scottish Office in late summer 1998.

Throat Cancer

Mrs. Ewing: To ask the Secretary of State for Scotland what meetings he has held with the Scottish Laryngectomy Group; what assessment he has made of medical evidence on a link between exposure to asbestos dust and cancer of the throat; if he will place a copy of the medical advice which he has received on this issue in the Library; and if he will make a statement. [31735]

Mr. Galbraith: Scottish Office Ministers have not met the Scottish Laryngectomy Group. I am aware of two reports dealing with asbestos and laryngeal cancer. These are "Asbestos—Effects on Health of Exposure to Asbestos" prepared on behalf of the Health and Safety Commission by Sir Richard Doll and Julian Peto and published in 1985 (HMSO, ISBN 0 11 883803 2) and "Cancer of the Larynx", a report by the Industrial Injuries Advisory Council (IIAC) to the Secretary of State for Social Security published in 1989 (HMSO CM779).

Health Service Funds

Mr. Moore: To ask the Secretary of State for Scotland if he will list by *(a)* health trust and *(b)* health board the end of year deficits for each year since 1992. [32378]

Mr. Galbraith: The tables show the deficits for health trusts and health boards for each year since 1992:

Year	Health trust	Retained deficit £000
1992–93	Nil	0
1993–94	Nil	0
1994–95	Victoria Infirmary	5,120
1995–96	Central Scotland Healthcare	726
	Victoria Infirmary	4,281
1996–97	Fife Healthcare	1,978
	Central Scotland Healthcare	439
	Victoria Infirmary	6,044

Year	Health board	Deficit £000
1992–93	Argyll & Clyde	28
1993–94	Grampian	4
	Shetland	11
	Western Isles	26
1994–95	Orkney	2
1995–96	Lanarkshire	30
	Orkney	8
1996–97	Orkney	1

Mr. Moore: To ask the Secretary of State for Scotland (1) what is the forecast *(a)* annual income, *(b)* expenditure and *(c)* operational surplus or deficit at the end of the year of 1997–98 for each NHS health board based on their 1997–98 second quarter returns to the Scottish Health Service Management Executive; and what is the forecast retained surplus or deficit for each health board at the end 1997–98 based on these returns and taking account of (i) profit or loss on fixed assets, (ii) net interests receivable or payable and (iii) public dividend payable; [32379]

(2) what is the forecast *(a)* annual income, *(b)* expenditure and *(c)* operational surplus or deficit at the end of the year of 1997–98 for each NHS health board based on their 1997–98 second quarter returns to the Scottish Health Service Management Executive. [32382]

Mr. Galbraith: Forecasts of annual income, expenditure and operational surplus or deficit, on a cash basis, for Hospital and Community Health Services at 30 September 1997 are as follows:

£000

Health Board	Forecast Annual Income	Forecast expenditure	Forecast Surplus or Deficit
Argyll & Clyde	289,087	288,587	500
Ayrshire & Arran	237,175	237,175	0
Borders	77,183	76,983	200
Dumfries & Galloway	106,381	105,881	500
Fife	213,709	213,709	0
Forth Valley	171,581	171,281	300
Grampian	348,708	347,958	750
Greater Glasgow	677,060	673,060	4,000
Highland	148,980	148,980	0
Lanarkshire	345,597	345,597	0
Lothian	512,901	512,901	0
Orkney	15,385	15,385	0
Shetland	20,682	20,682	0
Tayside	303,052	302,802	250
Western Isles	29,778	29,778	0

Profit or loss on fixed assets, net interests receivable or payable and public dividend payable are not applicable to health boards.

Mr. Moore: To ask the Secretary of State for Scotland what is the forecast total cost of savings required by each NHS health trust's recovery plans in each of the next three years. [32381]

Mr. Galbraith: The total cost of savings required by each NHS health trust's recovery plan in each of the next three years are:

£000

	1998–99	1999–00	2000–01
Victoria Infirmary NHS Trust	1,112	1,722	0
Borders General NHS Trust	674	560	435
Fife Healthcare NHS Trust	632	0	0

Mr. Moore: To ask the Secretary of State for Scotland (1) if he will list the forecast *(a)* amount and *(b)* percentage level of interest liability at the end of 1997–98 of each NHS health trust in operational deficit at the end of the second quarter; [32383]

(2) if he will list *(a)* the amount and *(b)* the percentage level of interest liability for each NHS health trust in operational deficit at the end of the second quarter of 1997–98. [32380]

Mr. Galbraith: The information requested is provided in the table.

Trusts not forecasting to break-even for the year ended 31 March 1998 as at 30 September 1997

Trust	Interest liability 1997–98 £000	Percentage of net relevant assets
Argyll and Bute NHS Trust	1,635	4.3
Inverclyde Royal NHS Trust	1,292	3.1
Borders General Hospitals NHS Trust	1,669	4.5
Fife Healthcare NHS Trust	2,339	3.7
Kirkcaldy Acute Hospitals NHS Trust	1,741	3.5
Queen Margaret Hospital NHS Trust	1,949	4.0
Falkirk and District Royal Infirmary NHS Trust	1,431	3.9
Stirling Royal Infirmary NHS Trust	1,765	4.0
Glasgow Royal Infirmary NHS Trust	5,122	5.0
Glasgow Community Mental Health NHS Trust	4,525	4.5
Stobhill NHS Trust	2,194	5.1
Victoria Infirmary NHS Trust	1,577	4.3
West Glasgow Hospitals University NHS Trust	2,257	2.1
Yorkhill NHS Trust	2,125	3.6

Trusts not forecasting to break-even for the year ended 31 March 1998 as at 30 September 1997

Trust	*Interest liability 1997–98 £000*	*Percentage of net relevant assets*
Highland Communities NHS Trust	1,945	4.1
Raigmore Hospital NHS Trust	2,249	3.3
Royal Infirmary of Edinburgh NHS Trust	5,223	5.0
Total	41,038	

Orthoptists

Mr. Alasdair Morgan: To ask the Secretary of State for Scotland when he hopes to complete his review of the education and training of orthoptists in Scotland. [32585]

Mr. Galbraith: I hope to be in a position to announce the outcome of this review by the end of April.

PRIME MINISTER

Millennium Experience (Donations)

Mr. Mitchell: To ask the Prime Minister if he will ensure that the names of the directors and chief executives of companies contributing to or making donations to the Millennium Experience are notified to the Political Honours Scrutiny Committee. [31353]

The Prime Minister: The names of companies sponsoring the Millennium Experience will be made public, and the Political Honours Scrutiny Committee are free to make such inquiries as they think fit about any individuals referred to them.

Honours System

Mr. Flynn: To ask the Prime Minister what plans he has to reform the honours system. [31781]

The Prime Minister *[holding answer 2 March 1998]:* I am ensuring that the Honours Lists better recognise the achievement of ordinary people in changing things for the better, especially in areas of priority for this Government including education, health, law and order, social regeneration, the creation of jobs and innovation and enterprise. The Honours List published at the New Year began the process with a particular emphasis on education and the Birthday List will continue it with a particular emphasis on health.

Cross-party Committee on Europe

Mr. Gill: To ask the Prime Minister if he will list those whom he has consulted on the formation of a cross-party committee on Europe. [32600]

The Prime Minister *[holding answer 3 March 1998]:* I refer the hon. Member to the answer I gave to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) on 17 February 1998, *Official Report*, column *523*.

TREASURY

Conferences

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will list the conferences held by his Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27729]

Mrs. Liddell *[holding answer 5 February 1998]:* The Treasury held two formal conferences between 1 May 1997 and 5 February 1998:

£

Date	*Event*	*Approximate cost to HMT*
7–9 May 1997	International Securities Regulators Conference	20,086
7–8 July 1997	Annual Government Economic Service Conference	11,423

In addition the Treasury has held a number of other events which are better described as seminars, internal management conferences and meetings to enable informed discussions or to communicate Government policy, which have cost approximately £12,600.

£

Date	*Event*	*Approximate cost to HMT*
25 June 1997	New Deal Welfare to Work Breakfast for the top 50 companies	880
21–25 July 1997	Regulatory Familiarisation programme for Chinese Regulators	1,800
2 October 1997	Treasury Management Board	1,580
6–10 October 1997	Regulatory Familiarisation Programme for Overseas Regulators	1,500
15 October 1997	Chancellor's address to HMT staff	3,857
27–28 November 1997	Conference on Social Exclusion	nil
17 December 1997	Business Advisory Group on EMU	200
	Mauritius Mandate launch	170
20 January 1998	Internal Directorate Conference	1,506
21 January 1998	Cross Departmental Review on Provision for Young Children	1,250

Loan Agreements (Africa)

Mr. Timms: To ask the Chancellor of the Exchequer what is the total amount loaned by the UK to the Governments of *(a)* Rwanda, *(b)* Zaire and the Democratic Republic of the Congo and *(c)* Mozambique under new loan agreements made since 1 January 1968; what is the total sum repaid to date by *(a)* to (c) to the UK in respect of these agreements in terms of (i) principal and (ii) interest; and what is the remaining sum due to be repaid as currently scheduled in terms of (1) principal and (2) interest. [31773]

Mrs. Liddell *[holding answer 27 February 1998]:* The amount loaned by ECGD to the Governments of *(a)* Rwanda, *(b)* Zaire and The Democratic Republic of The Congo and *(c)* Mozambique under new loan agreements made since 1 January 1968 is nil.

1. Total sum (pounds sterling) repaid to date under the Paris Club rescheduled debt agreements is as follows:

£

Country	Past principal due	Paid	Past interest due	Paid
Rwanda	0	0	0	0
Mozambique	1,352,131	1,352,131	8,178,195	8,178,195
DRC/Zaire	58,888,097	12,853,115	74,607,438	21,126,780

2. Remaining sums (pounds sterling) due to be repaid as currently scheduled:

£

	Future principal due	Future interest due
Rwanda	0	0
Mozambique	90,806,268	Not known
DRC/Zaire	36,046,189	Not known

The figures for "Future Interest" are not known as amounts of interest payable under current Agreements. These will depend on movements in the six month LIBOR rate.

European Court of Auditors Report

Mr. Letwin: To ask the Chancellor of the Exchequer what position was taken by Her Majesty's Government during the recent Council of Ministers discussion of the European Court of Auditors report; what conclusions were reached by the Council of Ministers; and if he will make a statement. [31848]

Mrs. Liddell *[holding answer 27 February 1998]:* The Council's consideration of the Court of Auditors' report on financial year 1996 will take place at ECOFIN on 9 March.

Surveys

Mr. Forth: To ask the Chancellor of the Exchequer if he will list each information, promotional, marketing and opinion survey contract, with its value, concluded by his Department and its agencies for the years *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–2001 and *(e)* 2001–2002. [32010]

Mrs. Liddell: The Treasury has recently let two information contracts for £24,000 and £26,000 both excluding VAT. There are no plans at present to let similar contracts in the following years.

Central Banks (Employees)

Mr. Nicholas Winterton: To ask the Chancellor of the Exchequer how many people are currently employed by *(a)* the Bank of England and *(b)* each of the central banks of each EU member state; what estimate he has made of the number to be employed by the proposed European central bank; at what location; and if he will make a statement. [31947]

Mrs. Liddell: The Bank of England currently employs 3,056 full-time and 227 part-time staff. The total number of staff employed by each of the central banks of the EU member states, according to the "Morgan Stanley Central Bank Directory 1998", are displayed in the table.

Member state	Staff
France	16,544
Germany	16,014
Italy	9,400
Spain	3,256
Greece	3,058
Belgium	2,866
Portugal	1,820
Netherlands	1,596
Austria	1,159
Finland	766
Sweden	754
Ireland	601
Denmark	586
Luxembourg	108

The European Monetary Institute (EMI) currently employs 370 staff. The EMI assumes that the European Central Bank (ECB) will operate with 500 staff, all based in Frankfurt.

Euro

Mr. Gill: To ask the Chancellor of the Exchequer, pursuant to his answer of 17 February 1998, *Official Report*, column *528*, for what reasons he has decided not to commission research on the effect of the sale of excess reserves of *(a)* gold and *(b)* foreign currency by central banks participating in the euro on (i) world gold prices and (ii) international exchanges; what assessments have already been made in respect of that issue; and what departmental studies will be made of this matter prior to introduction of the single currency. [32796]

Mrs. Liddell *[holding answer 3 March 1998]:* Developments in the world gold and foreign exchange markets are kept under continuous review as part of the normal process of managing the official reserves.

Office Furniture

Mrs. Virginia Bottomley: To ask the Chancellor of the Exchequer what guidance he has produced on the purchase of office furniture. [30879]

Mrs. Liddell: A "Guide to Public Sector Office Furniture Procurement" was issued in December 1997 by the Office Furniture and Filing Manufacturers' Association (OFFMA) in partnership with the Department of Trade and Industry, and in collaboration with the inter-Departmental Furniture Buyer's Action Group, established by The Treasury to identify and develop best practice in this field.

NORTHERN IRELAND

Theft and Fraud

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is her estimate of the cost of theft and fraud to *(a)* her Department, *(b)* its agencies and *(c)* non departmental public bodies, in (i) 1995–96, (ii) 1996–97 and (iii)1997–98 to date. [27742]

Mr. Paul Murphy *[holding answer 5 February 1998]:* The information for the Northern Ireland Office and the Northern Ireland Department is as follows:

Internal Fraud

£

Year	(a) Department	(b) Agencies	(c) Other
1995–96	[1]124,818	[1]—	172,786
1996–97	63,879	59,661	220,624
1997–98	57,289	34,595	2,809

[1] The information provided for 1995–96 could not be separated between Departments and Agencies. A total figure is provided at (a).

Other Fraud

£

Year	Social Security Benefit Fraud	Prescription Fraud	Other Health and Personal Social Services Fraud
1995–96	873,183	3,800,000	73,544
1996–97	1,239,784	4,100,000	57,576
1997–98	960,548	Not yet available	194,641

Policing Principles

Ms Moran: To ask the Secretary of State for Northern Ireland if she will publish the discussion paper for the multi-party talks entitled "Principles for Policing in Northern Ireland". [33142]

Marjorie Mowlam: Yes. "Principles for Policing in Northern Ireland", the paper which has been tabled in the multi-party talks is being published today and I have arranged for copies of it to be placed in the Library. It will also be on sale to the public in the Stationery Office.

RUC Accommodation (Coleraine)

Mr. William Ross: To ask the Secretary of State for Northern Ireland what assessment she has made of the standard of the accommodation available to the RUC in Coleraine. [31909]

Mr. Ingram *[holding answer 27 February 1998]:* The Police Authority for Northern Ireland will shortly be providing the Secretary of State with their prioritised building programme, at which stage she will be in a position to consider RUC Coleraine in the context of policing needs and availability of funding.

Police Authority

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will list the interests *(a)* declared and *(b)* registered by members of the Police Authority for Northern Ireland. [31637]

Mr. Ingram *[holding answer 27 February 1998]:* The information requested is as follows:

Name	Interest registered	
Mr. P. J. Armstrong (Chairman)	Catholic Family Care Society	Management Committee Member
	Childcare (NI)	Executive Committee Member
	British Association of Social Workers	Member
	Northern Association of Justices of the Peace	Member
Professor H. Wallace (Vice-Chairman)	None	
Lt. Col R. H. Bicker	Litton Group Ltd.	Director
	Down District Council	Local Councillor (Ulster Unionist Party)
Mr. H. B. Casey	None	
Mr. R. J. Coulter	Ballymena Borough Council	Alderman (Ulster Unionist Party)
	Northern Ireland Forum	Chief Whip (Ulster Unionist)
	Congress of Local and Regional Authorities in Europe	Member
	CLRAE Working Group on Crime and Insecurity in the Urban Situation	Member
	Citizens Advice Bureau, Ballymena	Trustee
	Galgorm and Gracehill Preservation Trust	Member
	Orange and Royal Black Institutions	Nominal Member
Mr. R. L. Cree	North Down Borough Council	Local Councillor (Ulster Unionist Party)
	Orange, Black and Masonic Institutions	Member
Mr. R. Empey	Belfast City Council	Local Councillor (Ulster Unionist Party)
	Orange Order	Member
	Royal Black Institution	Member
	Walkway Community Association	Member

Name	Interest registered	
Mr. K. F. Hargan	Lumen Christi College, Derry	Member of Board of Governors
Mr. A. R. A. Huston	Federation of Small Businesses (NI Region)	Vice-Chairman
	Lord Chancellor's Legal and Advisory Committee	Member
	HM Young Offenders Centre, Hydebank Wood	Member of Visiting Committee
Mr. J. O. McDonald	Justice of the Peace	
	Independent Assessor or Military Complaints	
	RUC Museum	Trustee
	RUC Historical Society	Member
	An Garda Siochana Historical Society	Member
	Knights of St. Columbanus	Member
	Association of Papal Knights in Ireland	Secretary
Mrs. N. P. O'Loan	NI Consumer Committee for Electricity	Chairperson
	ACCORD	Chairperson
	Ballymena Swimming Club	Chairperson
	Victim Support	Person
	Women Together for Peace	Member
	Solicitor of the Supreme Court of England and Wales	
	University of Ulster	Senior Lecturer
	Association of University Teachers	Member
	Law Society of England and Wales	Member
	Association of Lawyers for the Defence of the Unborn	Member
	Association of Women Solicitors	Member
	International Purchasing and Supply Education Research Association	Member
	Irish Association of Law Teachers	Member
Mrs. R. I. Peters-Gallagher	Witt Thornton, Chartered Accountants	Partner
	Fellow of the Institute of Chartered Accountants in Ireland	
	Lerwill House Ltd.	Member of Management Committee
Mrs. E. Rea	Elsbeth Rea Associates	Principal
	North Down and Ards Home Start	Non-Executive Director and Company Secretary
Mrs. F. Reid	South Eastern Education and Library Board	Board Member
	Schools Governor—three schools	
	Portavoe Services	Partner
	Institute of Management	Member
	Institute of Directors	Member
Mrs. G. A. Rice	Castlereagh Borough Council	Council Member (Alliance Party)
Mr. F. P. Rocks	Ancient Order of Hibernians	Member
	Cookstown and Magherafelt Lions Club	
	Drugs Awareness Officer of the Lions Club	
	Trade Union—Unison	Member
Mr. R. A. J. Spence	Honorary Lecturer, Department of Surgery, Queen's University, Belfast	
	Institute of Directors	Member
	Board of Trustees and Governor, Wallace High School	
	Crimestoppers (Northern Ireland)	Board Member
	Cancer Services, Belfast City Hospital	Chairman
Mr. T. J. Wilson	Cookstown District Council	District Councillor (Ulster Unionist Party)
	Orange Order	Member
	Royal Black Institution	Member
	Apprentice Boys of Derry	Member
	Royal Arch Purple Institution	Member
	Masonic Lodge	Member
	GMB Trade Union	Member

Note:

One Member of the Authority, whose name is not in the public domain, has been given an exemption under Paragraph 14 of the Authority's Code of Conduct from listing his/her interests.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what steps the Police Authority for Northern Ireland is taking to prepare for its meetings to be held in public in line with procedures and practices implemented by police authorities elsewhere in the United Kingdom. [31638]

Mr. Ingram *[holding answer 27 February 1998]:* I refer the hon. Member to the answer I gave on 12 January 1998, *Official Report*, column *86*.

David Adams

Mr. McNamara: To ask the Secretary of State for Northern Ireland if the judgment and the court papers in the David Adams case have been sent to the Director of Public Prosecutions. [31631]

Mr. Ingram *[holding answer 27 February 1998]:* I am informed that the Director of Public Prosecutions requested and obtained a copy of the Judgment in the case of David Adams v the Chief Constable of the RUC, which is presently being considered.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what disciplinary steps have been taken by the Chief Constable of the RUC against those RUC officers who assaulted David Adams whilst in custody following his arrest; and if they are still serving officers. [31630]

Mr. Ingram *[holding answer 27 February 1998]:* Following a complaint made on behalf of Mr. Adams in 1994, the Independent Commission for Police Complaints supervised an investigation into the circumstances of the arrest and detention. In October 1995 a dispensation was granted by the ICPC on the ground that it was not practicable to complete the investigation given the level of co-operation thus far provided by or on behalf of the complainant. In addition, a file was forwarded to the Director of Public Prosecutions who directed 'no prosecution' against any police officer.

The Chief Constable is studying the findings in the civil court proceedings.

I can confirm that the police officers involved in the arrest of Mr. Adams are currently serving in the RUC.

Processions (Belfast)

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is her estimate of the number of persons who took part in each of the two processions to Belfast city centre on 22 February 1998. [31903]

Mr. Ingram *[holding answer 27 February 1998]:* It is estimated that the procession from West Belfast consisted of approximately 500 persons and the procession from North Belfast consisted of approximately 250 persons.

Mr. William Ross: To ask the Secretary of State for Northern Ireland if any notice was given to the police under public order legislation in regard to the two processions held to Belfast city centre on 22 February 1998. [31904]

Mr. Ingram *[holding answer 27 February 1998]:* No notice was given in respect of either procession.

Mr. William Ross: To ask the Secretary of State for Northern Ireland what files have been sent to the Director of Public Prosecutions as a consequence of the two processions held in Belfast on 22 February 1998. [31905]

Mr. Ingram *[holding answer 27 February 1998]:* These matters are under investigation. No file has yet been forwarded to the Director of Public Prosecutions.

RUC Divisional Headquarters, Coleraine

Mr. William Ross: To ask the Secretary of State for Northern Ireland when she expects to visit the RUC divisional headquarters in Coleraine. [31907]

Mr. Ingram *[holding answer 27 February 1998]:* My right hon. Friend the Secretary of State has no plans at present to visit Coleraine RUC Divisional Headquarters. She does, however, look forward to visiting Coleraine in the future and would like to visit the RUC station and meet with the staff.

Scheduled Offences

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many outstanding warrants of arrest are held by the RUC or other forces for individuals sought in connection with scheduled offences. [30034]

Mr. Ingram *[holding answer 25 February 1998]:* The information is not currently available and would incur disproportionate cost to provide.

Police Station, Coleraine

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) what is her estimate of the cost of a new police station in Coleraine; [31906]

(2) when she expects the Police Authority to decide to begin work on a new police station in Coleraine. [31908]

Mr. Ingram *[holding answer 27 February 1998]:* As a decision has not yet been taken with regard to replacing Coleraine police station it is not possible to provide (a) an estimated cost, or (b) date for commencement of work.

Social Fund

Mr. Mallon: To ask the Secretary of State for Northern Ireland (1) what assessment she has made of the advantages of retaining the social fund section of the Newry Social Security Office, and re-organising the other sections in the southern region; [31736]

(2) what consultations have taken place regarding the rationalisation of Social Fund offices in the southern region with *(a)* elected representatives, *(b)* consumer groups, *(c)* community organisations, *(d)* representatives of client groups and *(e)* others. [31737]

Mr. Worthington: Responsibility for these matters has been delegated to the Social Security Agency under its chief executive, Mr. Chris Thompson. I have asked him to arrange for a reply to be given.

Letter from Chris Thompson to Mr. Seamus Mallon, dated 2 March 1998:

I have been asked to reply to your further Parliamentary Questions about the administration of the Social Fund in the Social Security Agency's South District.

Ref: 31736

The Centralisation of the administration of social fund has been pilotted in two Districts. This has proved that the planned efficiencies can be realised and also that the quality of work can be improved. The Agency is therefore convinced that the centralisation of social fund work in South District will provide a better service to the public and better value for money.

Newry Social Security Office was initially considered as one of the potential locations up to the time of the fire which destroyed that office in mid-July 1997. The temporary premises at Canal Street were ruled out as an option because of insufficient space to accommodate the Social Fund processing unit.

Ref: 31737

On 29 January 1997, South District issued a survey questionnaire to 92 public representatives. The survey formed part of a review of services within the District and included a section related to Social Fund. The questionnaire was issued to voluntary, statutory and community organisations as well as legal and political representatives. A total of 45 replies were received. The SDLP constituency office in Armagh was sent a questionnaire but did not reply.

In addition, on an office by office basis, Banbridge, Dungannon, and Portadown Offices record that they have discussed the centralisation at liaison meetings with voluntary, statutory and community organisations during the course of the past year. Consultations have also taken place with District and Central Trade Union side.

Finally, the District Management team has met Newry and Mourne District Council and individual Councillors to discuss the issue.

I hope this information is helpful.

CULTURE, MEDIA AND SPORT

Digital Broadcasting

Mr. Todd: To ask the Secretary of State for Culture, Media and Sport what steps he is taking to ensure that digital broadcasting does not rely on use of digital decoder technology controlled by a monopoly supplier. [31746]

Mr. Fisher: It is for broadcasters and receiver manufacturers to determine the decoder technology used to deliver digital services to the consumer, subject to the provisions of the Broadcasting Act 1996 and the Advanced Television Services Regulations 1996.

The Government's main aim is to ensure fair access to systems for service providers to enable the delivery of services to viewers. The Broadcasting Act 1996 encourages multiplex licensees to co-operate in ensuring interoperability. The regulations ensure that service providers can reach viewers through any set top box on fair, reasonable and non-discriminatory terms whether proprietary technology is involved or not. The provisions of general competition law to prevent abuse of any monopoly position which might emerge are being strengthened by the provisions of the Competition Bill *[Lords]* currently before Parliament.

Rugby Union International

Mr. Reed: To ask the Secretary of State for Culture, Media and Sport what representations he has received about the England *v.* Wales rugby union international on Saturday 21 February not being available live to viewers of terrestrial channels. [31982]

Mr. Fisher: My right hon. Friend the Secretary of State has received six representations on the subject of the television coverage of this particular match, including two representations from hon. Members. He has received a further 47 representations on the subject of television coverage of the Five Nations rugby tournament since the present review of the list maintained under Part IV of the Broadcasting Act 1996 was announced last September.

Concessionary Television Licences

Liz Blackman: To ask the Secretary of State for Culture, Media and Sport what plans he has to improve the current concessionary television licence scheme. [32564]

Mr. Fisher: The Government have no plans at present for any changes to the concessionary television licence scheme. However, the Government's Agreement with the BBC provides for a review of future funding arrangements prior to March 2002. We shall conduct that review in good time to allow decisions to be taken before then. It will include a detailed consideration of licence fee concessions.

Car Parking

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32460]

Mr. Tom Clarke *[holding answer 3 March 1998]:* In line with the guide to Green Transport Plans circulated last September by the Department of the Environment, Transport and the Regions, my Department will be considering this issue in preparing Green Transport Plans for its key buildings.

Countryside March

Mr. Austin: To ask the Secretary of State for Culture, Media and Sport what charge was made by his Department to the organisers of the Countryside March held on 1 March for use of the Royal Parks. [32833]

Mr. Tom Clarke: Responsibility for the subject of this question has been delegated to the Royal Parks Agency under its Chief Executive, Mr. David Welch. I have asked him to arrange for a reply to be given.

Letter from David Welch to Mr. John Austin, dated 4 March 1998:

The Secretary of State for Culture, Media and Sport has asked me to reply to your Parliamentary Question enquiring what charge was made for the Country side Rally on March 1.

We made no charge for the march itself, although we are making a charge of £12,500 plus VAT to reimburse the additional costs incurred by the Royal Parks Constabulary during the march.

PRESIDENT OF THE COUNCIL

Millennium Compliance

Mr. Hawkins: To ask the President of the Council when she last met Treasury Ministers to discuss the cost of millennium compliance. [32591]

Mrs. Ann Taylor: I have not discussed the cost of millennium compliance with Treasury Ministers.

WALES

Local Government Finance

Mr. Öpik: To ask the Secretary of State for Wales if he will list, for each Welsh local authority with responsibilities for education, the amount by which the increase in revenue support grant adjusted for changes in nursery voucher funding and increased NNDR differs from the amount that has been passported through the capping regime to raise standards in schools; what is the total figure for all local authorities; and if he will make a statement. [31541]

Mr. Hain: Both the £37.1 million in re-instated nursery voucher funding and the £49.4 million of extra schools money which is being distributed to local authorities as standard spending assessments are included, pound-for-pound, in revenue support grant. No authority receives less in spending power under provisional capping principles than it will receive in revenue support grant.

A breakdown of 1998–99 local authority capping limits is set out in the table. The information was placed in the House of Commons Library and issued to all local authorities on 9 February.

Local authority 1997–98 budget requirements (column 1)—to which the 3 per cent. basic capping increase is applied—have been adjusted upwards to reflect the re-instatement of the £37.1 million nursery voucher money. The 3 per cent. basic increase (column 5) takes full account of the £49.4 million of extra schools money included in standard spending assessments.

Passporting (column 6) ensures that individual authorities get the full benefit of SSA increases in their spending power. Under the passporting system capping limits take account of the cash increase in SSAs or the cash increase allowable under the basic increase and specific provisos (column 7), whichever is the greater.

Increases in individual SSAs are the result of an increase in the overall amount available for distribution (including the extra schools' money), distribution formula changes, and changes in non-financial data such as relative population increases. It is not possible to isolate in any meaningful way the extent to which the schools' money has impacts on individual authorities' passports.

1998–99 County and County Borough provisional capping limits

					Components of budget increase		
	1997–98 adjusted budget (Notional amount[1] *£000*	*1998–99 Capping limit £000*	*Maximum cash increase £000*	*Maximum per cent. increase*	*Basic increase (3 per cent.) £000*	*Headroom for SSA increase (passporting) £000*	*Headroom for specific expenditure (provisos)*[2] *£000*
Isle of Anglesey	63,405	66,272	2,867	4.5	1,902	343	622
Gwynedd	115,746	120,356	4,610	4.0	3,472	0	1,138
Conwy	94,054	98,484	4,430	4.7	2,822	489	1,119
Denbighshire	85,490	91,721	6,231	7.3	2,565	2,760	906
Flintshire	122,728	132,896	10,168	8.3	3,682	5,263	1,223
Wrexham	106,584	111,827	5,243	4.9	3,198	921	1,124
Powys	121,825	126,590	4,765	3.9	3,655	0	1,111
Ceredigion	65,874	71,856	3,982	5.9	2.036	1,341	605
Pembrokeshire	105,336	110,386	5,050	4.8	3,160	878	1,012
Carmarthenshire	161,048	167,955	6,907	4.3	4,831	440	1,635
Swansea	205,846	214,113	8,267	4.0	6,175	0	2,091
Neath Port Talbot	134,744	140,138	5,394	4.0	4,042	0	1,352
Bridgend	118,976	123,715	4,739	4.0	3,569	0	1,170
The Vale of Glamorgan	98,919	105,804	6,885	7.0	2,968	2,897	1,020
Rhondda, Cynon, Taff	231,864	241,049	9,185	4.0	6,956	0	2,229
Merthyr Tydfil	60,953	63,341	2,388	3.9	1,829	0	559
Caerphilly	156,973	163,193	6,220	4.0	4,709	0	1,511
Blaenau Gwent	72,132	74,979	2,847	3.9	2,164	0	683
Torfaen	82,634	87,002	4,368	5.3	2,479	1,083	806
Monmouthshire	66,863	71,347	4,484	6.7	2,006	1,767	711
Newport	121,906	126,764	4,858	4.0	3,657	0	1,201
Cardiff	266,235	279,815	13,580	5.1	7,987	2,860	2,733
Total	2,662,135	2,789,603	127,468	4.8	79,864	21,043	26,561

[1] 1997–98 budget requirements adjusted upwards for return of £37.1 million for nursery vouchers.

[2] Additional community care (£21 million), 4 year old provision (£4.4 million) and national grid for learning (£1.2 million).

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Wales what is his estimate of the cost of Ministerial overseas travel in his Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26617]

Mr. Ron Davies *[holding answer 5 February 1998]:* The costs of Ministerial travel on inward investment and trade missions is as follows:

1995–96: £9,600

1996–97: £14,400

1997–98 to date: £6,100.

"Putting Patients First"

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will estimate the total cost of implementing the health reforms proposed in his recent White Paper "Putting Patients First". [31366]

Mr. Win Griffiths: The reforms introduced by the White Paper "Putting Patients First" have estimated start up costs of £10 million and are expected to cost £7 million per annum. However, they are intended to release recurrent savings which, over the lifetime of this Parliament, are expected to provide up to £50 million for reinvestment in direct patient care.

NHS Consultants

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what measures he is taking to improve the statutory procedures for the appointment of consultants at NHS hospitals in Wales. [31739]

Mr. Win Griffiths: Procedures for consultant appointments are governed by regulations which were framed after detailed discussion with the profession, and which do not detract from an Authority's or Trust's normal responsibilities as an employer. Since 1996, it has been an explicit requirement that an employing body should check not only that a prospective appointee is registered with the General Medical Council but also that he or she is on the Specialist Register. I shall consider any representations made to me about the procedures.

HEALTH

Wheelchairs

Mr. Best: To ask the Secretary of State for Health what level of funding will be provided for the electrically-powered indoor/outdoor wheelchair scheme after the year 2000. [31720]

Mr. Boateng: Additional funding has been made available to health authorities over the years 1996–97 to 1999–2000 to enable the National Health Service to introduce the provision of electrically-powered wheelchairs for severely disabled people. The sum of £6 million in additional funding will be made recurrent in 1999–2000. From 2000–2001 the additional funding will be included in the total allocations made to health authorities.

Mr. Best: To ask the Secretary of State for Health what funding has been distributed to health authorities in respect of the wheelchair voucher scheme since April 1996; and how much will be distributed in 1998–99 and 1999–2000. [31725]

Mr. Boateng: Health authorities received £962,000 in respect of the wheelchair voucher scheme in 1996–97; and have received, so far, £4,959,500 in 1997–98. For 1998–99 and 1999–2000 they are due to receive £8 million in each year.

Mr. Best: To ask the Secretary of State for Health how many vouchers have been issued under the electrically powered indoor/outdoor wheelchair scheme since April 1996; and what is the target number of vouchers for the four-year programme. [31724]

Mr. Boateng: The National Health Service voucher scheme does not currently extend to the provision of electrically powered indoor/outdoor wheelchairs. This may be reviewed once both schemes have become established.

Mental Health Act

Mrs. Virginia Bottomley: To ask the Secretary of State for Health what plans he has to review the Mental Health Act 1983; and if he will make a statement. [32066]

Mr. Boateng: We will be considering carefully the case for reviewing the Mental Health Act 1983 in the context of work on development of the Government's new mental health strategy.

Contraceptive Pills

Mr. Martyn Jones: To ask the Secretary of State for Health what plans he has to review the advice given to doctors about appropriate prescribing of contraceptive pills containing desogestrel and gestodene. [32086]

Ms Jowell: The matter is already under review as part of a statutory regulatory process.

Midwives

Mrs. Ballard: To ask the Secretary of State for Health if he will list the numbers of training places, by region, for midwives in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98. [32830]

Mr. Boateng: The information requested is not available centrally.

I refer the hon. Member to the English National Board for Nursing, Midwifery and Health Visiting for the information that is currently available on the numbers of midwifery training places by region.

Mrs. Ballard: To ask the Secretary of State for Health if he will list for each of the past three years the percentage of expectant mothers who have had a named midwife. [32829]

Mr. Boateng: In 1995, 69 per cent. of mothers had a named midwife. In 1996, the figure had risen to 98 per cent. No figure is available for 1997.

These figures are taken from the English National Board for Nursing, Midwifery and Health Visiting 1995 and 1996 annual progress reports "Developments in

Midwifery Education and Practice". The figure for 1995 is based on the results of a questionnaire sent to every maternity service in England. The 1996 figure is based on information collected from 54 maternity sites.

Copies of both these reports have been placed in the Library.

Mrs. Ballard: To ask the Secretary of State for Health how many midwives are below F grade. [32831]

Mr. Boateng: There were 18,260 registered midwives employed by the National Health Service hospital and community health services in England at September 1996. However, it is not possible to sub-divide this number by clinical grade as the Department's non-medical workforce census, the source of this statistic, does not collect information by clinical grade.

EDUCATION AND EMPLOYMENT

Class Sizes

Mr. Chope: To ask the Secretary of State for Education and Employment if the additional funds announced to reduce infant class sizes in 1998–99 will be available to the same education authorities in subsequent years. [32694]

Mr. Byers: No decision has yet been taken on how additional funds will be allocated to LEAs in 1999–2000 and subsequent years.

Mr. Chope: To ask the Secretary of State for Education and Employment if he will list by education authority the sum requested in each bid for additional funds to reduce infant class sizes in 1998–99. [32695]

Mr. Byers: The details of individual Standards Fund applications are a matter for individual authorities.

Mr. Chope: To ask the Secretary of State for Education and Employment if he will publish the details of the calculation which informed his statement of 11 February that the additional funds allocated to Dorset County Council to reduce infant class sizes in 1998–99 will result in 800 pupils being kept out of classes greater than 30 children. [32693]

Mr. Byers: Dorset's application set out how many pupils would benefit from the allocation of different sums. From this the Department calculated on a pro rata basis the number of pupils who would benefit from the £324,000 allocated to Dorset.

Mr. Chope: To ask the Secretary of State for Education and Employment how many pupils aged five, six or seven years in each local education authority in England are currently in classes containing more than 30 children. [32700]

Mr. Byers: The information is not available in the form requested.

Mr. Chope: To ask the Secretary of State for Education and Employment what is his estimate of the number of pupils aged five, six or seven years in each local education authority area in England who will be in classes of size greater than 30 children in the academic year 1998–99. [32697]

Mr. Byers: This information is not yet available.

Mr. Chope: To ask the Secretary of State for Education and Employment how many pupils would have been kept out of classes greater than 30 children if all the bids by local education authorities for additional funds to reduce infant class sizes in 1998–99 had been accepted in full. [32696]

Mr. Byers: This information was not supplied by the individual local education authorities.

Sex Education

Mrs. Ann Cryer: To ask the Secretary of State for Education and Employment what measures he is taking to promote sex education for males in relation to unwanted pregnancies. [32587]

Ms Estelle Morris: We are, with the Department of Health, developing a national strategy for reducing unwanted teenage pregnancies which will focus, among other things, on sex and relationships education. The consultation document "Reducing the Rate of Teenage Conceptions—Towards a National Programme", which was issued by the Department of Health, recognises the importance of addressing both sexes.

LORD CHANCELLOR'S DEPARTMENT

Court Cases (Press Activity)

Mr. McNulty: To ask the Parliamentary Secretary, Lord Chancellor's Department, what is the policy of Her Majesty's Government towards the recommendations of the National Heritage Committee in its second report of Session 1996–97, "Press Activity Affecting Court Cases"—HC 86. [31327]

Mr. Hoon: The Government are committed to obtaining an appropriate balance between the due administration of justice, on the one hand, and freedom of speech, on the other. They have concluded that the Committee's recommendations maintain that balance and have therefore accepted them in principle.

The report recommended that there should be legislation forbidding payments to witnesses; and that section 2 of the Contempt of Court Act 1981 should be strengthened so that it covers the collective and cumulative effect of pre-trial publicity in risking prejudicing a trial, as well as the effect of individual articles. This means that newspapers could not escape liability, as one case held they could, because a number of them had acted in a similar way and together had caused the prejudice.

Work is proceeding on the form that the necessary legislation should take. It will be brought forward when a suitable opportunity is found.

Lord Chancellor's Residence

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department what is the maximum number of guests that can be accommodated for *(a)* official receptions and *(b)* official lunches and dinners in the Lord Chancellor's residence in the Palace of Westminster. [31453]

Mr. Hoon: There are two rooms which will be used for functions in the Lord Chancellor's Residence. The Dining Room will sit 16–18 for official lunches and dinners. The River Room will sit up to 50 people, depending on the nature of the function. For a reception, the maximum number of guests who could comfortably be accommodated is 100. One of the key attractions of the rooms is their location in the Palace of Westminster with views of the River Thames.

Mr. Garnier: To ask the Parliamentary Secretary, Lord Chancellor's Department from which date the official residence of the Lord Chancellor will be opened for public view; and on which days of the week and during which hours of those days it will be open to the public. [31454]

Mr. Hoon: The restoration of the Lord Chancellor's Official Residence is likely to be completed by the end of the Easter Recess. Arrangements for public viewing will be in place as soon as possible thereafter.

The precise arrangements for the opening will be announced in due course: it is currently envisaged that during parliamentary sessions the Residence will open for two mornings a week, between 10 and 11.30 am. More frequent access will be possible during parliamentary recesses. Regular use will be made of the Residence by charities for fund raising occasions.

Judicial Appointments Commission

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what consultations he carried out before deciding not to proceed with the establishment of a judicial appointments commission. [31580]

Mr. Hoon: Last summer, officials in the Lord Chancellor's department consulted informally with various groups and individuals about the issues relating to the possible creation of a judicial appointments commission. Following this consultation and in view of the other substantial priorities facing the Department, the Lord Chancellor decided that it was right to concentrate on making the changes which he considered most urgent in the existing judicial appointments system to improve its openness, flexibility and effectiveness. The Lord Chancellor therefore announced in October that he had decided not to proceed further with work on a possible commission. Among the measures that the Lord Chancellor has already taken to improve the judicial appointments system are: introducing advertising for High Court appointments; increasing the upper age limit for appointment as lay magistrate so as to achieve a better social and political balance on the bench; opening the magistracy to blind candidates on an experimental basis; and involving lay people in the shortlisting of judicial candidates for interview. Other measures announced in October are in the process of implementation.

Law Terms

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department if he plans to extend the length of the law terms; and if he will make a statement. [31578]

Mr. Hoon: The Department has no such plans. The county courts and crown courts do, however, sit throughout the year and the Court of Appeal and the High Court sit during the vacation to hear cases deemed to be urgent.

Written Judgments

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department in how many cases since 1992 the written judgment of the court has been delivered (i) six months, (ii) nine months, (ii) one year and (iv) 15 months after the case was heard. [31579]

Mr. Hoon: The information is not held centrally and could be obtained only at disproportionate cost.

Judges

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Lord Chancellor's Department what steps he is taking to monitor the performance of judges. [31581]

Mr. Hoon: Judges are and must be independent of the Executive. They undertake their responsibilities and obligations in the terms of the judicial oath which they take on appointment. The Lord Chancellor considers any complaints made about the personal conduct of a judge and draws them to the attention of the judge as appropriate. The powers available to the Lord Chancellor to remove judges from office are, however, strictly limited. In considering the suitability of a judge for promotion to a higher office, the Lord Chancellor takes account of the views expressed to him by senior judges, and in considering holders of part-time judicial office as candidates for full-time appointments, he also places weight on the opinions he receives from judges and senior practitioners on the basis of the published criteria for appointment. Arrangements are in place for the observation of certain part-time judicial office-holders. For example, since Autumn 1997 newly-appointed Assistant Recorders have been the subject of some in-court observation by a full-time Circuit Judge during their first week of sitting.

AGRICULTURE, FISHERIES AND FOOD

Overseas Visits

Mr. Wilshire: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 22 January 1988, *Official Report*, column *678*, if he will publish the programme of his wife when she accompanied him to the Netherlands from 25 to 27 May 1997 at public expense. [25925]

Dr. John Cunningham *[holding answer 27 January 1998]:* An "Informal Ministerial Council" is held during each Presidency of the EU, to which Ministerial spouses are traditionally invited. The programme for spouses during the Netherlands Informal Agriculture Council of EU Ministers is given. The Netherlands

authorities met all spouses' costs with the exception of travel expenses to and from the Netherlands. The notional cost of my wife's travel was £457.60.

Sunday 25 May, 1997

From 12.30:

Arrival in Domburg

16.45 hours:

Programme commences

Reception in Middelburg

Performance at the Middelburg Town Theatre

Dinner at the Town Hall in Middelburg

Drinks and dance in Badhotel Domburg

Monday 26 May, 1997

Tour by steam train to Oudelande

Visit to the Agricultural Show

Embarkation at Zierikzee, lunch on board

Visit to the piers of the Oosterschelde storm surge barrier

Dinner in Veere

Laser show in Veere harbour

Tuesday 27 May, 1997

Visit to cheese farm, St. Laurens

Visit to garden, St. Laurens

Lunch in Middelburg with Ministers.

Surveys

Mr. Forth: To ask the Minister of Agriculture, Fisheries and Food if he will list each information, promotional, marketing and opinion survey contract, with its value, concluded by his Department and its agencies for the years *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–2001 and *(e)* 2001–2002. [32021]

Mr. Morley: Information and promotional activities undertaken by the Department during 1997–98, and where contracts have been let for specific component parts, covered the following areas:

Alternative Crops

Animal Health and Welfare

Market Task Force

Personal Imports

Plant Health and Horticulture

Quarantine and Rabies

Research and Development

British Food Promotion

Food Safety

Healthy Eating

Combating Fish Disease

Conservation Walks and Public Access

Countryside Matters and the General Public

Countryside Stewardship

Environmental Protection

Environmentally Sensitive Areas

Flood and Coastal Defence

Other Environmental Issues

Schemes—forms and explanatory literature.

The total cost for the year's activity is expected to be in the region of £3.5 million.

The programme for 1998–99 has still to be finalised, and no plans have been formulated for subsequent years up to 2001–02.

Woodlands

Mr. Hurst: To ask the Minister of Agriculture, Fisheries and Food what proposals he has to promote coppicing in the management of woodlands. [32237]

Mr. Morley: The Government will continue to promote coppicing through the Forestry Commission's Woodland Grant Scheme. This offers both annual management grants for coppiced woodlands and a one-off woodland improvement grant to bring neglected woodlands back into management as coppiced woodlands.

The Forestry Commission also promotes training courses in traditional coppicing skills and supports the publication of the *Woodlots* sales magazine which gives owners the opportunity to offer coppiced timber to potential buyers.

Food Standards Agency

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his oral answer of 19 February 1998, *Official Report*, column 1174, what urgent diary commitments obliged the Minister of State to cancel his attendance at the Hortex Exhibition; when the Minister informed the organisers of his decision to withdraw; and for what reasons no representative from his Department substituted on his behalf. [31916]

Dr. John Cunningham *[holding answer 27 February 1998]:* Hortex were advised well in advance that my hon. Friend would be unable to attend their exhibition on 17 February. A MAFF official was sent on his behalf and gave a presentation.

On 17 February, my hon. Friend visited an abattoir in Uttoxeter, an upland farm in the Derbyshire/Staffordshire area, a large supermarket in Stoke to present a "Golden Checkout Operator" award and then held a liaison meeting with representatives of:

producer groups including the Country Landowners' Association, the National Farmers' Union, Peak District Beef and Lamb;

consumers;

rural business;

banking;

the Transport and General Workers' Union.

My hon. Friend regrets that in the hurly bury of oral questions on 19 February, he referred only to diary commitments in London. He did return to London later on 17 February to carry out his duties in the House.

My hon. Friend, and those he met, found the whole day a very useful opportunity to discuss a wide range of opinions on farming, food and rural issues.

Countryside March

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food for what reason he decided not to attend the Countryside March on 1 March 1998. [32806]

Dr. John Cunningham *[holding answer 3 March 1998]:* I had long-standing engagements elsewhere in Britain over the weekend.

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food for what reason two Ministers will be attending the Countryside March on 1 March. [32808]

Dr. John Cunningham *[holding answer 3 March 1998]:* My right hon. and noble Friend Lord Carter and my noble Friend Lord Donoughue attended the pre-March breakfast to listen to the views of those participating in the March, and to emphasise the Government's clear commitment to the Countryside.

Engagements

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will publish his list of official engagements for Saturday 28 February and Sunday 1 March. [32807]

Dr. John Cunningham *[holding answer 3 March 1998]:* Since last June, I have been planning to hold the UK Informal Agriculture Council—a major gathering of EU Ministers which this country will host as EU Presidency—in the North of England. On Sunday 1 March, I met officials in Newcastle-upon-Tyne to discuss the detailed preparations for this event.

Employee Travel

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the cost of employee travel on office business, broken down into *(a)* fuel allowances, *(b)* unproductive time during travel, *(c)* other costs related to car transport and *(d)* costs related to public transport, for (i) 1994–95, (ii) 1995–96, (iii) 1996–97 and (iv) 1997–98. [32450]

Mr. Morley *[holding answer 3 March 1998]:* The cost of employee travel on official business within the UK in each of the financial years 1994–95, 1995–96, 1996–97 and 1997–98 is detailed below. For 1997–98, the figures represent expenditure incurred during the first 11 months of the financial year, i.e. up to the end of February 1998. Information relating to the cost of unproductive time during travel is not recorded and could be provided only at disproportionate cost.

	1994–95	*1995–96*	*1996–97*	*1997–98*
Total fuel allowances	3,709,999.06	3,444,990.50	3,222,498.23	3,144,064.11
Costs related to car transport	404,574.31	404,904.55	426,869.31	368,645.62
Costs related to public transport	1,166,066.66	1,210,630.03	1,112,860.56	963,104.24

Rural Development (Uplands)

Mrs. Organ: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about grants for rural development and conservation in the uplands of England. [33229]

Mr. Morley: The future of the rural economy and future protection of the uplands countryside are closely linked, and we need to continue to develop our grant schemes to help to strengthen that relationship.

I am therefore issuing new proposals for an experimental scheme, under which an integrated package of Objective 5b rural development grants and Countryside Stewardship grants could be put together to meet local employment and conservation needs. This experiment will apply in two areas of England. Secondly, I am proposing to extend the range of grants for the conservation of the uplands under the Countryside Stewardship scheme.

I am issuing today a consultation paper setting out these proposals in detail. We will welcome comments by the end of May.

Copies of the consultation paper are being placed in the Library of the House.

Herbal Medicines

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food (1) what action the Government are taking to implement Article 8(j) of the Convention on Biological Diversity regarding the conservation of traditional herbal medicines; [31506]

(2) what steps he is taking to meet the Government's obligations under Article 8 (j) of the Convention on Biological Diversity in respect of traditional herbal medicine in the United Kingdom; [31505]

(3) if the Government will include plants used in traditional herbal medicine in *(a)* their assessment of the value of biodiversity and *(b)* the legal and policy framework for biodiversity conservation and sustainable use. [31504]

Angela Eagle: I have been asked to reply.

The Government are playing an active part in international efforts to implement Article 8(j) of the Convention on Biological Diversity, including by participating in the workshop held in Madrid last November under the auspices of the Conference of the Parties to the Convention. We are now coordinating EU preparations for further consideration of the issue at the next meeting of the Conference of the Parties, to be held in May in Bratislava. Traditional herbal medicines represent a significant area of indigenous and local knowledge, and we are keen to see them receive their due attention in implementation of the Convention. Domestically, the UK's Biodiversity Action Plan identifies plant species in need of urgent conservation action, for which action plans are being drawn up to conserve and enhance their populations, but this selection is made irrespective of a species' significance to herbal medicine.

SOCIAL SECURITY

Sustainable Development

Mr. Matthew Taylor: To ask the Secretary of State for Social Security what mechanisms she has put in place to ensure the Government's objective of promoting sustainable development is reflected in the outcome of the comprehensive spending reviews for his Department. [25906]

Mr. Field: Social Security policy has little direct input on development issues and we do not expect that the Department's Comprehensive Spending Review will conflict with the promotion of sustainable development.

War Pensions

Mr. Prior: To ask the Secretary of State for Social Security (1) for what reasons disability living allowance assessment forms were sent out to war pensioners in receipt of *(a)* the War Pensions Agency mobility supplement and *(b)* the war pensions constant allowance; [29387]

(2) if she will make a statement on the relationship between the War Pensions Agency payments, mobility supplement and constant allowance, and disability living allowance; [29385]

(3) how many disability living allowance assessment forms have been sent to war pensioners in receipt of *(a)* the War Pensions Agency mobility supplement and *(b)* the war pensions constant allowance. [29386]

Mr. Denham: The administration of Disability Living Allowance is a matter for Peter Mathison the Chief Executive of the Benefits Agency. He will write to the hon. Member with further details.

Letter from Peter Mathison to Mr. David Prior, dated 3 March 1998:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions regarding Disability Living Allowance (DLA) and War Pensions.

Over the next two or so years, as part of the Benefit Integrity Project (BIP) specially trained staff will make enquiries by postal questionnaire or home visit in over 400,000 cases to establish whether DLA is being paid correctly. Enquiries are directed to those people receiving the higher rate of the mobility component combined with the highest rate of the care component—who are visited, and those receiving the higher rate of the mobility component combined with the middle rate of the care component—who are sent a questionnaire by post.

Under the War Pensions Scheme, where the need for care or where mobility problems are due to the war pensioned disablement, the more preferential Constant Attendance Allowance (CAA) and/or Mobility Supplement (WPMS) may be awarded. A war pensioner may however be entitled to DLA where the need for care or mobility problems are not a result of the war pensioned disablement. War Pensioners who are in receipt of DLA at the rates mentioned above will receive either a questionnaire or visit.

It is a basic principle of the Social Security system that only one benefit at a time can be paid to a person for the same need. If someone in receipt of CAA or WPMS claims DLA, the DLA entitlement will be assessed in the usual way. However as CAA and/or WPMS overlap with DLA, payment of the latter will be affected. A War Pensioner in receipt of CAA or WPMS who is also entitled to DLA will retain underlying entitlement to the appropriate component of DLA.

The number of War Pensioners in receipt of WPMS and/or CAA who have been contacted as part of the Benefit Integrity Project (BIP) is contained in the following table.

Benefit	*Postal*	*Visit*	*Renewal*
War Pensions Mobility Supplement	53	19	11
CAA WP Service Pension Instrument	12	6	1
Totals	65	25	12
Grand Total 102			

Figures are provisional and subject to change.

Customers in receipt of only one component of DLA should not be contacted by the BIP. I apologise for any errors that have occurred and investigations will be undertaken to establish the circumstances as to why these War Pensioners have been contacted under BIP to avoid any recurrence.

I hope you find this reply helpful.

Benefit Integrity Project

Mr. Burstow: To ask the Secretary of State for Social Security, pursuant to her answer of 9 July 1997, *Official Report*, columns *516–17*, concerning the face-to-face interviews being conducted as part of the Benefit Integrity Project, what further estimate her Department has made of the cost of *(a)* the face-to-face interview and *(b)* postal questionnaire aspects of the project. [32800]

Mr. Denham: The administration of the Benefit Integrity Project is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Paul Burstow, dated 3 March 1998:

The Secretary of State for Social Security has asked Peter Mathison to reply to your recent Parliamentary Question asking pursuant to her Answer of 9 July 1997, Official Report, columns 516–17, concerning face to face interviews being conducted as part of the Benefit Integrity Project (BIP), what further estimate her department has made of the cost of (a) the face to face interview and (b) postal questionnaire aspects of the project. As Mr. Mathison is away from the office on leave, I am replying.

The cost of a face to face interview is variable and depends on the distance travelled and the length of the interview. The most recent estimate suggests that the average cost is £73. The cost of dealing with a postal questionnaire is included in the whole BIP process and it is not possible to provide an estimate of the cost of this particular activity. However, it is expected to cost significantly less obtaining a completed questionnaire by post than by obtaining one on a visit.

I hope you find this reply helpful.

Incapacity Benefit

Mr. Oaten: To ask the Secretary of State for Social Security what steps have been taken to measure the number of people who no longer receive benefit as a result of the change from invalidity benefit to incapacity benefit. [32384]

Mr. Denham: The information is not available.

Detailed information on the numbers leaving Incapacity Benefit and the reason for cessation of benefit is provided in Incapacity Benefit and Severe Disablement Allowance Quarterly Summary of Statistics. Actual and forecast numbers on benefit are provided at Table 6 in the Social Security Departmental Report, "The Government's Expenditure Plans 1997–98 to 1999–2000". However, it

is not possible to isolate the effects of the change from Invalidity Benefit to Incapacity Benefit from other factors which influence numbers on the benefit.

Personal Pensions

Mr. Jim Murphy: To ask the Secretary of State for Social Security when she proposes to announce the new levels of contracted-out rebates to apply from April 1999. [33141]

Ms Harman: I have today laid the relevant reports by the Government Actuary and myself, together with draft Orders which set the new levels of National Insurance rebates for contracted out money purchase schemes and appropriate personal pensions applicable from 6 April 1999 for the remainder of the current quinquennium ending 5 April 2002.

The Orders must be debated in both Houses before 6 April 1998 to fulfil the legislative requirement that they are made one year in advance of their effective date.

DUCHY OF LANCASTER

Public Information Films

13. **Mr. David Heath:** To ask the Chancellor of the Duchy of Lancaster what assessment he has made of the value of public information films produced by the Central Office of Information being screened in the early hours of the morning. [30876]

Mr. Kilfoyle: Public information films are transmitted free of charge by the BBC, ITV, cable and satellite stations. Last year, TV stations donated £30 million of airtime. Just under half of that total was accounted for by transmissions between midnight and 6am.

Open Government

14. **Mr. Amess:** To ask the Chancellor of the Duchy of Lancaster what recent representations he has received on his Department's policies on open government. [30877]

Dr. David Clark: This Government believe that open government is good government, in stark contrast to the record of the previous Administration.

With our proposals on Quangos and Freedom of Information, we are laying the foundations for a culture of proactive openness which will change the face of government.

My Department is also publishing more information as a matter of course, on issues such as how central Government are tackling the Millennium Bug.

18. **Mr. Nicholas Winterton:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his responsibilities in respect of the disseminating of information to the public about Government policy and activities, with particular reference to his open government initiative. [30882]

Dr. David Clark: My responsibilities include Freedom of Information. I recently published the White Paper "Your Right to Know" setting out our proposals for a Freedom of Information Act, which includes a requirement on public authorities to publish information about their policies and activities.

Freedom of Information

15. **Mr. Ruffley:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his policy on freedom of information as it relates to his own Department. [30878]

Dr. David Clark: I have published a White Paper on Freedom of Information which will open up not just my Department, but the whole of Government. I intend that my Department will set an example in terms of openness, and I therefore published the background material relevant in forming the White Paper's proposals on 4 February.

I have also taken other steps to further openness within my own Department. I have appointed a Webmaster to improve the quality and scope of the Cabinet Office Internet site. I have set up a virtual seminar—on the Internet—to discuss the issues surrounding Better Government; and I am in the process of setting up a People's panel to consult and involve the public in issues about public services.

16. **Mr. Paterson:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on progress in his consultation on freedom of information legislation. [30880]

Dr. David Clark: The consultation period on the White Paper ended on 28 February. Around 500 responses have been received. We will now be considering these responses carefully with a view to the preparation of a draft Freedom of Information Bill, to be issued later this year. This will provide a further opportunity for consultation on our proposals for a Freedom of Information Act.

25. **Mr. Hanson:** To ask the Chancellor of the Duchy of Lancaster what representations he has received from national organisations concerning his White Paper on Freedom of Information. [30890]

Dr. David Clark: I have received a large number of representations from national organisations including the following 96 organisations:

Amnesty International
Article 19
Association for Geographic Information
Association of Chief Archivists in Local Government
Association of Chief Police Officers
Association of Council Secretaries and Solicitors
Association of First Division Civil Servants
Association of Personal Injury Lawyers
Association of Teachers and Lecturers
Association of the British Pharmaceutical Industry
BBC
British Chambers of Commerce
British Medical Association
British Safety Council
British Waterways
Careers Services National Association
Charter 88
Chemical Industries Association

Church Commissioners
Civil Aviation Authority
Coalition for Public Information
Commission for the New Towns
Communities Against Toxics
Communities Against Toxics Wales (CATS Cymru)
Conference of Directors National Museums and Galleries
Consumers' Association
Economic and Social Research Council
Electricity Association
English Heritage
English Nature
Environment Agency
Farm and Food Society
Farm Animal Welfare Council
Federation of Small Businesses
Financial Services Authority
Football Licensing Authority
Friends of the Earth
Gaming Board for Great Britain
Gas Consumers Council
Green Alliance
Heritage Lottery Fund
Human Fertilisation and Embryology Authority
Independent Television Association
Institute of Physics
Insulin Dependent Diabetes Trust
ITN
Judicial Studies Board
Law Society of Scotland
Liberal Party
Library and Information Commission
Library Association
Library Campaign
Local Government Commission for England
Local Government Management Board
Methodist Church
Millennium Commission
Museums and Galleries Commission
National Alliance for Clearer Kilns
National Campaign for One Parent Families
National Consumer Panel
National Gallery
National Housing Federation
Natural History Museum
Newspaper Society
NHS Confederation
Northern Ireland Public Service Alliance
Open Spaces Society
Open University
Police Complaints Authority
Post Office
Public Services, Tax and Commerce Union
Ramblers' Association
Royal Armouries
Royal Commission on the Historical Monuments of England
Royal Historical Society
Royal National Institute for the Blind
Royal Statistical Society
S4C
Scotland Campaign against Irresponsible Drivers
Scottish Arts Council
Scottish Consumer Council
Scottish Environment Protection Agency
Scottish Human Rights Centre
Scottish Natural Heritage
Scottish Sports Council
Shared Parenting Information Group
Society of Archivists
Society of Information Technology Management
Society of Public Information Networks
Takeover Panel
The Arts Council of England
Trades Union Congress
Water Services Association of England and Wales
Women's National Commission
World Development Movement
World Wide Fund for Nature.

I have also received a further 10 representations from organisations that have asked to remain confidential.

Public Appointments

17. **Dr. Tony Wright:** To ask the Chancellor of the Duchy of Lancaster what plans he has to change the system for public appointments. [30881]

Mr. Kilfoyle: The Government made a number of proposals about public appointments and public bodies in our consultation paper "Opening up Quangos". We are now considering responses to that paper and also the recent Report on Public Appointments from the Select Committee on Public Administration (HC327). We will carefully consider each of the recommendations of that Report, and respond in due course.

Information Technology

19. **Mr. Clifton-Brown:** To ask the Chancellor of the Duchy of Lancaster what assessment he has made of the effective use of Information Technology systems by Government departments. [30883]

Dr. David Clark: It is for individual departments and agencies to assess the effective use made of their IT systems.

However, the Central Computer and Telecommunications Agency (CCTA) provides advice and guidance to government departments and agencies to help them to improve the delivery of their services through the best use of IT. In particular, CCTA provides assistance in benchmarking IT related processes to assist departments to continue to use IT effectively and efficiently.

New technology will underpin the Better Government programme and will help bring government closer to the people by making it accountable, accessible, efficient and responsive.

22. **Mr. Ainger:** To ask the Chancellor of the Duchy of Lancaster what proposals he is considering for the electronic delivery of Government services. [30887]

Dr. David Clark: Later this year I will publish a White Paper on Better Government which will set out the ways in which access to government services can be transformed. We will use modern technology to make life simpler and easier for people—making government fit with the way they live their lives, and businesses run their affairs.

Mr. O'Hara: To ask the Chancellor of the Duchy of Lancaster what steps he has taken to permit individuals to supply information electronically to Government. [30885]

Dr. David Clark: Last December I launched the Intelligent Form project, which converts what were once six paper forms on notification of self-employment into one electronic form, and in so doing enables individuals to supply several departments with information simultaneously via the Internet.

I also intend to publish later this year a White Paper on *Better Government*, which will set out further ways in which IT will enable individuals to supply information to the Government electronically.

Citizens Charter

21. **Mr. Jim Cunningham:** To ask the Chancellor of the Duchy of Lancaster what plans he has to improve the effectiveness of the charter programme. [30886]

Mr. Kilfoyle: I announced our plans to relaunch the Charter programme in June last year. We are currently developing proposals for the new programme, in the light of our recent wide-ranging consultation exercise. Details of the programme will be published as part of the Better Government initiative later in the spring.

Civil Servants

23. **Mr. Gareth Thomas:** To ask the Chancellor of the Duchy of Lancaster what plans he has to improve civil servants' understanding of the regions and nations of the United Kingdom. [30888]

Dr. David Clark: The Government recognise the importance of ensuring civil servants are fully aware of the context within which they work. An important means of achieving this is through practical experience. Targets have been set to increase the mobility of civil servants across Government. The Government will ensure that there is inter-departmental mobility between civil servants working for the Welsh Assembly, the Scottish Executive and the rest of the Home Civil Service.

Millennium Compliance

24. **Mr. Ian Bruce:** To ask the Chancellor of the Duchy of Lancaster how many Government departments have completed their work on the year 2000 problem. [30889]

Dr. David Clark: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Wolverhampton, South-East (Mr. Turner) on 3 March 1998. I will continue to report progress by Departments and agencies to the House on a quarterly basis.

Non-departmental Public Bodies

26. **Mr. Pickthall:** To ask the Chancellor of the Duchy of Lancaster if he will make a statement on his plans to reduce the number of non-departmental public bodies. [30891]

Dr. David Clark: The Government remain committed to keeping the number of NDPBs to a minimum. Already a number of NDPBs have been abolished and several more have been targeted for abolition or merger. The Comprehensive Spending Review, which involves a zero-based analysis of the functions of NDPBs, may reduce the overall number of NDPBs further. Ministers will continue to examine the NDPBs they sponsor with a view to identifying additional candidates for abolition.

Next Steps Agencies

27. **Dr. Whitehead:** To ask the Chancellor of the Duchy of Lancaster what steps he is taking to improve the effectiveness of policy implementation where co-operative working between next steps agencies is required. [30892]

Dr. David Clark: The scope for enhancing co-operative working between agencies, both within and across Departments, is being considered as part of the Comprehensive Spending Review and the Better Government initiative. It will be addressed in the Better Government White Paper, to be published later in the Spring.

Magistrates

28. **Mr. Gordon Prentice:** To ask the Chancellor of the Duchy of Lancaster what steps he is taking to achieve political balance among magistrates in the Duchy. [30893]

Dr. David Clark: I welcome recommendations for appointments to the bench to ensure that the guidelines are followed in order that the magistrates benches reflect the demographic, political and religious composition of the communities they cover. It therefore follows that in areas which have been solidly Labour for a number of years and where the balance of the Bench favours another party I expect to receive recommendations which will rectify the imbalance. Furthermore I have taken steps to relax the age of initial appointments to allow more mature entrants to be considered.

Data Protection

Mr. Flynn: To ask the Chancellor of the Duchy of Lancaster what representations he has had from the Data Protection Registrar on reconciling current privacy and freedom of information bills. [30875]

Dr. David Clark: I have received a formal response from the Data Protection Registrar in which she warmly welcomed the general tenor of the proposals and made a number of significant points for consideration.

Deregulation

Mr. Quinn: To ask the Chancellor of the Duchy of Lancaster what decision he has taken on the future of the enforcement provisions of section 5 of the Deregulation and Contracting Out Act 1994. [33230]

Mr. Kilfoyle: I refer to my answers to my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) of 23 July 1997, *Official Report*, column *583*. The Access Business Group, a partnership between central and local government and business, has drawn up an enforcement concordat. It sets out the principles that:

Performance will be measured against agreed *standards*

There will be *openness* in dealing with business and others

Enforcers will be *Helpful*, courteous and efficient

Complaints procedures will be publicised

Enforcement decisions will be taken in a *proportionate* manner and

Enforcement officers will strive for high standards of *consistency*.

The Concordat also establishes the procedures that participating enforcers will follow. These include distinguishing best practice advice from legal requirements and giving businesses a chance to discuss and remedy problems before action is taken, unless immediate action is required.

Where section 5 procedures already apply through legislation, Departments will identify opportunities to amend the legislation in the light of this new voluntary approach to good enforcement.

The Access Business group will keep both the adoption of the concordat and the effectiveness of it under review. I commend these principles and procedures to all enforcement officers and to the House. Copies of the enforcement concordat are available in the Libraries of the House.

MINISTER WITHOUT PORTFOLIO

Millennium Experience

Mr. Maude: To ask the Minister without Portfolio which firms have signed contracts to provide commercial sponsorship for the Millennium Dome; and how much they have each pledged. [30512]

Mr. Mandelson: I refer the right hon. Member to the answer I gave to my hon. Friend the Member for Pontefract and Castleford (Ms Cooper) on 24 February 1998, *Official Report*, column *204*.

Written Answers to Questions

Thursday 5 March 1998

ENVIRONMENT, TRANSPORT AND THE REGIONS

Millennium Compliance

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what contingency plans have been made in case of failure of *(a)* the CAA's suppliers to complete year 2000 compliance changes and *(b)* the year 2000 compliance changes of CAA's suppliers during live running. [32633]

Ms Glenda Jackson: For some equipment, National Air Traffic Services Ltd. (NATS) relies on external support and there are some cases where NATS, at this stage, is not adequately assured of completion. These suppliers are being urged to respond. Where such systems are identified as an on-going risk, a solution involving a method of working around the system or backing it up will be included in contingency plans.

Efforts are being made to gain assurance from suppliers that services can be relied upon. NATS aims to involve suppliers in validation tests, where that is feasible, in order to increase the level of confidence. Where there is a lack of assurance, there may be alternative sources of supply, but this may not always be the case. An example is telecommunications services—NATS uses several suppliers and it might be possible to change supplier over time. Contingency plans will be drawn up in full after the validation tests have been completed, when more will be known about the nature of the risks.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what progress reports his Department has sought in respect of the CAA's millennium compliance; and if he will place these in the Library. [32720]

Ms Glenda Jackson: Officials in my Department first wrote to the Civil Aviation Authority on 14 March 1997 in pursuit of the Department-wide initiative to approach sponsored bodies about their work on resolving the millennium problem. Since then, my Department has contacted the Civil Aviation Authority and National Air Traffic Services (NATS) regularly to obtain progress reports and information on specific points. On each occasion, the Authority or NATS has sent a progress report or a position statement setting out how the work is progressing. In addition, officials are keeping in touch with the CAA Board in order to obtain regular overviews of how the work is progressing.

A memorandum by the CAA's Science and Technology Committee, entitled "Year 2000 and Computer Compliance Enquiry" (7 January 1998), and a copy of NATS' "millennium problem action plan" (26 February 1998) have been placed in the Library.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 21 January 1998, *Official Report*, column *553*, when checking of *(a)* non-National Air Traffic Service and *(b)* National Air Traffic Service operational items for millennium compliance began; how many items in each category have been checked to date for year 2000 compliance; how many have been found to be year 2000 (i) compliant and (ii) non-compliant; how many of the items which are not year 2000 compliant have been fixed and satisfactorily tested; how many man days were required to complete and test these changes; when integration testing is to start; and what contingency plans have been made in the case of failure (1) to complete year 2000 compliance changes and (2) of the year 2000 compliance changes during live running. [32719]

Ms Glenda Jackson: National Air Traffic Services Ltd. (NATS) began initial study work to address the year 2000 compliance issue in April 1996.

A total of 582 operational in-service items have been checked, of which 483 have been found to be compliant; 99 items have been found to be non-compliant. Fixing and testing of the non-compliant items is expected to be completed by July 1998. The work to implement any necessary changes is not accounted for centrally. Systems are fixed and tested individually and are then reintegrated into operational service as part of the existing process for change implementation. A wider set of cross-system and cross-site year 2000 validation tests will then take place between September and December this year. Estimating the number of man days used to complete the changes would involve disproportionate cost.

Changes required to ensure year 2000 compliance are generally of a minor nature and there are none that it is considered will not be completed in time. Ways of working around the system would be developed in the event of non-compliance. The purpose of the validation testing exercise is to identify residual risk areas which will be fed into the development of operational contingency plans in the early part of 1999.

With regard to non-NATS systems, I would refer the hon. Member to the memorandum placed in the Library by the CAA's Science and Technology Committee (Year 2000 and Computer Compliance Inquiry, dated 7 January 1998).

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what assessment the CAA has made of the year 2000 compliance of CAA suppliers which exchange data with the CAA electronically; and what independent assessment of the year 2000 compliance of CAA's suppliers will be conducted. [32632]

Ms Glenda Jackson: The process of identifying suppliers and dependencies in order to find out what plans they have to deal with this issue, to ask for evidence of progress and tests carried out, and to arrange for testing in conjunction with National Air Traffic Services' (NATS) systems at a suitable stage has been underway since 1996. These interfaces have been identified, and dialogue with suppliers is at an advanced stage.

NATS is currently planning an independent audit of its year 2000 activities which will take place later this year. The audit will also consider the adequacy of the compliance assurances that suppliers have provided.

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions when *(a)* each of his Department's agencies and *(b)* the Government Offices for the Regions estimate their millennium compliance programmes will be completed. [32613]

Angela Eagle: The estimates are provided in the latest returns released by the Chancellor of the Duchy of Lancaster on 3 March 1998, *Official Report*, columns *621–22*, and placed in the libraries of both Houses and published on the Internet.

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions when *(a)* each of his Department's agencies and *(b)* the Government offices for the regions will have completed their examination of the available options for achieving millennium compliance. [32614]

Angela Eagle: Five of the Department's Agencies have completed their examination of the options for achieving millennium compliance, and the remainder aim to complete their examination by the end of April 1998. Within the Government Office for the Regions it is anticipated that the examination of the available options will be completed by June 1998.

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions what contingency plans have been made in the event of a failure due to Year 2000 computer problems for *(a)* each of his Department's agencies and *(b)* the Government offices for the regions. [32612]

Angela Eagle: The position on contingency plans is included in the latest returns released by the Chancellor of the Duchy of Lancaster on 3 March 1998, *Official Report*, columns *621–22*, and placed in the Libraries of both Houses and published on the Internet.

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions if IT contracts for millennium compliance for *(a)* each of his Department's agencies and *(b)* the Government offices for the regions will be put out to tender. [32610]

Angela Eagle: Most Agencies have existing contracts which will be used for millennium compliance. Where extra support is required this will be subject to competitive procurement procedures. The Government Office for the Regions will look to existing IT service suppliers to address millennium compliance issues.

Mrs. May: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the millennium compliance of the data processing systems *(a)* at the London Air Traffic Control Centre and *(b)* due to be introduced at Swanwick Air Traffic Control Centre. [32726]

Ms Glenda Jackson: National Air Traffic Services (NATS) has been running a year 2000 project since 1996, and included within the scope of the project is the London Area and Terminal Control Centre and its supporting infrastructure. All in-service operational systems have been checked, and NATS is now in the middle of a comprehensive update programme to correct faults or replace sub-systems which might be affected by the millennium bug. NATS expects to be fully compliant by the end of 1998 and this timescale includes extensive testing at all levels of their systems.

Year 2000 compliance for the systems in the new centre at Swanwick is an essential part of NATS' overall programme. In conjunction with NATS' supplier, Lockheed Martin, NATS has conducted a full system assessment. A small number of minor corrections are required to the operational systems and some updates are required to the off-line support systems. All work in this area is included in the plan for readiness by the end of 1998.

Departmental and Agency Plans

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions what revisions to the cost estimates in the Summary of Departmental and Agency Plans as received by the Chancellor of the Duchy of Lancaster dated November 1997 have been made for *(a)* each of his Department's agencies and *(b)* the Government offices for the regions. [32611]

Angela Eagle: The cost estimates are provided in the latest returns released by the Chancellor of the Duchy of Lancaster on 3 March 1998, *Official Report*, columns *621–22*, and placed in the Libraries of both Houses and published on the Internet.

Tree Preservation Orders

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of trees in England which are subject to tree preservation orders; and how many have been designated primarily because of their age. [32652]

Angela Eagle: Tree preservation orders are made and administered by local planning authorities. Information on the number of orders currently in force, or estimates of the number of trees protected by these orders, is not held centrally. My Department advises authorities to use tree preservation orders to protect selected trees which, if removed, would have a significant impact on the local environment and its enjoyment by the public. Age may therefore be a contributory but should not be the primary reason for designation.

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions how many prosecutions have been brought in each year since 1990 for felling trees subject to a tree preservation order. [32653]

Angela Eagle: This information is not held centrally.

Business Parks

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what is the number and surface area of business parks that have been built on *(a)* green-field land excluding Green Belt, *(b)* Green Belt land and *(c)* recycled land in each of the last 12 years by (i) county and (ii) region in England. [32855]

Mr. Caborn: The information requested is not held centrally. Most decisions on planning applications for business park developments are taken by local planning authorities. They provide statistical returns of all major applications which they handle, in order to provide an overall picture of planning activity. These data do

not classify applications by location. It is, therefore, not feasible at the moment to assemble such information, except at disproportionate cost.

Leaseholders

Mr. Gardiner: To ask the Secretary of State for the Environment, Transport and the Regions what discussions his Department has had with the Institute of Chartered Accountants to ensure that full disclosure of certified accounts is made by landlords to leaseholders under section 21 of the Landlord and Tenant Act 1985; and if he will make a statement. [31131]

Mr. Raynsford: No such discussions have taken place. It does however appear that some clarification may be needed of the duties of a qualified accountant certifying a summary of costs under section 21 of the Act, and we are considering the best way to take this forward.

Hedgerows

Dr. Gibson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase the number of hedgerows which are protected. [32390]

Angela Eagle: On 29 May 1997, the Government announced a review to consider how the Hedgerows Regulations 1997 might be strengthened so that they give better protection for hedgerows. The review is being undertaken by a group which includes nominees of the statutory agencies, local authorities and the main farming and conservation bodies. It is expected to complete its work shortly.

West Coast Main Line

Helen Jones: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he has had with *(a)* Railtrack and *(b)* Virgin Trains about improvements to services on the West Coast Main Line. [32864]

Ms Glenda Jackson: I met with Railtrack on 27 January to discuss their plans to upgrade the West Coast Main Line. Railtrack have agreed to provide regular updates on their progress with the modernisation programme.

I met with Richard Branson on 10 July 1997 to discuss general rail and aviation issues. However, the Franchising Director is responsible for monitoring the performance of Virgin Trains. He has regular meetings with Virgin Trains and has impressed on them the importance that the Government place on improving services on the West Coast Main Line.

Deputy Prime Minister (Car)

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what was the cost of acquiring the Jaguar 4.0i LWB for the use of the Deputy Prime Minister and the subsequent cost of conversion to an alternative fuel system. [32991]

Mr. Prescott: The cost to the Government Car Service (GCS) of acquiring the second hand P registered Jaguar which I currently use was £35,000. For technical reasons, Jaguar Cars Limited advise that this car cannot be converted economically to operate on alternative fuels and the cost of its conversion does not therefore arise.

Following several months of discussion between the GCS and Jaguar Cars Ltd., the company has offered the GCS the opportunity to replace the current car with a similar, P registered ex-test vehicle which can be converted easily to run on LPG. This car will be made available by Jaguar Cars Ltd. at no change in cost to the public purse.

The proposed arrangement represents an excellent opportunity for the Government to work with a major British engineering company to achieve a showcase environmentally friendly vehicle development. The replacement car will therefore be brought into service as soon as possible and will be exhibited at a Green Car Exhibition which I will be opening in Chester on 25 April on occasion of the Informal Meeting of the EU Environment and Transport Councils.

SCOTLAND

Business Parks

Mr. Brake: To ask the Secretary of State for Scotland what is the number and surface area of business parks that have been built on *(a)* greenfield land excluding Green Belt, *(b)* Green Belt land and *(c)* recycled land in each of the last 12 years by (i) county and (ii) region in Scotland. [32853]

Mr. Macdonald: This information is not held centrally although the results of more general research commissioned by the Scottish Office on current and future trends in office development and location in Scotland should be available shortly.

Hepatitis C

Mrs. Ewing: To ask the Secretary of State for Scotland how many representations calling for financial assistance he has received on behalf of people with haemophilia infected with Hepatitis C through their NHS treatment. [32048]

Mr. Galbraith: Departmental records show that since 2 May 1997 eleven representations (four of these from hon. Members) concerning financial assistance have been received by the Secretary of State on behalf of people with haemophilia who have been infected with Hepatitis C through their NHS treatment.

Ambulance Service

Mr. Maclennan: To ask the Secretary of State for Scotland what investigation the Chairman of the Scottish Ambulance Service NHS Trust has made of concerns raised about management practices in the service; what conclusions and recommendations he has reached; and if he will make a statement. [33282]

Mr. Galbraith: Mr. Clarke has carried out what I believe to be an exhaustive investigation into the matters raised as I had asked him to do and has produced a Report dealing with them honestly and frankly. The Report has

identified shortcomings of practice and procedure in relation to the handling of certain personnel matters. It recommends various changes that are designed to prevent any recurrence of these shortcomings. I met Mr. Clarke recently to discuss his findings and recommendations, which I have accepted in full. I know that the right hon. Member and other right hon. and hon. Members have been taking a close interest in this matter on behalf of constituents. I hope that those concerned will, on reading the report in its entirety, feel able to accept that their legitimate claims have been fairly and objectively dealt with. I have made arrangements for copies of the Report to be sent to the right hon. and hon. Members involved and the relevant constituents and for a copy to be placed in the Library of the House.

It has emerged in the course of the investigations conducted by Mr. Clarke that information provided by the Scottish Ambulance Service NHS Trust and used by the then Minister during the Adjournment Debate on 26 November 1996, *Official Report*, columns 239–48, was misleading. In the course of that debate secured by the then hon. Member for North Tayside the Minister of State stated in all good faith that the matter of Hepatitis B vaccine had not been raised by the hon. Member's constituent prior to her dismissal from the Scottish Ambulance Service. The matter was in fact raised on three occasions but for the reasons set out in paragraph 6.2.5 of Mr. Clarke's Report neither the Minister nor the House were made aware of this. I apologise to the House and I am also writing to both the then Minister of State and the then hon. Member for North Tayside.

Students

Mr. Welsh: To ask the Secretary of State for Scotland what was the total financial contribution of non-Scottish United Kingdom students to the Scottish higher education sector for each of the last five years. [25347]

Mr. Wilson *[holding answer 26 January 1998]:* Information in the form requested is not readily available. Estimates of the tuition fee payments made by Local Education Authorities to the Scottish higher education sector to support study by non-Scottish United Kingdom students in the latest available years are provided in the table.

Estimated total fee expenditure[1] for mandatory award holders, 1991–92 to 1995–96

£000

Year	Estimated expenditure
1991–92	36,206
1992–93	43,474
1993–94	43,864
1994–95	[2]27,260
1995–96	[2]28,362

[1] Total expenditure has been estimated by multiplying average fees paid for English and Welsh students by the total number of non-Scottish UK mandatory award holders. These figures do not include fees paid by non-Scottish UK students not in receipt of a mandatory award.

[2] Average tuition fees were reduced in 1994/95.

PRIME MINISTER

News International

Mr. Baker: To ask the Prime Minister if he will list the occasions since 1 May 1997 when *(a)* he and *(b)* officials in his Department have had discussions with (i) Mr. Rupert Murdoch and (ii) senior representatives of News International; and what matters were discussed. [31109]

The Prime Minister *[holding answer 24 February 1998]:* My staff and I have meetings with a wide range of organisations and individuals.

Ministerial Visits

Sir Richard Body: To ask the Prime Minister if he will make a statement on discussions relating to the Single Currency during his recent visit to Japan separately identifying discussions between industrialists. [32988]

The Prime Minister: I discussed the United Kingdom's policy towards Europe and the Single Currency with a large number of business leaders and politicians during my recent visit to Japan, including during a dinner on 9 January at which I gave a speech to over 300 representatives of Japanese Government and industry. I also set out the EU's approach to the Single Currency at the EU/Japan summit on 12 January.

"Britain in Europe"

Mr. Gray: To ask the Prime Minister if he will make a statement on his role and that of Government Ministers in respect of the booklet, "Britain in Europe". [32965]

The Prime Minister: The Government have no formal involvement in the production of this booklet, neither in exercising editorial control nor making any financial contribution. The booklet contains articles from across the political spectrum expressing a wide range of opinion.

I think it is important to take suitable opportunities to explain to people this Government's new, more constructive approach to Europe; and the unique opportunity provided by our Presidency of the EU to rebuild Britain's standing. This booklet is one such opportunity and I and my right hon. Friends the Foreign and International Development Secretaries contributed on that basis.

INTERNATIONAL DEVELOPMENT

Iraq

Sir Alastair Goodlad: To ask the Secretary of State for International Development which non-governmental organisations her Department is currently funding in Iraq; what activities they are conducting; and if she will make a statement. [32289]

Clare Short: The Government are deeply concerned about the suffering of the people of Iraq. The UK co-sponsored UN Security Council Resolutions 986 in 1995 and 1153 on 20 February 1998 (oil-for-food scheme). The benefits to the people of Iraq have been less

than intended as a result of Iraqi Government action. We are currently reviewing what we can do to help ease the suffering of the Iraqi people.

Our current bilateral programme of humanitarian aid to Iraq through NGOs consists of:

Northern Iraq

A grant of £1.6 million to Save the Children Fund to help Children and Marginalised groups.

£145,000 to ACORN to assist children through physiotherapy with physical disabilities.

£660,000 to Mines Advisory Group for mine detection and clearance.

£200,000 to Kurdistan Children's Fund to resettle displaced families.

£25,000 to Kurdish Life Aid to improve water and sanitation facilities in Atrush Camp.

Baghdad-controlled Iraq

We have recently completed the following Water system rehabilitation and hospital funding projects:

£525,000 to CARE to rehabilitate the Water Treatment Plant at Najaf Kufa.

£40,000 to Medical Aid for Iraqi Children for provision of medical supplies to Children's hospitals.

£325,000 to CARE for the supply of food to Maternity Hospitals.

£1 million to CARE for the supply of food to Hospitals.

£120,000 to CARE for Water and Sanitation Monitoring. We have recently agreed a new phase costing £35,000.

Sir Alastair Goodlad: To ask the Secretary of State for International Development what security advice has been given by the Government to British citizens working for non-governmental organisations funded by her Department working in Iraq. [32288]

Clare Short: Department for International Development officials discuss security in their regular contacts with NGOs and in consultation with the Foreign and Commonwealth Office maintain up-to-date lists of British citizens and their contact numbers. They make a particular point of discussing security of NGO expatriate and local staff when visiting them in Iraq.

Homelessness (Russia)

Mr. Hancock: To ask the Secretary of State for International Development what recent representations she has received regarding the situation of the homeless in Russia. [32966]

Clare Short: We have played a significant part in raising awareness of the plight of the homeless in Russia through our support for the prominent St. Petersburg organisation, Nightshelter.

This Know How Fund project, which began in 1996, is due to run for two years and costs £100,000, collaborates with *The Big Issue* Scotland in helping Nightshelter produce their equivalent publication, The Depths. This has proved to be such a successful project, that the KHF is currently exploring with *The Big Issue* ways in which similar projects can be implemented in other regions of Russia.

Mr. Hancock: To ask the Secretary of State for International Development if she will make a statement on her Department's work in respect of homelessness in Russia. [32964]

Clare Short: Following a request from the Directors of *The Big Issue* magazine, my Department is supporting a two-year project to provide technical assistance to a Russian counterpart publication set up to help the homeless in St. Petersburg. This support is provided through the Know How Fund.

Last month we responded encouragingly to a further request for assistance for a similar project in other cities in Russia. We are waiting for a more detailed proposal.

Surveys

Mr. Forth: To ask the Secretary of State for International Development if she will list each information, promotional, marketing and opinion survey contract, with its value, concluded by her Department and its agencies for the years *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–01 and *(e)* 2001–02. [32023]

Clare Short: The Department for International Development has concluded one contract, with Opinion Leader Research, for around £43,000, during 1997–98. It has not concluded any contracts for subsequent years.

Chittagong Hill Tracts Peace Accord

Ms Oona King: To ask the Secretary of State for International Development what position Her Majesty's Government took at the meeting of donors in Dhaka on 23 February on the Chittagong Hill Tracts Peace Accord; and what undertakings Her Majesty's Government made. [31972]

Clare Short: The meeting on 23 February was called by the Government of Bangladesh (GoB) to discuss with donors how best to co-ordinate and deliver appropriate development assistance in the Chittagong Hill Tracts. A list of possible projects was also presented by GoB but not discussed. Her Majesty's Government played an active part in the meeting which concluded that a core team of donors, led by the United Nations Development Programme, should work with GoB to identify priority needs, develop plans for co-ordinating the overall donor effort and identify appropriate implementation arrangements. This approach was proposed by GoB and is intended to provide a framework for assistance from donors, including Department for International Development.

HOME DEPARTMENT

Ethnic Minorities

Mr. Cox: To ask the Secretary of State for the Home Department what is the current level of funding from his Department under section 11 for the employment of teachers. [31745]

Mr. Mike O'Brien: Information is not readily available in the form requested. But, in the current financial year, nearly £78.6 million is allocated under section 11 grant to support the cost of employing teachers and other staff (including bilingual assistants, nursery nurses and home/school liaison workers) on projects to address additional needs of ethnic minority school pupils.

Remand Prisoners

Mr. Hurst: To ask the Secretary of State for the Home Department how many remand prisoners died in custody in the years 1992 to 1997. [31640]

Ms Quin *[holding answer 26 February 1998]:* The information requested is given in the table.

Deaths of unsentenced prisoners 1992–1997[1]

Year	*Deaths*
1992	29
1993	36
1994	33
1995	40
1996	39
1997	41

[1] Figures as at 25 February 1998.

Birds of Prey

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many *(a)* prosecutions have been brought and *(b)* convictions secured for killing protected birds of prey in each year since 1990. [32212]

Mr. George Howarth: All indigenous birds of prey are protected from being killed, taken or injured by section 1 of the Wildlife and Countryside Act 1981. The table shows the number of defendants prosecuted and convicted under this Act from 1990 to 1996 (latest available) for offences related to birds, according to our Court Proceedings database. Information is not collected centrally on the species involved.

Number of defendants prosecuted and convicted under the Wildlife and Countryside Act 1981 of offences related to birds, 1990–1996
England and Wales

Offence description	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*
PROSECUTIONS							
Wildlife and Countryside Act 1981							
Protection of wild birds (Section 1)	35	45	44	48	30	41	33
Protection of nests and eggs of wild birds (Section 1)	5	14	9	16	17	18	9
Protection of wild birds in sanctuaries (Section 3)	—	1	—	—	—	—	—
Protection of the nest and eggs of wild birds in sanctuaries (Section 3)	3	1	—	1	—	2	—
Prohibition of certain methods of killing or taking wild birds (Section 5)	11	7	7	10	3	3	8
Protection of captive birds (Section 8)	7	1	4	3	—	3	2

Number of defendants prosecuted and convicted under the Wildlife and Countryside Act 1981 of offences related to birds, 1990–1996
England and Wales

Offence description	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*
CONVICTIONS							
Wildlife and Countryside Act 1981							
Protection of wild birds (Section 1)	24	33	33	32	19	30	24
Protection of nests and eggs of wild birds (Section 1)	2	12	7	8	15	10	3
Protection of wild birds in sanctuaries (Section 3)	—	1	—	—	—	—	—
Protection of the nests and eggs of wild birds in sanctuaries (Section 3)	3	—	—	1	—	—	—
Prohibition of certain methods of killing or taking wild birds (Section 5)	9	6	5	8	3	2	7
Protection of captive birds (Section 8)	7	—	4	2	—	3	1

Alcohol Sales

Mr. Beith: To ask the Secretary of State for the Home Department what assessment he has made of the licensing law in relation to the prosecution of people selling alcohol to persons aged under 18 years, where the person selling the alcohol is not the actual licensee or directly employed by the licensee; and if he will make a statement. [32578]

Mr. George Howarth: I am aware of this issue and am considering what action is necessary.

Allowances

Mr. Beith: To ask the Secretary of State for the Home Department if he will list the allowances and special payments available to (i) police force employees, (ii) Fire Service employees, (iii) Probation Service employees, and (iv) Prison Service employees; and what was the total amount spent on each type of allowance and payment in each of the last five years for which figures are available. [32407]

Mr. Michael: The main allowances and payments made to police officers, probation officers and prison officers are shown in the tables. Not all the allowances are paid to each category of officer referred to in the tables. Each of the allowances and payments is subject to certain conditions being met before they are paid. Information on the total expenditure on these allowances and payments is not held centrally and could be obtained only at disproportionate cost.

The allowances and special payments applicable to fire service employees is a matter for the National Joint Council (NJC) for Local Authorities Fire Brigades, and information about the level of such payments is not held centrally. Particulars are given in sections VI, VII and IX

of the NJC's Scheme of Conditions of Service. Copies of the relevant extracts from the Scheme have been placed in the Library.

£

Type of allowance	Current rate of allowance
Police Service—Police Officers	
Refreshment allowance	min 5.16 max 8.10
Subsistence allowance	min 7.26 max 19.95
Lodging allowance	min 38.10 max 54.09
Standby allowance	5.75
London allowance	1,011 per annum
London weighting	1,542 per annum
Removal allowance	1,431
Plain clothes allowance	252 per annum
Detective expenses allowance	min 3.00 max 5.00
Dog handler's allowance	min 1,059 max 1,443
Housing emoluments	min 1,706 max 9,153
Motor vehicle allowance	various rates according to usage
Gratuity for dealing with badly decomposed corpses	15.51–23.23 per incident
Recurring escort duty	locally determined
Incidental expenses allowance (residential training)	3.63 a night up to max of 14.55 a week
Probation Service—Probation Officers	
London allowance (Probation Officers and Probation Service Officers)	2,199 (inner London)
London allowance (APT&C staff)[1]	2,277 (inner London)
London allowance (Probation Officers and Probation Service Officers)	1,164 (outer London)
London allowance (APT&C staff)[1]	1,212 (outer London)
London allowance (Manual staff)	1,662
Environmental allowance	675 per annum
Car allowance	various rates subject to usage
Subsistence allowance	min 2.43 max 7.64
Residential course allowance	3.63 per night
Standby allowance	17.49 per duty
Sleep in allowance	min 17.49 max 22.74
Removal allowance	Expenses to be paid up to a pre determined maximum
Prison Service—Prison Officers	
London supplement	508 per annum (inner London) 330 per annum (intermediate) 264 per annum (outer London)
London weighting addition	1,776 per annum (inner London) 1,015 per annum (intermediate) 736 per annum (outer London)
Specialist allowance (payable to Caterers, Dog Handlers, Hospital Officers, Trade Instructors, Physical Education Instructors, Works Officers and Librarians)	1,041 per annum
Ex-gratia payments (payable for emergency attendance in excess of normal conditioned hours)	12 per hour

[1] APT&C staff: Administrative, Professional, Technical and Clerical staff.

Private Prisons

Mr. Beith: To ask the Secretary of State for the Home Department what measures are in force to ensure that criminal offences committed by staff in privately-managed prisons are referred to the police and reported to the Prison Service; how many reports of such offences have been made; and if he will make a statement. [32577]

Ms Quin: It is for the contractor, as the employer of staff at privately managed prisons, to refer to the police any criminal offence which the contractor suspects an employee of having committed in the course of duty. The Director is also under a general statutory obligation to assist the Prison Service Controller to discharge his or her duty to keep the operation of the prison under review.

This is given additional force by a contractual requirement for the contractor to notify the Controller of any behaviour by a prisoner custody officer which casts doubt on his or her fitness for certification as a prisoner custody officer. The Prison Service Controller is required by statute to investigate complaints made against prisoner custody officers. If, in the course of an investigation, the Controller considers that a criminal offence has been committed, he or she may refer the matter to the police. The Director is also expected to inform the Controller of any criminal offence alleged to have been committed by other staff that may have a bearing on their suitability to work in a prison.

The number of reports of such incidents is not recorded centrally for any prisons.

Information Technology

Mrs. May: To ask the Secretary of State for the Home Department if he will make a statement on proposals to provide IT links between the Crown Prosecution Service, the police and magistrates courts. [32793]

Mr. Michael: The new information technology systems and services currently being planned for use by the Crown Prosecution Service, the police and magistrates courts will incorporate electronic links that will significantly improve the efficiency with which information is shared and exchanged throughout the criminal justice process.

World Cup

Mr. Spring: To ask the Secretary of State for the Home Department how often individuals convicted of football-related offences will be required to report to designated police stations in Britain during the World Cup. [32408]

Mr. Michael: The Football Spectators Act 1989 provides that a person convicted of a football-related offence and made subject to a restriction order by the court is required to report to a police station at times that would prevent him travelling to key designated football matches outside England and Wales involving teams from England or Wales. Failure to comply with the order without reasonable excuse is a criminal offence

The Restriction Orders Authority will be writing in advance of World Cup matches to individuals subject to restriction orders informing them of their attendance times at the police station.

The 1991 Act extends to England and Wales only. There is no similar provision in Scotland.

Asylum Seekers

Dr. Ladyman: To ask the Secretary of State for the Home Department how many of those who landed at *(a)* Dover and *(b)* Ramsgate during 1997 have claimed the right to remain in the UK under asylum regulations; what was their country of origin; and what is their current status. [32551]

Mr. Mike O'Brien: The available information is given in the table and relates to those persons who applied for asylum on their arrival at the ports of Dover or Ramsgate. I regret that a similar breakdown for those who arrived at these ports and subsequently submitted in-country asylum applications, is not available.

Applications[1] for asylum in the United Kingdom, excluding dependants, lodged on arrival at the ports of Dover and Ramsgate during 1997, by nationality and current outcome[2]

			Refused asylum, of which:					
Nationality	*Total applications Number (percentages)*	*Of which: Under consideration by Asylum Directorate [3]percentages*	*Granted asylum percentages*	*Granted exceptional leave to enter percentages*	*Awaiting outcome of appeal or other challenge [4]percentages*	*Awaiting removal [5]percentages*	*Removed/ departed voluntarily [6]percentages*	*Other [7]percentages*
Applied at Dover								
Slovakia	225 (100)	5	—	—	40	5	45	5
Somalia	185 (100)	80	5	5	—	—	5	—
Czech Republic	175 (100)	10	—	—	40	5	45	—
Former Yugoslavia	135 (100)	85	—	—	—	—	10	5
Turkey	75 (100)	75	—	—	10	5	10	5
DRC (formerly Zaire)	70 (100)	75	—	—	—	—	20	—
Poland	65 (100)	25	—	—	25	—	45	—
Sri Lanka	40 (100)	70	—	—	20	5	10	—
Algeria	40 (100)	45	—	—	5	—	45	5
Afghanistan	35 (100)	70	—	20	—	—	10	—
Albania	30 (100)	70	—	—	15	—	15	5
Angola	25 (100)	30	—	—	50	5	10	10
Iraq	25 (100)	95	5	—	—	—	—	—
Iran	15 (100)	65	—	—	5	—	25	5
Nigeria	15 (100)	20	—	—	30	—	50	—
Kenya	15 (100)	50	—	—	20	—	30	—
Bulgaria	15 (100)	—	—	—	40	—	60	—
Others	130 (100)	45	—	—	10	—	40	5
Total	1,300 (100)	45	—	—	20	—	30	5
Applied at Ramsgate								
Former Yugoslavia	30 (100)	60	5	—	—	—	30	5
Slovakia	10 (100)	70	—	—	—	—	30	—
Others	50 (100)	40	—	—	5	—	50	5
Total	90 (100)	50	—	—	5	—	40	5

[1] Provisional figures rounded to the nearest 5.
[2] Estimated breakdown based on information recorded as at 31 January 1998. Percentages rounded to nearest 5 per cent.
[3] Includes some cases referred back to Asylum Directorate for further consideration as well as those awaiting an initial decision.
[4] Cases awaiting the outcome of an appeal to the Immigration Adjudicator, Tribunal, Court of Appeal or any other further challenge.
[5] Includes cases where removal cannot, as yet, be effected due to insufficient travel documentation.
[6] Includes removals on safe third country grounds.
[7] Includes persons granted leave to enter the United Kingdom on other grounds, those whose whereabouts are currently unknown and those whose current outcome cannot be established without examination of individual case records.

Special Secure Units

Mr. Stephen Twigg: To ask the Secretary of State for the Home Department if he has received Sir Donald Acheson's Second Report on the Effects on Health of the Regimes in Special Secure Units; and if he intends to make the results public. [33456]

Ms Quin: We have now received Sir Donald Acheson's second report on the Special Secure Unit (SSU) at Whitemoor. His report acknowledges that significant progress has been made in implementing his previous recommendations. In particular, a series of regime improvements have been made, and a robust system of regular health reviews for all SSU prisoners has been introduced.

With regard to closed visits, the report accepts that the improved regime and atmosphere within the SSU is, at least in part, attributable to the confidence which closed visits give to staff. Accordingly, there is no call for a change to the visits policy.

The report contains just one further recommendation, which we accept, about the involvement of an external consultant psychiatrist in the health review process.

A copy of the report has been placed in the Library.

Prison Medical Service

Helen Jones: To ask the Secretary of State for the Home Department what progress has been made towards the introduction of a nursing-led service within the Prison Medical Service; and if he will make a statement. [32866]

Ms Quin: Between 1991 and 1997, the proportion of nurses in the health care workforce increased from 14 per cent. to 44 per cent.

The Prison Service issued a consultation paper on 21 October 1997 seeking views from a wide spectrum of interested parties on proposals whose effect would be, if implemented, to ensure that, in due course, all patient care would be nurse-led. The outcome of that consultation is

currently being considered and the results will help inform the deliberations of the joint Prison Service and National Health Service Working Group on the future organisation of prisoners' health care established last autumn.

European Elections

Mr. Bob Russell: To ask the Secretary of State for the Home Department how many representations he has received in favour of retaining closed lists in the proportional system for the European elections; and if he will list the organisations submitting such representations. [32893]

Mr. George Howarth: We have received a number of letters from members of the public in favour of closed lists for elections to the European Parliament but no organisations have submitted such representations.

FOREIGN AND COMMONWEALTH AFFAIRS

Gulf Crisis

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the governments of *(a)* Yemen, *(b)* India, *(c)* Pakistan, *(d)* Bangladesh and *(e)* Sri Lanka regarding the present crisis in the Gulf. [31959]

Mr. Tony Lloyd: None.

Camel Jockeys

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will press the Abu Dhabi authorities to restrict the use of children as camel jockeys; and what representations his Department has received on this matter. [32815]

Mr. Tony Lloyd: We have taken this matter up with the UAE authorities, who have assured us that the necessary Federal Law to prevent such practices already exists, and will be applied rigorously.

Human Rights

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs if Her Majesty's Government will be supporting at the forthcoming session of the United Nations Commission on Human Rights a resolution identical or similar to that introduced by Denmark at the 53rd Session in Geneva headed, "Situation of Human Rights in China"; and if he will make a statement. [32075]

Mr. Fatchett: European Union Foreign Ministers decided on 23 February that neither the Presidency nor Member States should table or co-sponsor a draft resolution on China at this year's Commission on Human Rights. We support that decision and will continue to pursue our human rights concerns through dialogue and co-operation.

HOUSE OF COMMONS

Members' Tea Room

Mr. Cohen: To ask the Chairman of the Catering Committee what the cost was of the new curtains installed in the Members' Tea Room. [33040]

Mr. Dennis Turner: The cost of the seven pairs of curtains and the pelmets was £9,443.17, excluding VAT.

LORD CHANCELLOR'S DEPARTMENT

Child Abduction

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department if it is his Department's policy that legal aid should be provided under the terms of Regulation 14 (1) of the Civil Legal Aid (General) Regulations 1989 to overseas citizens whose Governments fail to provide legal aid on the same terms to UK citizens in child abduction cases; and if he will make a statement. [32074]

Mr. Hoon: It is the Government's policy that any person whose case is accepted by the Central Authority under the Hague or European Child Abduction Conventions will receive legal aid. This is because of the vital importance of cases affecting the residence of children litigated before the English and Welsh courts. The availability of legal aid in other countries is not considered. The award of legal aid to foreign nationals is perfectly proper under the terms of the existing legal aid scheme. Many applicants under the Conventions are United Kingdom citizens.

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list in respect of each country that is a signatory to the Hague Convention on Child Abduction, the number of cases where the judicial or administrative authority of the requested state has *(a)* ordered the return of the abducted child and *(b)* declined to order the return of the abducted child when requested to do so by the UK Central Authority. [31932]

Mr. Hoon: Hague Convention cases are not recorded separately. For the calendar year 1997, the outcome of applications by the Central Authority for England and Wales under the 1980 Hague and European Child Abduction Conventions is shown in the table.

Central authority for England and Wales
Outcome of applications made in 1997

Country	*Total applications*	*Judicial return*	*Judicial refusal*	*Cases resolved other than by court order*	*Pending*
Argentina	1	—	—	—	1
Australia	9	5	—	2	2
Belgium	2	—	—	1	1
Bosnia	1	—	—	—	1
Canada	3	—	—	1	2
Colombia	1	—	—	—	1
Croatia	1	—	—	1	—
Cyprus	2	—	—	—	2
Denmark	4	1	—	2	1
France	16	1	1	8	6

Central authority for England and Wales
Outcome of applications made in 1997

Country	Total applications	Judicial return	Judicial refusal	Cases resolved other than by court order	Pending
Germany	16	1	—	5	10
Greece	5	—	—	3	2
Hong Kong	2	—	—	1	1
Ireland	49	13	—	26	10
Israel	2	1	—	1	—
Italy	8	1	—	3	4
Mauritius	1	—	—	1	—
Mexico	1	—	—	1	—
Netherlands	6	—	—	5	1
New Zealand	9	4	2	3	—
Norway	1	—	—	—	1
Poland	2	—	—	2	—
Portugal	2	—	—	1	1
Spain	13	1	—	3	9
Sweden	4	2	—	2	—
Switzerland	3	—	—	1	2
U.S.A.	41	5	—	20	16
Total	205	35	3	93	74

Notes:
Table includes only cases received between 1 January 1997 and 31 December 1997. Applications are applications for return and access made under the Hague European Conventions.

Sir John Stanley: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list *(a)* the number of unresolved cases of child abduction from the United Kingdom, *(b)* the countries in which the children concerned are believed to be residing and *(c)* the number of children concerned in each country. [31933]

Mr. Hoon: Applications made by the Central Authority for England and Wales in cases under the Hague and European Conventions which were pending on 26 January 1998, the latest date for which figures are available, are shown in the table. Hague Convention applications are not recorded separately. Cases may involve more than one child. It is not possible to identify unresolved cases in respect of non-Convention countries.

Central Authority for England and Wales
Applications under the Hague and European Conventions
Cases Pending—26 January 1998

Countries	
Argentina	1
Australia	3
Belgium	2
Bosnia	2
Canada	5
Colombia	1
Cyprus	4
Denmark	3
France	14
Germany	17
Greece	5
Hong Kong	1
Ireland (Rep. of)	15
Italy	4
Mexico	1
Netherlands	2
New Zealand	2
Norway	2
Portugal	1
Slovenia	1
Spain	15
Switzerland	2
U.S.A.	28
Total	131

Guardsmen Fisher and Wright

Mr. Hancock: To ask the Parliamentary Secretary, Lord Chancellor's Department how many representations he has received concerning the imprisonment of Guardsmen Fisher and Wright; how many were answered by him; and how many were referred to the Northern Ireland Court Service. [31729]

Mr. Hoon: I have received 5 representations concerning the imprisonment of Guardsmen Fisher and Wright; one was answered by me and 4 were dealt with by Northern Ireland Court Service.

CULTURE, MEDIA AND SPORT

Millennium Compliance

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport from which budgetary sub-head the costs of millennium computer compliance will be met by his Department. [32722]

Mr. Tom Clarke: Costs will be met from the IT/Telecoms running costs and capital budget sub-headings:

Class X, Vote 1, Subheading I1 running costs,

Class X, Vote 1, Subheading I3 capital costs.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport (1) when all testing on Year 2000 computer compliance will be completed within his Department; [32649]

(2) what is his estimate of *(a)* the date and *(b)* the cost for the Historic Royal Palaces Agency achieving millennium computer compliance; [32648]

(3) if the estimated cost of achieving millennium computer compliance has been revised since the original estimate for *(a)* his Department, *(b)* the Historic Royal Palaces Agency and *(c)* the Royal Parks Agency; [32723]

(4) if he will estimate the cost to his Department of *(a)* consultants and *(b)* contractors engaged by the Department to address millennium computer compliance problems; and if he will list the consultants and contractors. [32721]

Mr. Tom Clarke: I refer the hon. Member to the reply given by my right hon. Friend the Chancellor of the Duchy of Lancaster on 3 March 1998, *Official Report*, columns *621–22*.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport how many officials or individuals within his Department on millennium computer compliance have *(a)* given notice of their intention to leave or *(b)* left his Department in the last six months. [32641]

Mr. Tom Clarke: IT provision in my Department, including millennium compliance work, is outsourced to Sema Group Plc. Two individuals working for Sema Group have left in the last six months, but they were not working solely on millennium computer compliance.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport when he last met the Chancellor of the Duchy of Lancaster to discuss his Department's progress towards millennium computer compliance. [32651]

Mr. Tom Clarke: My right hon. Friend the Secretary of State has not met my right hon. Friend the Chancellor of the Duchy of Lancaster to discuss the Department's progress towards millennium computer compliance.

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport when he last met a Treasury Minister to discuss the cost of millennium computer compliance in his Department. [32640]

Mr. Tom Clarke: My right hon. Friend the Secretary of State has not met any Treasury Ministers to discuss the cost of millennium computer compliance in the Department.

Works of Art

Ms Roseanna Cunningham: To ask the Secretary of State for Culture, Media and Sport, pursuant to the answer of 27 February 1998, *Official Report*, column *388*, how many works of art borrowed since 1 May 1997 for the offices and official residences of Ministers derived from *(a)* the National Galleries of Scotland and *(b)* Glasgow Museums and Galleries; what is the insurance value of these as registered with the Government Indemnity Scheme; and if he will make a statement. [33014]

Mr. Chris Smith: Since 1 May 1997, seven works of art have been borrowed via the Government Art Collection from the National Galleries of Scotland, and six from Glasgow Museums and Galleries. Works from National Collections, which include the National Galleries of Scotland, are borrowed at the Government's own risk and so do not have either insurance or indemnity values. The total indemnity value of the six works on loan from Glasgow Museums and Galleries is £500,000.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32480]

Mr. Tom Clarke *[holding answer 3 March 1998]:* The guide to Green Transport Plans circulated last September by my hon. Friend the Parliamentary Under-Secretary of State at the Department of the Environment, Transport and the Regions encouraged Departments to appoint green transport co-ordinators. My Department appointed a co-ordinator in February this year.

Television Licence

Siobhain McDonagh: To ask the Secretary of State for Culture, Media and Sport when regulations will be laid to bring into effect the television licence fee increases announced last December and due to come into force on 1 April. [33360]

Mr. Chris Smith: On 11 December 1997, *Official Report*, column *636*, I announced that, from 1 April 1998, the fee for a colour television licence would increase to £97.50 and that for a black and white licence to £32.50. I have today laid before Parliament the regulations necessary to bring these fees into force.

TREASURY

Insurance Premium Tax

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer what estimate he has made of the number of non-United Kingdom based EU companies which have been liable to pay higher rate insurance premium tax on their products in 1997. [31122]

Dawn Primarolo *[holding answer 25 February 1998]:* The information held centrally by Customs and Excise categorises insurers registered for insurance premium tax (IPT) only into UK and non-UK. Of the non-UK insurers approximately 77 have indicated on their IPT returns that their payments include some tax at the higher rate. Customs are however aware that some insurers have used "higher rate" box on their IPT returns to declare tax due at the standard rate of 4 per cent. rather than the previous standard rate of 2.5 per cent.

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer what is the estimated cost to public funds of introducing for the next financial year *(a)* a single lower rate insurance premium tax for all insurance products at (1) 4 per cent., and (2) 5 per cent., and *(b)* a higher rate of insurance premium tax for all insurance on motor vehicles, travel and electrical retail goods at (i) 10 per cent. and (ii) 17.5 per cent.; and if he will make a statement. [31115]

Dawn Primarolo *[holding answer 25 February 1998]:* The cost, in a full financial year, of introducing a single rate of insurance premium tax on all insurance products currently liable to the tax, is estimated at £255 million for a 4 per cent. rate.

Introducing a single rate of 5 per cent. as you propose is estimated to yield £45 million.

(i) The full year cost from introducing a new rate for both direct and indirect sales of:

travel insurance

mechanical breakdown insurance or warranties for motor vehicles or domestic appliances

is estimated at £135 million for 10 per cent. rate.

(ii) A 17.5 per cent. rate is estimated to yield at £15 million.

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer, pursuant to his answer of 16 February 1998, *Official Report*, columns *478–79*, which of the European Commission Tax Directorates Customs and Excise officials have met to discuss higher rate insurance

premium tax; if she will list the dates of such meetings and who was present; if she will place in the Library copies of the information provided by HM Customs and Excise to the Commission; and what discussion took place over *(a)* the cross-border impact of higher rate insurance premium tax and *(b)* the treatment in law of higher rate insurance premium tax and VAT; and if he will make a statement. [31121]

Dawn Primarolo *[holding answer 25 February 1998]:* The discussions referred to in my answer of 16 February took place at a meeting on 22 January between Customs and Excise officials from VAT Policy Directorate and officials from the Competition directorate (DGIV) of the European Commission. The United Kingdom Permanent Representation to the EU(UKREP) was also represented. DGIV had received representations from certain UK trade bodies about the impact of the higher rate of insurance premium tax and had sought information on this subject from the appropriate UK authorities. The information provided by Customs officials was in response to the requests from DGIV for background information. Copies of letters sent to DGIV via UKREP have been placed in the Library. Although the meeting was informal, Customs officials made clear the Government's view that the higher rate of insurance premium tax would have no effect on cross-border trade and fully complied with both UK and EC law.

Scotland Bill

Mr. Jenkin: To ask the Chancellor of the Exchequer what assessment he has made of the readiness of the Inland Revenue to administer the mechanisms relating to taxation set out in the Scotland Bill, by the financial year 2000–2001. [31384]

Dawn Primarolo *[holding answer 26 February 1998]:* The Government intend to make the tax-varying power proposed in the Scotland Bill available to the Scottish Parliament from the year of assessment 2000/01. In order to achieve this, the Inland Revenue has set up a project which will implement a system to enable them to collect income tax at any varied rate set by the Parliament, pay into the Scottish Consolidated Fund the amounts due to the Parliament, and account for tax collected on the Parliament's behalf. This system will, among other things, enable Scottish taxpayers to be identified and enable tax at the correct rate to be collected from them. The Scottish Office are represented on the Board overseeing the project. There will also be close consultation with representatives of employers and others to ensure that the system is in place by April 2000.

Pensions Mis-selling

Mr. Woolas: To ask the Chancellor of the Exchequer if he will publish the report by the SIB into the administration of the Melton Medes (Fletchers) pension fund. [31071]

Mrs. Liddell: No. Information obtained from investigations by the SIB (now the Financial Services Authority) into the conduct of individual firms is restricted information under section 179(2) of the Financial Services Act 1986 and may be disclosed by the FSA only in the circumstances prescribed by section 180 of the Financial Services Act.

VAT (Artisan Golf Associations)

Mr. Burstow: To ask the Chancellor of the Exchequer what research his Department has evaluated into the advantage of exempting artisan golf associations from VAT. [32803]

Dawn Primarolo *[holding answer 3 March 1998]:* Customs and Excise previously concluded in 1995 that the normal tax rule should apply to artisan golf associations. Membership fees charged by artisan golf clubs are exempt from VAT; but charges made by other (host) golf clubs to artisan golf clubs and their members are taxable at the standard rate. This is because no membership facilities are extended by the host club to "artisan" golfers, and the normal rules for green fees charged to non-members are appropriate.

Green Transport Co-ordinator

Mr. Baker: To ask the Chancellor of the Exchequer when he appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32479]

Dawn Primarolo *[holding answer 3 March 1998]:* The Guide to Green Transport Plans circulated last September by my hon. Friend the Parliamentary Under-Secretary of State for the Environment, Transport and the Regions encouraged Departments to appoint green transport co-ordinators. This function naturally falls to an existing post within the Treasury, and since September 1977 the occupant of this post has explicitly included co-ordination of green transport in the Department within her duties.

Teachers (Income Tax Relief)

Mr. Don Foster: To ask the Chancellor of the Exchequer if he will estimate the cost of allowing income tax relief on computers and software purchased by teachers for use at home indicating his assumptions in calculating these figures. [32317]

Dawn Primarolo *[holding answer 3 March 1998]:* No reliable estimate can be made because no information is available about the number of teachers who purchase their own computer equipment to work at home.

Pensions

Mr. Gibb: To ask the Chancellor of the Exchequer if the Government's proposal to introduce resource accounting includes accruing for the Government's unfunded liabilities for pay-as-you-go state pensions. [32794]

Mr. Geoffrey Robinson *[holding answer 3 March 1998]:* The Government propose to publish separate scheme statements for the main departmentally administered occupational public service pension schemes alongside departmental resource accounts. The schemes include the Principal Civil Service Pension Scheme, the Armed Forces Pension Scheme, the Teachers' Superannuation Scheme and the NHS Superannuation Scheme. Although the Statement of Recommended Practice "Financial Reports of Pension Schemes" does not apply to unfunded pension schemes, its recommendations represent best practice for pension scheme accounting in the UK and the Treasury is

developing with departments scheme statements which conform as far as appropriate to this best practice. The unfunded liabilities of these schemes will be disclosed as part of the Actuary's Report. For these schemes, contributions (or any government finance out of which contributions are paid) to meet the accruing cost of pensions will be included in departmental resource accounts and budgets.

The Government do not propose to include state pension liabilities in departmental resource accounts because they do not believe that it is meaningful to do so in order to provide a realistic balance sheet at departmental level. However, the Government recognised at an early stage in the development of resource accounting and budgeting that potentially different arguments might apply in considering the production of a balance sheet for the public sector as a whole.

The Government are currently carrying out a joint scoping study with the National Audit Office into the desirability, practicalities, timescale and resource and other implications of preparing a consolidated set of financial statements for the public sector as a whole ("whole of government accounts"). In assessing the case for proceeding within the preparation of whole of government accounts, the study will consider whether the coverage of such accounts should include Government liabilities, including state pension liabilities. The report of the scoping study will be published in the summer.

VAT (House Renovation)

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer if he will estimate the annual cost of the Exchequer of reducing VAT on house renovation to the lowest level permissible under European Union law. [32073]

Dawn Primarolo *[holding answer 3 March 1998]:* The lowest rate of VAT permissible under European Union law for house renovations is 5 per cent. The cost of reducing VAT on all house repair and maintenance to 5 per cent. is estimated to be £1.1 billion. From the source data it is not possible to separate renovations.

Betting Duty

Mr. Laurence Robertson: To ask the Chancellor of the Exchequer if he will estimate the annual cost to the Exchequer of reducing the level of betting duty from 6.75 per cent. to 5 per cent. [32046]

Dawn Primarolo *[holding answer 3 March 1998]:* The full year revenue cost in 1998–99 of reducing the level of betting duty from 6.75 per cent. to 5 per cent. is £120 million.

VAT (Continence Products)

Mr. Burstow: To ask the Chancellor of the Exchequer what involvement his Department has had in the Department of Health's review of the funding implications of the removal of VAT zero-rating for home-delivered continence products. [31868]

Dawn Primarolo *[holding answer 2 March 1998]:* The Treasury and Customs and Excise have not been involved in the NHS Executive's review of funding, but are being kept in touch with progress.

Business Taxes

Mr. Redwood: To ask the Chancellor of the Exchequer what is his Department's estimate of the impact on the total taxes paid by business before April 2002 of the changes to *(a)* corporation tax, *(b)* the utilities tax, *(c)* the pensions tax and *(d)* the radio spectrum charges so far announced. [20894]

Mr. Geoffrey Robinson *[holding answer 15 December 1997]:* Figures available for the effects of tax changes announced in July 1997 are given in table 2.2 of the "Financial Statement and Budget Report". The Government are currently consulting on corporation tax measures set out in the Pre-Budget Report; estimated effects of those proposed changes are on page 19 of the Inland Revenue's consultative document, "A modern system for corporation tax payments". The planned introduction of Radio spectrum pricing is not comparable with the tax changes discussed above. The primary purpose of spectrum charges is to encourage the more efficient use of the radio spectrum. Charges, whether through fees or auctions, will be in respect of licences for access to the spectrum. Estimates of the financial effects are given in the Explanatory and Financial Memorandum to the Wireless Telegraphy Bill.

Income Tax

Mr. Denzil Davies: To ask the Chancellor of the Exchequer what is his estimate of the cost in a full year of widening the 23 per cent. income tax band to £30,000, assuming no changes in rates or allowances. [32401]

Dawn Primarolo: The full year cost for 1998–99 would be £2.2 billion.

Mr. Fallon: To ask the Chancellor of the Exchequer if he will estimate the cash value, in pounds per month, of converting *(a)* £1,000, *(b)* £2,000, *(c)* £3,000 and *(d)* £4,100 of the 20 per cent. income tax band to 10 per cent. for (i) a single person and (ii) a married couple in each decile of the income distribution. [26204]

Dawn Primarolo: Information for 1997–98 is shown in the tables.

Gain from of a 10p band—single people, £ per month

	Width of band			
By income deciles of taxpayers	*£1,000*	*£2,000*	*£3,000*	*£4,100*
Top 10%	8.33	16.67	25.00	34.17
10–20%	8.33	16.67	25.00	34.17
20–30%	8.33	16.67	25.00	34.17
30–40%	8.33	16.67	25.00	34.17
40–50%	8.33	16.67	25.00	34.17
50–60%	8.33	16.67	25.00	34.17
60–70%	8.33	16.67	25.00	34.14
70–80%	8.33	16.65	24.75	31.80
80–90%	8.24	15.34	19.55	20.31
Bottom 10%	5.46	7.04	7.05	7.05

Gain from of a 10p band—married men, £ per month[1]

By income deciles of taxpayers	Width of band £1,000	£2,000	£3,000	£4,100
Top 10%	8.33	16.67	25.00	34.17
10–20%	8.33	16.67	25.00	34.17
20–30%	8.33	16.67	25.00	34.17
30–40%	8.33	16.67	25.00	34.17
40–50%	8.33	16.67	25.00	34.17
50–60%	8.33	16.67	25.00	34.17
60–70%	8.33	16.67	25.00	33.92
70–80%	7.98	14.91	20.77	25.58
80–90%	7.68	14.41	18.85	19.03
Bottom 10%	5.13	5.77	5.77	5.77

[1] Figures have been given for married men, estimates for married couples are not readily available.

Mr. Fallon: To ask the Chancellor of the Exchequer if he will estimate the cost of converting *(a)* £1,000, *(b)* £2,000, *(c)* £3,000 and *(d)* £4,100 of the 20 per cent. income tax band to 10 per cent. and, in each case, the proportion of the cash gains made by each income decile. [26203]

Dawn Primarolo: Information for 1997–98 is shown in the table.

	Width of 10% band £1,000	£2,000	£3,000	£4,100
Total cost (£ billion)	2.5	4.9	7.1	9.3
Percentage of gains for income deciles of taxpayers[1]:				
Top 10%	10.4	10.7	11.1	11.5
10–20%	10.4	10.7	11.1	11.5
20–30%	10.4	10.7	11.1	11.5
30–40%	10.4	10.7	11.1	11.5
40–50%	10.4	10.7	11.1	11.5
50–60%	10.4	10.7	11.1	11.5
60.70%	10.4	10.7	11.1	11.5
70–80%	10.3	10.4	10.5	10.2
80–90%	10.2	9.9	8.7	6.9
Bottom 10%	6.9	4.6	3.2	2.4

[1] These may not add up due to rounding.

Millennium Compliance

Mr. Fallon: To ask the Chancellor of the Exchequer when the Inland Revenue will complete its remedial work to ensure its computer systems are fully millennium compliant. [32618]

Mrs. Liddell: The remedial work needed to ensure the Inland Revenue's computer systems are fully millennium compliant will be completed by April 1999.

Tax Harmonisation

Mr. John Cryer: To ask the Chancellor of the Exchequer if future discussions in ECOFIN about tax harmonisation will include discussion of income tax rates. [30603]

Dawn Primarolo: The Government's firm view is that decisions on income tax is a matter for national Governments.

Mr. John Cryer: To ask the Chancellor of the Exchequer, pursuant to his oral answer to the hon. Member for Eastbourne (Mr. Waterson) of 12 February 1998, *Official Report*, column 536, which areas of tax have been covered by discussions in ECOFIN regarding aspects of tax harmonisation. [30693]

Dawn Primarolo: A variety of tax proposals have been discussed at ECOFIN since May 1997 including Taxation of Savings. Internet and Royalties for cross border payments. Reduced Rates of VAT for labour intensive industries and the Energy Products Directive. The outcome of each ECOFIN has been reported to the House and all the Commission's proposals on tax matters discussed have been the subject of Explanatory Memoranda.

Duty Free

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what steps the United Kingdom has taken during the EU presidency to address concerns about the abolition of duty free within the EU in 1999. [32278]

Dawn Primarolo: The issue of abolition of duty free within the EU in 1999 has not been raised in ECOFIN so far during the UK Presidency. However, as the Government have previously said, the UK will not stand in the way of any proposal for a Commission study particularly if this were also to examine the nature of any successor regime to duty free.

Windfall Tax

Dr. Cable: To ask the Chancellor of the Exchequer if he will list the spending allocations of estimated windfall tax receipts in *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000 and *(d)* 2000–01 in terms of (i) welfare to work programmes, (ii) other identified programmes and (iii) receipts not yet allocated. [31264]

Mr. Geoffrey Robinson: The Windfall Tax is expected to raise £5.2 billion to finance the Welfare to Work programme over the course of this parliament. Estimates of the allocation of the Windfall Tax between programmes and between financial years was set out in Table 2.1 of the Financial Statement and Budget Report 1997, "Equipping Britain for our long-term future". Further details of estimated expenditure in respect of 1997–98 was set out by my hon. Friend the Under-Secretary of State for Education and Employment in the answers to the parliamentary questions from my hon. Friend the Member for Plymouth, Sutton (Mrs. Gilroy) on 5 November 1998, *Official Report*, column *228*, and from my hon. Friend the Member for Amber Valley (Judy Mallaber) on 23 February 1998, *Official Report*, column *109*. A revised allocation for future years, taking into account developments since the last Budget, will be published in the forthcoming Budget.

Sea Empress

Mrs. Dunwoody: To ask the Chancellor of the Exchequer what funds Her Majesty's Treasury *(a)* has received and *(b)* expects to receive as a result of salvage claims on vessels listed in the report on the Sea Empress incident. [32002]

Ms Glenda Jackson: I have been asked to reply.

None. The Government do not expect to be involved in any salvage claims relating to the Sea Empress. However, the Government will shortly submit a claim for around £11.5 million for their costs on clean-up operations following the Sea Empress to the International Oil Pollution Compensation Fund.

NORTHERN IRELAND

Schools (Funding)

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what are the *(a)* approved enrolment numbers, *(b)* numbers currently enrolled and *(c)* numbers used by DENI on 31 October 1997 for the purpose of school funding for (i) Down High School, (ii) Grosvenor Grammar School, (iii) Hunterhouse, (iv) Knockbreda High School, (v) Methodist College, Belfast, (vi) Newtownbreda High School, (vii) RBAI, (viii) Victoria College and (ix) Wellington College. [31668]

Mr. Worthington: All of the figures shown in the tables relate to pupil numbers in secondary departments (ie pupils in preparatory departments are not included).

(a) Approved enrolment numbers: 1997–98 school year

School	*Numbers*
Down High School	796
Grosvenor Grammar School	1,076
Hunterhouse College	710
Knockbreda High School	700
Methodist College	1,827
Newtownbreda High School	810
RBAI	1,050
Victoria College	870
Wellington College	850

Note:

Approved enrolment numbers exclude statemented pupils and pupils admitted to a school on appeal.

(b) Numbers currently enrolled: figures provided by the schools as at 31 October 1997

School	*Numbers*
Down High School	813
Grosvenor Grammar	1,088
Hunterhouse College	700
Knockbreda High School	596
Methodist College	1,860
Newtownbreda High School	800
RBAI	1,044
Victoria College	863
Wellington College	795

Note:

Numbers used by DENI and the Boards for the purpose of school funding in the 1998–99 financial year include statemented pupils and pupils admitted to a school on appeal. However, they exclude fee paying pupils and pupils exceeding the overall approved enrolment numbers for individual schools.

Organophosphates

Mr. Beggs: To ask the Secretary of State for Northern Ireland if she will provide guidance to doctors on the known chronic effects of organophosphate poisoning. [31994]

Mr. Worthington: Guidance on the effects of organophosphate poisoning on health has been issued to doctors on a number of occasions. The first advice to GPs and A&E consultants was issued on 20 July 1993. This was followed by further advice contained in a book on Pesticide Poisoning which was issued in April 1996. In addition, in June 1996, an article on this subject was included in the CMOs Update which is circulated to all doctors.

Mr. Beggs: To ask the Secretary of State for Northern Ireland if she will ensure that licensing of organophosphates is not carried out by bodies relying exclusively on research data supplied by chemical companies. [31995]

Mr. Paul Murphy: The licensing authorities responsible for the approval for use of organophosphate products employ expert scientific staff to assess all data available to them. Advice is also given to them by independent panels of experts, the Veterinary Products Committee, the Committee on the Safety of Medicines and the Advisory Committee on Pesticides, and only when all safety and efficacy criteria are met will a product be approved.

Housing Executive

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many persons were employed by the Housing Executive *(a)* five and *(b)* 10 years ago; and what were the numbers at the latest available date. [32251]

Mr. Paul Murphy: This is a matter for the Northern Ireland Housing Executive, whose Chief Executive advises me that the information is as follows:

Year	*Number employed*
To 31 December 1997	2,903
1992–93	3,327
1987–88	3,531

The figures include permanent and temporary staff.

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many persons have been recruited to permanent posts by the Northern Ireland Housing Executive in each of the last five years. [32249]

Mr. Paul Murphy: This is a matter for the Northern Ireland Housing Executive, whose Chief Executive advises me that the information is as follows:

Year	*Number*
1997	18
1996	17
1995	16
1994	33
1993	30

These were mostly for basic trainee, technical or specialist posts.

Mr. William Ross: To ask the Secretary of State for Northern Ireland what have been the percentage pay increases for each level of management in the Housing Executive in each of the last five years. [32250]

Mr. Paul Murphy: This is a matter for the Northern Ireland Housing Executive, whose Chief Executive advises me that pay increases for all Housing Executive staff are governed by the National Joint Council Conditions of Service, applying to Local Government employees. Over the last 5 years, the annual salary increase has been 2.5 per cent. In addition, staff not on the maximum of their salary scale may be entitled to annual increments. Increases for Directors are determined under a Performance Pay Scheme which is capped at 2.5 per cent. of the salary bill for that grade.

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many persons have been employed by the Northern Ireland Housing Executive at its basic level of secretarial/management employment in each of the last five years; and how many of the posts were *(a)* temporary and for what periods and *(b)* permanent; how many employees in each category were (i) male and (ii) female; and how many in each category and gender were (1) Roman Catholic, (2) Protestants and (3) others. [32247]

Mr. Paul Murphy: This is a matter for the Northern Ireland Housing Executive, whose Chief Executive advises me that there is no basic level of secretarial/management grade; however, the breakdown of the broad categories of equivalent grades are:

Year	*Total in grade*	*Temporary male*	*Permanent male*	*Temporary female*	*Permanent female*
Clerical/Secretarial					
December 1997	649	80	55	161	353
December 1996	747	83	69	138	457
December 1995	787	95	71	155	466
December 1994	794	97	72	149	476
December 1993	790	84	75	175	486
Management					
December 1997	247	1	144	1	101
December 1996	254	—	148	2	104
December 1995	256	—	153	1	102
December 1994	262	—	157	—	105
December 1993	265	—	161	—	104

I refer the hon. Gentleman to my answer of 12 December 1997, *Official Report*, column *712*. Details of religious affiliation for the whole organisation are reflected in the annual return for monitoring made to the Fair Employment Commission.

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many posts at each level in the Housing Executive management structure have been filled by *(a)* external applicants and *(b)* persons already in the employment of the Executive in each of the last five years. [32248]

Mr. Paul Murphy: This is a matter for the Northern Ireland Housing Executive, whose Chief Executive advises me that, because of reducing running costs budgets and re-organisation, vacancies have been filled by redeployment and promotion of existing staff, with the exception of one third tier post, which was filled by an external candidate.

Management level	*External applicants 1997*	*Persons already in the employment of the Executive 1997*	*1998*
First and second tier[1]	1	2	0
Third tier[2]	0	0	[3]11

[1] The first tier is the Chief Executive and the second tier comprises the Directors.

[2] Assistant Directors and Area Managers.

[3] Filled by re-deployment of staff at the existing grade and by internal promotion.

European Structural Funds

Mr. Ben Chapman: To ask the Secretary of State for Northern Ireland what assessment she has made of the future European Structural Funds regime for Northern Ireland. [31946]

Mr. Paul Murphy: Under the proposed post-1999 reforms, qualifying for Objective 1 status will be more difficult because Northern Ireland's GDP will exceed the 75 per cent. maximum proposed by the Commission. Northern Ireland's Objective 1 status has been vital over the past years and there is a continuing need for substantial EU support after 1999, commensurate with the region's special circumstances, to help in adapting the region's economy to peace.

Schools

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many pupils were enrolled in *(a)* primary schools and *(b)* secondary and grammar schools in each of the past five years. [31953]

Mr. Worthington: The information is as follows:

School type	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
a. Primary schools[1]	190,503	190,238	190,787	190,208	187,094
b. Secondary-Grammar	148,264	150,036	151,576	152,743	153,095

[1] Includes pupils in reception and nursery classes at primary schools. Also includes pupils in preparatory departments of grammar schools.

Toll Roads

Mr. Vaz: To ask the Secretary of State for Northern Ireland if she will make a statement on her policy on toll roads. [31961]

Mr. Paul Murphy: There are no toll roads in Northern Ireland at present. Tolling is considered as an option, where the circulation arrangements are appropriate, to advance the provision of desirable schemes. In this context, consideration is being given to the possibility of a small privately funded toll road to by-pass the village of Toome in County Antrim.

Green Transport Co-ordinator

Mr. Baker: To ask the Secretary of State for Northern Ireland when she appointed a Green Transport co-ordinator; and on what date the appointment took effect. [32478]

Mr. Paul Murphy *[holding answer 3 March 1998]:* The Guide to Green Transport Plans circulated last September by the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), encouraged Departments to appoint Green Transport co-ordinators. My Department is actively considering this issue.

Car Parking Spaces

Mr. Baker: To ask the Secretary of State for Northern Ireland what plans she has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [32467]

Mr. Paul Murphy *[holding answer 3 March 1998]:* In line with the Guide to Green Transport Plans circulated last September by the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), Northern Ireland Departments will be actively considering this issue in preparing Green Transport Plans for key buildings.

AGRICULTURE, FISHERIES AND FOOD

Central Science Laboratory

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food what estimates his Department has made of the impact upon Central Science Laboratory research contract pricing of relocating Norwich scientific staff to York. [32867]

Mr. Rooker: First estimates are that the impact of relocating scientific staff based at the Central Science Laboratory Norwich site to the York site would be to reduce expected future pricing by approximately 5 per cent. overall.

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food what was the cost to his Department of constructing the new food research laboratory at Sand Hutton, York. [32868]

Mr. Rooker: The cost of the Department of constructing the new Central Science Laboratory at Sand Hutton, York (whose functions go wider than food) is £126,874,000. This includes: payments to contractors; fees for architects, engineers, project managers and other specialists; legal fees; and VAT. In addition, the Department paid £6,958,000 for the site, road improvements beyond the site boundary and bringing utilities to the site.

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food what estimates his Department has made of the impact on the continuity of food research contracts of a relocation of Norwich-based scientific staff to York. [32869]

Mr. Rooker: Previous experience from initial occupation of the Central Science Laboratory at York was that relocation had a minimal impact on the science programme. The average down time for scientific staff during that exercise, including decommissioning, moving and recommissioning equipment, was an average of three weeks.

Mr. Charles Clarke: To ask the Minister of Agriculture, Fisheries and Food what estimates his Department has made of the proportion of Central Science Laboratory scientific staff who would transfer to York if requested to do so. [32870]

Mr. Rooker: The majority of scientific staff are in mobile grades and transfer to new locations, when necessary, forms part of their conditions of employment. Experience of the previous relocation exercise to occupy the Central Science Laboratory at York was that at a large proportion of staff in mobile grades, between 80 and 90 per cent., transferred to York.

Fisheries

Mr. Townend: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answers of 12 February 1998, *Official Report*, column *374*, and 24 February 1998, *Official Report*, column *185*, if the national quota constitutes a derogation from the principle of non-discrimination. [32263]

Mr. Morley: No.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food if he will list the derogations from the principle of free access to fishing grounds which will not be effective after the year 2002. [32571]

Mr. Morley: The derogations from the principle of equal access which expire at the end of 2002 are those

limiting access within Member States' 12 mile fisheries limits and those which apply by virtue of the Acts of Accession of Portugal, Spain, Finland and Sweden.

Sir Richard Body: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on his Department's policy on the continuation of the permit system for the Common Fisheries Policy after 2002. [31997]

Mr. Morley: Under the provisions of Council Regulation (EC) No. 162/94, it is the responsibility of the flag Member State to issue and manage the special fishing permits of vessels flying its flag. The Fisheries Departments issue such permits to vessels over 18 metres in overall length fishing for deep-water species, edible crabs, spider crabs and scallops in Western waters, as part of the licence to fish in those waters, in accordance with the provisions of Council Regulation (EC) No. 685/95. The Fisheries Departments will continue to issue such permits wherever they are required to do so by Community obligations.

Calshot Oyster Fisheries

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 10 February 1998, *Official Report*, column *166*, on Calshot Oyster Fisheries, if he will place in the Library copies of the advice from (i) the Department of Transport, (ii) the Deputy Harbour Master and (iii) Associated British Ports on the extension of the fishery into Thorn Channel. [32024]

Mr. Morley: A copy of the Department of Transport's letter of objection has been placed in the Library. Associated British Ports did not formally object but, as recommended by the Department of Transport, my officials spoke to the Deputy Harbour Master, ABP Southampton, who confirmed that in his view the extension proposed would represent too great an intrusion into the Thorn Channel.

SOCIAL SECURITY

Pensions

Mr. Singh: To ask the Secretary of State for Social Security what is her estimate of the savings achieved by the measure to anticipate the pensions uprating order contained within the Social Security Bill. [33357]

Mr. Denham: Subsequent to the saving published in the Financial Memorandum to the Bill, I estimate administrative savings to be £65,000 per annum.

Child Support Agency

Helen Jones: To ask the Secretary of State for Social Security what discussions she has had with the Child Support Agency on delays in paying maintenance to a parent with care when a payment from an absent parent has been received. [32865]

Mr. Keith Bradley: My noble Friend Baroness Hollis of Heigham, the Minister with day to day responsibilities for child support, has regular meetings with the Chief Executive of the Child Support Agency to discuss operational issues. We expect the Child Support Agency to provide an efficient and effective service to all its clients throughout the child support process.

One of the targets for the Agency is to pass on to the parent with care 97 per cent. of payments within 10 working days of receipt. The current Agency performance statistics show that, at 31 January 1998, 98 per cent. of payments had been passed on within that timescale. The balance includes cases where the instrument of payment from the absent parent is not honoured or those where the identity details of the parents involved are not clear.

Benefits

Mr. Leslie: To ask the Secretary of State for Social Security if she will publish a revised version of the table in the 1997 Departmental Report (Cm 3613) which shows estimated numbers of people receiving benefits at a particular time; and if she will set out the reasons for this revision. [33358]

Ms Harman: The main reason for revising Table 6 is to correct an error in the estimates of forecast caseloads for Housing Benefit and Council Tax Benefit (due to incorrect transcription of figures), which was not picked up prior to publication of the 1997 Departmental Report. At the same time, other improvements have been made to Table 6 which will be adopted in the Departmental Report for 1998 and subsequent years.

The revised table shows caseload figures consistent with the expenditure figures shown in the 1997 Departmental Report. It is in the same improved format as will be adopted for the corresponding table in the 1998 Departmental Report (to be published in April 1998). The table differs from Table 6 in the 1997 Departmental Report in the following ways:

It corrects for a transcription error in the estimates of forecast caseloads for Housing Benefit and Council Tax Benefit, which was not picked up prior to publication of the 1997 Departmental Report.

It includes outturn information for 1996–97 which was not available at the time of publication of the 1997 Departmental Report. This is particularly important in improving the estimates for Jobseeker's Allowance.

Estimates for forecast years are for average annual caseloads. This ensures complete consistency with expenditure estimates presented elsewhere in the Departmental Report.

Revised table 6 of 1997 departmental report

Table 6: Estimated numbers receiving benefits at a particular time to 1996–97 (b)(c)(d), estimated average numbers receiving benefits each year from 1997–98 to 1999–2000

000

	Point in time					Average		
	Mid-year 1992–93 outturn	*Mid-year 1993–94 outturn*	*Mid-year 1994–95 outturn*	*Mid-year 1995–96 outturn*	*Mid-year 1996–97 outturn*	*1997–98 forecast (a)*	*1998–99 forecast (a)*	*1999–2000 forecast (a)*
Retirement Pension	10,096	10,013	10,139	10,261	10,423	10,480	10,618	10,758
Widows Benefits	340	334	324	314	301	293	284	277
Unemployment Benefit (e)	642	640	513	418	397	—	—	—
Jobseeker's Allowance—contributory (e)	—	—	—	—	294	260	253	248
Jobseeker's Allowance—non-contributory (f)	—	—	—	—	1,350	1,438	1,324	1,261
Sickness Benefit (g)	147	127	127	—	—	—	—	—
Invalidity Benefit (h)	1,580	1,681	1,767	—	—	—	—	—
Incapacity Benefit—Short Term (LR) (g)	—	—	—	119	118	125	124	123
Incapacity Benefit—Short Term (HR) and Long Term (h)	—	—	—	1,739	1,663	1,597	1,523	1,470
Maternity Allowance (i)	13	12	11	13	12	14	14	14
Non-contributory Retirement Pension	29	29	28	29	28	27	27	26
War Pension (j)	256	288	306	313	327	315	300	277
Attendance Allowance (k)(l)	890	962	1,046	1,115	1,149	1,246	1,301	1,345
Invalid Care Allowance	180	221	261	309	348	380	423	464
Severe Disablement Allowance	316	329	348	330	355	405	418	431
Disability Living Allowance (l)(m)	1,019	1,248	1,400	1,589	1,768	1,932	2,068	2,196
Disability Working Allowance	0	3	5	7	11	13	16	18
Industrial Injuries Disablement Benefit (n)	212	226	235	249	262	260	273	286
Reduced Earnings Allowance/Retirement Allowance	156	154	152	155	155	142	140	137
Other Industrial Injuries Schemes	2	1	1	1	1	1	1	1
Industrial Death Benefit	24	22	21	20	19	17	16	14
Income Support (excluding the aunemployed)(f)	3,383	3,682	3,804	3,936	4,030	4,217	4,307	4,419
of which:								
Income Support—elderly	1,668	1,789	1,776	1,761	1,766	1,797	1,805	1,808
Income Support for the unemployed (o)	1,900	2,011	1,949	1,700	1,523	0	0	0
Child Benefit								
Number of children (p)	12,285	12,414	12,543	12,579	12,625	12,833	12,881	12,924
Number of families	6,795	6,849	6,905	6,943	6,970	7,102	7,138	7,162
One Parent Benefit/Child Benefit Lone Parent (p)	839	886	918	964	1,010	1,054	1,094	1,134
Family Credit	447	515	575	637	710	764	810	852
Housing Benefit (q)								
Rent rebate	3,023	3,060	3,007	2,953	2,887	2,791	2,736	2,718
Rent allowance	1,315	1,519	1,660	1,798	1,875	1,921	1,997	2,098
Council Tax/Community Charge Benefit (r)	6,646	5,450	5,606	5,676	5,643	5,684	5,705	5,755

(a) Indicates where figures are not available or were not available at time of going to print and these figures have been substituted with estimates.

(b) For contributory and non-income related benefits the number of individuals receiving benefit is shown. For Retirement Pension women receiving their own pension, based on their own or their husband's contributions, are counted separately. For Income Support, Family Credit, Housing Benefit and Council Tax/Community Charge Benefit the numbers are individuals or couples where living together. Beneficiaries may be receiving more than one benefit at a time.

(c) Information in this table has been collected in September each year, with the following exceptions: Unemployment Benefit, Income Support, Incapacity Benefit, Severe Disablement Allowance & Attendance Allowance (from 1995–96 onwards only), Disability Living Allowance, Housing Benefit & Council Tax Benefit in August of each year, Industrial Injuries Disablement Benefit and Reduced Earnings Allowance in March/April of each year, Industrial Death Benefit in December, Other Industrial Injuries schemes in January/February, Jobseeker's Allowance in November, Severe Disablement Allowance & Attendance Allowance before 1995–96 in March.

(d) The figures have been rounded to the nearest thousand.

(e) From October 1996 Unemployment Benefit has been replaced by contributory based Jobseeker's Allowance.

(f) From October 1996 Income Support for the Unemployed has been replaced by income-based Jobseeker's Allowance. 1996–97 outturn figures for JSA (IB) exclude Jobseekers on government training schemes. These cases are included in the forecast figures for JSA (IB).

(g) Incapacity Benefit Short Term lower rate superseded Sickness Benefit from April 1995.

(h) Incapacity Benefit Short Term higher rate and long term rate superseded Invalidity Benefit from April 1995.

(i) Figures revised—data taken from a 1% sample of cases to 1995–96, 5% sample thereafter.

(j) The 1996–97 War Pension figures have been revised to show all pensions in payment, as shown in previous years.

(k) Attendance Allowance for over age 65.

(l) Figures revised—data now taken from a 5% sample of cases.

(m) Disability Living Allowance replaced Mobility Allowance and Attendance Allowance for under 65s from April 1992.

(n) Refers to the numbers of pensions in payment and not beneficiaries. The 1992–93 and 1995–96 figures have been amended to include late returns.

(o) From October 1996–97 Income Support for the Unemployed has been replaced by income-based Jobseeker's Allowance. Claimants on government training schemes are included in the outturn figures for IS for the unemployed.

(p) From April 1997 the supplement for the eldest or only child where someone brings up children alone, formerly known as One Parent Benefit, was incorporated into main Child Benefit rates. This new higher rate of Child Benefit is known as Child Benefit (Lone Parent).

(q) There is a significant overlap; most households getting assistance with Housing Benefit will also have been in receipt of Council Tax Benefit.

(r) Community Charge Benefit was replaced by Council Tax Benefit from April 1993, Council Tax Benefit includes second adult rebates.

Additional information on benefit caseload can be obtained from the annual publication 'Social Security Statistics' (published by HMSO) or by contacting: Department of Social Security, Analytical Services Division, Room B2711, Benton Park Road, Longbenton, Newcastle-upon-Tyne, NE98 1YX.

Welfare to Work Scheme

Dr. Cable: To ask the Secretary of State for Social Security what is her Department's latest estimate of the total cost of the welfare to work scheme in 1997–98 and each of the next three financial years calculated *(a)* gross and *(b)* net of reduced social security spending, and increased tax and national insurance receipts. [31278]

Mr. Geoffrey Robinson: I have been asked to reply.

The Windfall Tax is expected to raise £5.2 billion to finance the Welfare to Work programme over the course of this parliament. Estimates of the allocation of the Windfall Tax between programmes and between financial years was set out in Table 2.1 of the Financial Statement and Budget Report 1997, "Equipping Britain for our long-term future". Further details of estimated expenditure in respect of 1997–98 was set out by my hon. Friend the Under-Secretary of State for Education and Employment in the answers to the parliamentary questions from my hon. Friend the Member for Plymouth, Sutton (Mrs. Gilroy) on 5 November 1998, *Official Report*, column *228*, and from my hon. Friend the Member for Amber Valley (Judy Malleber) on 23 February 1998, *Official Report*, column *109*. A revised allocation for future years, taking into account developments since the last Budget, will be published in the forthcoming Budget.

The Government have not made an assessment of the effect of the Welfare to Work programme on social security spending, tax and national insurance receipts. To do so would require information on the full effect of the programme on unemployment, wages and the broader economy. The Welfare to Work programme will be carefully evaluated to help, where possible, to determine these effects.

WALES

Higher Education

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales what are the current levels of reserves held by each higher education establishment in Wales. [31363]

Mr. Hain: The current levels of reserves held by each higher education institution in Wales are as follows:

Education Institution	*£*
North East Wales Institute of Higher Education	12,598,000
Swansea Institute of Higher Education	12,038,000
Trinity College Carmarthen	1,857,000
University of Glamorgan	40,022,000
University of Wales College of Medicine	24,636,000
University of Wales College, Newport	22,740,000
University of Wales Institute, Cardiff	33,013,000
University of Wales Registry	8,118,000
University of Wales Swansea	8,045,000
University of Wales, Aberystwyth	104,712,000
University of Wales, Bangor	73,407,000
University of Wales, Cardiff	106,349,000
University of Wales, Lampeter	4,088,000
Welsh College of Music and Drama	3,700,000

These figures include the Revaluation Reserve and the Income and Expenditure Account Reserve.

The Revaluation Reserve relates to the fixed assets of a higher education institution and demonstrates changes in the value of those fixed assets. It does not therefore represent cash held by an institution.

The Income and Expenditure Account Reserve represents the total of all reserves (excluding the Revaluation Reserve) of a higher education institution and its subsidiary undertakings and is made up of the cumulative annual surplus (or deficit). The Income and Expenditure Account Reserve is not necessarily available for spending as, in the main, the constituent reserves are not backed by cash in the bank.

I would like to emphasise that the figures cannot be taken as an indication of the financial health position of higher education institutions nor are they an indicator of their cash position. In order to determine financial health a wide variety of accounting factors are required to be taken into account which are far wider than just the issue of reserves.

Land Deals (Merthyr Tydfil)

Mr. Wigley: To ask the Secretary of State for Wales if he will set up an independent inquiry into allegations of irregularities in land deals at Merthyr Tydfil, involving the local authority, statutory agencies and private companies. [31402]

Mr. Ron Davies: This matter continues to be the subject of an inquiry by the District Auditor which is the proper course of action. My Department and the Welsh Development Agency, who have also asked their internal auditors to review their files, will offer whatever assistance is required by the District Auditor in pursuing her inquiry. The National Audit Office have been notified of the action taken. Relevant information has also been drawn to the attention of the Police.

Mr. Wigley: To ask the Secretary of State for Wales what representations he has received on allegations of irregularities on land deals at Merthyr Tydfil; and what action he has taken in respect of those representations. [31344]

Mr. Ron Davies: I refer the right hon. Member to the reply I gave to my hon. Friend the Member for Merthyr Tydfil and Rhymney (Mr. Rowlands) on 18 February 1998, *Official Report*, column *674*.

International Rail Freight Terminal

Mr. Ieuan Wyn Jones: To ask the Secretary of State for Wales if he will make a statement on progress towards building an international rail freight terminal in South East Wales. [31747]

Mr. Hain: Proposals for the establishment of a European/International Railfreight Terminal in South East Wales are currently being considered.

Merchant Designs Manufacturing (Machynlleth)

Mr. Öpik: To ask the Secretary of State for Wales (1) how much public money was paid in respect of the Merchant Designs Manufacturing plant in Machynlleth; and if he will make a statement; [31895]

(2) what involvement his Department has in investigating the financial arrangements of Merchant Designs Manufacturing in relation to the factory in Machynlleth; and if he will make a statement; [31897]

(3) what guidance he has given to the Development Board for Rural Wales in respect of the search for a new buyer for the former Merchant Designs Manufacturing plant in Machynlleth; and if he will make a statement; [31899]

(4) what assessment he has made of the potential for attracting new jobs to Machynlleth; and if he will make a statement; [31894]

(5) if he will visit Machynlleth to assess the impact on local residents of the closure of the Merchant Designs Manufacturing factory; and if he will make a statement; [31898]

(6) what special financial assistance he is giving to Machynlleth following the closure of the Merchant Designs Manufacturing plant in the town; and if he will make a statement. [31900]

Mr. Hain: No public money was paid in respect of the acquisition by Merchant Designs Manufacturing of the plant at Machynlleth although the company was offered a one-year rent concession by the Development Board for Rural Wales to the value of £33,000. The company also received funding from Powys TEC for the retraining of staff. The financial arrangements for the take-over of the former Laura Ashley plant were a matter for Laura Ashley and Merchant Designs Manufacturing and the Welsh Office has had no involvement in them.

Whilst guidance specific to Machynlleth has not been issued, it remains our priority to ensure that increased resources are devoted to the western areas. As part of its efforts to attract new jobs to the area, the Board has made a substantial investment in developing the Dyfi Eco Park where two units are under construction and where the prospects for letting both units shortly after completion are considered to be good. The closure of the Merchant Designs Manufacturing operation has also generated interest in both the premises and the skilled workforce and a number of inquiries are being actively pursued by the Development Board.

My right hon. Friend has no plans to visit the area at present.

Welsh Development Agency

Mr. Barry Jones: To ask the Secretary of State for Wales how many people are employed by the Welsh Development Agency abroad, indicating in which *(a)* countries and *(b)* cities; and if he will make a statement. [32215]

Mr. Hain: The WDA has 25 people employed in its International Division abroad and they are based in the following cities and countries; Brussels in Belgium; Hong Kong in China; Milan in Italy; Seoul in Korea; Taipei in Taiwan; Tokyo in Japan; Boston, Chicago and San Francisco in the USA and Ottawa in Canada.

Two operating consultants are employed in Australia and the Wales European Centre in Brussels respectively. In addition three people are seconded to the Wales European Centre in Brussels. I attach great importance to the continuing International work of the WDA which has been very successful in attracting inward investment to Wales.

Mr. Barry Jones: To ask the Secretary of State for Wales how many people are employed by the Welsh Development Agency in north Wales; in which locations; and if he will make a statement. [32214]

Mr. Hain: The WDA currently employs 36 people in North Wales. In addition there are four people employed in posts funded by the European Commission/Welsh Office. All the staff are based at the WDA's office at St. Asaph, although use is made of the WDA's office at Parc Menai, Bangor as and when required.

Public Bodies

Mr. Barry Jones: To ask the Secretary of State for Wales how many people are employed by the *(a)* Welsh Development Agency, *(b)* Mid Wales Development Corporation and *(c)* Land Authority Wales; and how many in each body are engaged in administrative work. [32213]

Mr. Hain: The information requested is as follows:

(a) 340 of which 103 are engaged in administrative work;

(b) 93 of which 23 are engaged in administrative work;

(c) 48 of which 13.5 are engaged in administrative work.

It should be noted that *(b)* relates to the Development Board for Rural Wales and that administrative work has been taken to mean clerical/secretarial activities.

Far Eastern Industries

Sir Raymond Powell: To ask the Secretary of State for Wales what assessment he has made of the effect of recent financial developments in the economies of the Far East on Far Eastern owned industries in Wales. [32220]

Mr. Hain: The Welsh Office is monitoring the financial developments in the Far East and the impact of these on Far-Eastern-owned industries in Wales very carefully.

Land Use (Housing)

Mr. Brake: To ask the Secretary of State for Wales (1) what percentage and surface area of recycled land has been decontaminated in each of the last 12 years by county in Wales; and what percentage and surface area of that land has been used for housing developments; [32422]

(2) what percentage of housing has been built on *(a)* recycled and *(b)* greenfield land in each of the last 12 years by county in Wales. [32423]

Mr. Win Griffiths: The information requested is not held centrally. However, the Welsh Development Agency (WDA) is responsible for managing the land reclamation programme in Wales and may have some of the information which the hon. Member requires or which he may find helpful. I will, therefore, arrange for the Chief Executive of the WDA to write to the hon. Member and for a copy of his letter to be placed in the Library of the House.

Rural Roads

Mr. Llwyd: To ask the Secretary of State for Wales what financial assistance he is providing to projects to reduce congestion on rural roads in Wales. [32433]

Mr. Hain: A range of measures designed to reduce traffic congestion on rural and urban roads is being considered as part of our plans to develop an integrated transport policy. A UK-wide White Paper on transport will be published soon. At around the same time, we will publish a Welsh Transport Policy Statement drawing out those issues of particular relevance and importance to Wales.

European Structural Funds

Mr. Wigley: To ask the Secretary of State for Wales what steps he will take to protect Welsh interests under the current review of European structural funds. [32630]

Mr. Ron Davies: I am totally committed to ensuring that Wales continues to secure the maximum benefit from the Structural Funds during the period 2000–2006. Apart from being closely involved with the development of the overall UK policy approach, I have met Commissioner Wulf Mathies personally on two separate occasions over the past few months to put the Welsh case and my hon. Friend the Parliamentary Under-Secretary of State met earlier this week with a senior Commission official to make similar representations.

Millennium Compliance

Mr. Evans: To ask the Secretary of State for Wales (1) if pilot studies of computer millennium compliance in respect of each NHS trust in Wales have been completed; what conclusions have been drawn; when millennium compliance will be achieved; at what cost to public funds; and if he will make a statement; [32768]

(2) if pilot studies of computer millennium compliance in respect of each health authority in Wales have been completed; what conclusions have been drawn; when millennium compliance will be achieved; at what cost to public funds; and if he will make a statement. [32767]

Mr. Jenkin: To ask the Secretary of State for Wales (1) what contingency plans he will establish in case of failure on 1 January 2000 of computer systems in the Ambulance Service in Wales; [32775]

(2) what contingency plans he will establish in case of failure on 1 January 2000 of computer systems in the NHS in Wales. [32774]

Mr. Win Griffiths *[holding answer 3 March 1998]:* All NHS bodies in Wales have, or will very shortly complete, initial audits of their Millennium compliance. Draft contingency plans are required by April 1998. Questions of cost will be addressed in those plans but are expected to be within notified allocations.

Business Parks

Mr. Brake: To ask the Secretary of State for Wales what is the number and surface area of business parks that have been built on *(a)* greenfield land excluding Green Belt, *(b)* Green Belt land and *(c)* recycled land by authority in Wales in each of the last 12 years. [32854]

Mr. Win Griffiths: Information relating to greenfield and recycled land is not held centrally. However, the Welsh Development Agency (WDA) is responsible for managing the land reclamation programme in Wales and may have some of the information relevant to recycled land which the hon. Member requires or which he may find helpful. I will, therefore, arrange for the Chief Executive of the WDA to write to the hon. Member and for a copy of his letter to be placed in the Library of the House. There are currently no Green Belts in Wales.

NHS Trusts

Mr. Key: To ask the Secretary of State for Wales if a committee established under sections 3, 4 (1)(a) and 17 of the NHS Trusts (Membership and Procedure) Regulations 1990 (S.I. 1990 No. 2024) prior to the establishment of a remuneration committee has powers *(a)* to appoint a chief executive and *(b)* to agree the terms and conditions of employment of the chief executive. [30931]

Mr. Win Griffiths *[pursuant to his reply, 23 February 1998, c. 71]:* I would like to correct the position. Regulations 3, 4(1)(a) and 17 of the NHS Trusts (Membership and Procedure) Regulations 1990 provide for a committee, comprised of the Chairman and Non-Executive Directors of a trust, whose function is to appoint the Chief Officer of a trust as a director of the trust. Regulation 17 does not confer on the committee the function of agreeing the terms and conditions of the Chief Executive. Paragraph 16 of Schedule 2 to the National Health Service and Community Care Act 1990 confers powers upon a trust to employ staff on such terms as the trust thinks fit.

TRADE AND INDUSTRY

Company Law

17. **Mr. Caplin:** To ask the President of the Board of Trade what plans she has to reform company law. [31145]

Mr. Nigel Griffiths: As my right hon. Friend the President of the Board of Trade announced on Wednesday 4 March 1998, *Official Report*, columns *636–37*, we have published a consultation paper setting out our proposals for a long term and consultative review of company law.

Corporate Governance

18. **Mr. Kidney:** To ask the President of the Board of Trade what representations she has received on the need for legislation on corporate governance. [31146]

Mr. Ian McCartney: A number of organisations have made representations to us on corporate governance. This is a matter in which the Government are keenly interested.

As I said in response to my hon. Friend the Member for Bexleyheath and Crayford (Mr. Beard) earlier today, we look to companies and institutions to show leadership in delivering best governance practice. If they do not, the Government may have to act.

Newspaper Industry

19. **Mr. Mullin:** To ask the President of the Board of Trade what plans she has to outlaw predatory pricing in the national newspaper industry; and if she will make a statement. [31147]

Mr. Nigel Griffiths: The Competition Bill introduces a prohibition against abuses of a dominant market position, including predatory pricing. The prohibition will apply in the newspaper industry as in the economy generally.

As the House will be aware, an amendment to the Bill accepted in the other place introduced a new prohibition specifically targeted at the newspaper industry. The Government are considering the implications of the vote in the other place. However, we believe that the amendment is unnecessary, and that there is no case for having a different prohibition for the newspaper sector.

European Regional Development Fund

20. **Mr. Rhodri Morgan:** To ask the President of the Board of Trade if she will make a statement on the negotiations under the British presidency concerning the reform of the European regional development fund. [31148]

Mrs. Roche: I refer my hon. Friend to the answer I gave to the hon. Member for St. Ives (Mr. George) earlier today.

Exchange Rate

21. **Mr. Spring:** To ask the President of the Board of Trade what new measures she proposes to introduce to assist exporters affected by exchange rate movements; and if she will make a statement. [31149]

Mrs. Beckett: I have already implemented a number of the measures recommended by the Export Forum to improve Government support for exporters. I expect shortly to announce a new package of support specifically aimed at helping small and medium companies to export.

Regeneration

22. **Mr. Blizzard:** To ask the President of the Board of Trade what is her policy for assisting with the regeneration of areas suffering from the decline of their traditional industries. [31150]

Mr. Battle: Regional Selective Assistance is the main instrument of regional industrial policy in my Department. This provides support for new commercial investment which creates and safeguards jobs in the Assisted Areas. The European Structural Funds also support regeneration programmes in some industrial areas.

Economic and Monetary Union

23. **Mr. Gareth Thomas:** To ask the President of the Board of Trade if she will make a statement about her Department's role in preparing British businesses for economic and monetary union. [31151]

30. **Ms Perham:** To ask the President of the Board of Trade if she will make a statement about her Department's role in preparing British businesses for economic and monetary union. [31158]

Mrs. Beckett: I refer my hon. Friends to the answer I gave to my hon. Friend the Member for Pontefract and Castleford (Ms Cooper) earlier today.

Rural Post Offices

24. **Mrs. Ballard:** To ask the President of the Board of Trade if she will make a statement on the Rural Development Commission's survey of rural post office provision. [31152]

Mr. Ian McCartney: I have read with interest the Rural Development Commission's 1997 survey of rural post office provision and am pleased to note that this continues to compare favourably with the other rural services surveyed.

Commercial Debt

25. **Jane Griffiths:** To ask the President of the Board of Trade what estimate she has made of the damage caused to small businesses by the late payment of commercial debt. [31153]

36. **Mr. Stringer:** To ask the President of the Board of Trade what estimate she has made of the damage caused to small businesses by the late payment of commercial debt. [31164]

Mrs. Roche: I refer my hon. Friends to the reply I gave earlier to my hon. Friend the Member for Stevenage (Barbara Follett).

Businesses (Best Practice)

26. **Mr. Olner:** To ask the President of the Board of Trade what representations she has received from businesses about the development of policies to disseminate best practice in business. [31154]

Mr. Battle: Under the *Competitiveness UK* initiative, business people are working in partnership with the DTI to develop ideas to improve UK competitiveness. The Best Practice Working Party, chaired by my hon. Friend the Minister for Competition and Consumer Affairs, is looking at how to maximise the potential of all firms through the adoption of best practice. In addition to the advice of the members, the Working Group has received presentations from several business support organisations.

Utility Regulation

27. **Mrs. Gilroy:** To ask the President of the Board of Trade when she expects to publish her Department's review of the utilities regulators. [31155]

Mrs. Beckett: I hope to be able to publish the conclusions of the Review on Utility Regulation in a Green Paper in the near future. Following publication, there will be a period of consultation during which all interested parties will have the opportunity to make representations on any proposals for change.

33. **Mrs. Ellman:** To ask the President of the Board of Trade if she will make a statement about the objectives of her Department's review of the utility regulators. [31161]

Mrs. Beckett: The objectives of the inter-departmental review is to set a long-term stable framework for utility regulation which is seen to be fair by all the interest groups involved, particularly consumers. I hope to be able to publish the conclusions of the Review on Utility Regulation in a Green Paper in the near future.

Competition

28. **Dr. Cable:** To ask the President of the Board of Trade what plans she has to promote greater competition in the business sector. [31156]

Mr. Ian McCartney: The Competition Bill will bring forward more effective deterrents to anti-competitive behaviour. It will represent a significant reform and strengthening of UK competition law.

Employment Tribunals

29. **Mr. Sayeed:** To ask the President of the Board of Trade what plans she has to permit evidence in writing at employment tribunals. [31157]

Mr. Ian McCartney: I refer the hon. Member to my previous answer to his written question, 27 January 1998, *Official Report*, column *161*.

Foresight Panels

32. **Mr. Paul Marsden:** To ask the President of the Board of Trade what action she is taking to strengthen links between Government Departments and foresight panels. [31160]

Mr. Battle: The Ministerial Foresight Group has been established under my chairmanship to provide top-level co-ordination of the Foresight Programme across Government. The Ministerial Group will receive regular progress reports from the Whitehall Foresight Group of officials which is working to foster closer links between Panels and the activities of individual departments.

Competitiveness

34. **Mr. Clifton-Brown:** To ask the President of the Board of Trade what assessment she has made of the impact of the current sterling exchange rate on British competitiveness in overseas markets. [31162]

Mrs. Roche: The Government understand the difficulties that exporters face as a result of the strength of sterling. Competitiveness, however, depends on a range of factors. We are working in partnership with business to improve the competitiveness of British firms by addressing all the relevant factors.

Electrical Retailing Industry

35. **Mr. Llwyd:** To ask the President of the Board of Trade when she last met representatives of the electrical retailing industry; and if she will make a statement. [31163]

Mr. Nigel Griffiths: I have met members of the Industry together with the British Retail Consortium on a number of occasions.

Genetic Engineering

Mr. Baker: To ask the President of the Board of Trade what steps she takes to liaise with other departments in respect of matters relating to genetic engineering. [31159]

Mr. Battle: My right hon. Friend the President of the Board of Trade, as Minister with responsibility for science, takes overall responsibility for co-ordination of policy on issues relating to genetic modification across Government. We maintain regular contact with Ministerial colleagues with an interest in these matters.

For an explanation of the mechanisms in place to co-ordinate policy on genetic modification at official level, I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister on 2 February 1998, *Official Report*, columns *476–77*.

Retail Petrol Industry

Mr. Boswell: To ask the President of the Board of Trade on what dates the Undertakings regarding Retail Petrol Suppliers in the United Kingdom 1966 have been amended, and to what effect; and if she will make a statement. [31701]

Mr. Nigel Griffiths *[holding answer 2 March 1998]:* The 1966 undertakings, given by petrol suppliers following a 1965 Monopolies and Mergers Commission report on the supply of petrol, have been amended three times.

On 16 August 1968, the constraint limiting the acquisition of company-owned stations was removed.

On 13 August 1976, provisions were introduced for the settling of certain disputes by reference to arbitration, and to ensure proposed licence renewal were on terms that were fair and reasonable.

On 12 January 1994, restrictions on tying retailers to particular brands of lubricants, kerosene or anti-freeze products were lifted. In respect of company-owned petrol stations, all other tying restrictions on non-oil goods and restrictions on suppliers taking commission on sales by licensee retailers were lifted.

Mr. Boswell. To ask the President of the Board of Trade (1) at what temperatures refined petrol should be delivered by wholesalers to retail petrol outlets; and if comparable arrangements exist for DERV; [31696]

(2) what evidence she has received concerning refined petrol being delivered by wholesalers to retail petrol outlets at temperatures higher than specified in regulations. [31697]

Mr. Battle *[holding answer 2 March 1998]:* The Petrol Retailers Association has made representations requesting that the Government amend the legislation on liquid fuel deliveries to ensure that a temperature range is specified for the future. Officials in the Department have discussed this with the Association and investigations are expected to start in the near future.

Barings and BCCI (Reports)

Mr. Mitchell: To ask the President of the Board of Trade when her Department's reports on audit failures at *(a)* Barings and *(b)* BCCI will be published. [32608]

Mr. Nigel Griffiths: The Department does not comment in detail on the affairs of individual companies before proceedings have been concluded. However, Barings was referred to the Accountants' Joint Disciplinary Scheme on 3 October 1995 for investigation of the former auditors and chartered accountants employed within Barings. The investigation has been completed, and a decision by the Executive Counsel to the Joint Disciplinary Scheme on whether to lay complaints for hearing by a Joint Disciplinary Tribunal is expected shortly. It is the usual practice of the Joint Disciplinary Scheme to issue a Press Notice when

complaints have been laid; and the Reports of Joint Disciplinary Tribunals are published. Where, however, the Executive Counsel decides *not* to lay complaints, the Executive Committee has a discretion whether to publish the Executive Counsel's Report.

BCCI was referred to the Accountants' Joint Disciplinary Scheme on 19 March 1992. Further progress in the investigation has been stayed by Order of the Court of Appeal dated 21 December 1993.

Multilateral Agreement on Investment

Ms Drown: To ask the President of the Board of Trade if she will make a statement on the provisions in the draft Multilateral Agreement on Investment which emphasise the responsibilities and duties of foreign investors. [31138]

Mr. Ian McCartney: We are pressing for the close association with the Multilateral Agreement on Investment (MAI) of the OECD Guidelines for Multinational Enterprises, which encourage good corporate behaviour. Foreign investors, like others, are also bound by the national laws of the countries in which they operate.

Telecommunications Council

Mr. Mike Hall: To ask the President of the Board of Trade if she will make a statement on the outcome of the EC Telecommunications Council on 26 February. [33471]

Mrs. Roche: I chaired the Telecommunications Council in Brussels on 26 February.

There was unanimous political agreement to the adoption shortly of a common position on a directive on telecommunications terminal equipment. There was also a televised debate on a Commission Green Paper on convergence in the broadcasting, telecommunications and information technology sectors.

Following a European Commission presentation, the Council adopted conclusions on a Commission Communication on Internet domain name governance. The Commission gave an oral presentation of a draft decision on the further development of mobile and wireless communications in Europe (universal mobile telecommunications system). The Commission also made oral presentations of Communications on: implementation by Member States of Community legislation in the telecommunication sector; globalisation and the Information Society; universal service in telecommunications; and the century date change problem for computer systems. I informed the Council that the UK would be hosting an EU conference to tackle the Millennium Bug.

Minimum Wage

Mr. Healey: To ask the President of the Board of Trade when she expects the Low Pay Commission to report its recommendations on the introduction of the national minimum wage. [31127]

Mr. Ian McCartney: The Low Pay Commission has been asked to report with its recommendations by the end of May 1998 at the latest.

Business Performance

Kali Mountford: To ask the President of the Board of Trade what representations she has received from business about the development of her policies to improve business performance. [31140]

Mrs. Roche: Forging a strong partnership with business lies at the heart of the Government's drive to help companies improve their performance. This agenda is being driven forward by the Competitiveness UK initiative. Business people are working directly with DTI Ministers to identify barriers to improved competitiveness and develop practical proposals to overcome them. This radical approach will lead to policies for sustainable wealth creation, based on a high skill, high investment, innovative, modern economy.

Bus Competition (Scotland)

Mrs. Fyfe: To ask the President of the Board of Trade when she plans to decide on the issue of bus competition in Glasgow and Strathclyde following the recent OFT report. [32675]

Mr. Nigel Griffiths *[holding answer 3 March 1998]:* I refer my hon. Friend to the answer I gave my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) on 2 March 1998, *Official Report*, column *460*.

Departmental Salaries

Mr. Mitchell: To ask the President of the Board of Trade how many *(a)* full-time and *(b)* part-time employees in her Department earn less than £4.45 per hour. [31990]

Mr. Nigel Griffiths: The Department (including Agencies) has a total of 196 staff earning less than £4.45 per hour. Of these, 51 work part time.

Export Licences

Mr. Derek Twigg: To ask the President of the Board of Trade how many licences have been issued since 2 May 1997 for the export to Iraq of formulated complex growth media; what quantities of this product were covered by each licence; what was the stated end-use in each case; and whether all of the licences were notified to the UN Sanctions Committee and UNSCOM. [33470]

Mrs. Beckett: Since 2 May 1998, the UK has issued eight licences covering the export of formulated complex growth medium to Iraq. In each case, in accordance with our obligations under UN Security Council resolution 661, the Government confirmed that the applications were to export supplies strictly for medical purposes; notified the UN Sanctions Committee; and, in accordance with the Import and Export (IMPEX) Mechanism established under Security Council Resolution 1051, notified the UNSCOM/IAEA joint unit. The IMPEX mechanism covers specified goods with the potential for use in weapons of mass destruction and in their development, and provides for monitoring of their use in Iraq by the UN Special Commission (UNSCOM).

For five licences, the consignees were UN agencies. For the three other licences, the exports were specifically

authorised by the UN Sanctions Committee under the "Oil for food" programme based on UN Security Council resolution 986 and successor resolutions.

The date of each licence, the quantity of formulated complex growth medium covered and the intended end-use are as follows:

Licences issued since 2 May 1997 for the export of formulated complex growth media to Iraq

Date of issue	*Quantity*	*Consignee*	*Stated end-use*
7 May 1997	10kg 0.5 litre	World Health Organisation (WHO)	WHO tuberculosis control project
21 May1997	10kg	WHO	WHO nutrition research project
21 July 1997[1]	1670.7kg	Iraqi State Co for Marketing Drugs and Medical Appliances	Hospital laboratories under the UN "Oil for Food" Programme
09 October 1997	27kg	UNICEF	UNICEF urban and semi-urban water project
14 October 1997	14 litres	Iraqi State Co for Marketing Drugs and Medical Appliances	Hospital laboratories under the UN "Oil for Food" Programme
11 November 1997	3 litres	International Atomic Energy Authority (IAEA)	IAEA rinderpest surveillance project
28 January 1998	40kg	WHO	WHO primary healthcare project
30 January 1998	40kg	Iraqi Sate Co for Marketing Drugs and Medical Appliances	Hospital laboratories under the UN "Oil for Food" Programme

[1] This licence expired before the goods concerned were exported, and a new licence with the same coverage and for the same end-use was issued is 19 December 1997.

Office Refurbishment

Mr. Redwood: To ask the President of the Board of Trade if she will make a statement on her Department's plans to spend £40,000 refurbishing her office. [32688]

Mrs. Beckett *[holding answer 3 March 1998]:* There are no such plans. I am currently considering proposals from my officials for replacing some older furniture which gives everyone backache along with some associated works and decorations. No decision has yet been taken.

Mr. Redwood: To ask the President of the Board of Trade if she will publish a breakdown of the costs of refurbishing ministerial apartments and offices for each of her Department's Ministers since 1 May 1997. [32795]

Mrs. Beckett *[holding answer 3 March 1998]:* Details of the refurbishment of my Admiralty House flat were given in my answer of 12 January 1998, *Official Report*, column *32*. No ministerial offices have been refurbished since 1 May 1997, but new furniture has been provided for three offices at a cost of some £11,200.

Levitt Group of Companies

Mr. Mitchell: To ask the President of the Board of Trade when the report on audit failures at Levitt Group of Companies will be published. [31963]

Mr. Nigel Griffiths: The Department does not comment in detail on the affairs of individual companies before proceedings have been concluded. However, as the hon. Gentleman is aware, the SFO has previously investigated and prosecuted in the case of Roger Levitt.

Wickes

Mr. Mitchell: To ask the President of the Board of Trade when her Department's report on audit failures at Wickes will be published. [31198]

Mr. Nigel Griffiths: The Department does not comment in detail on the affairs of individual companies before proceedings have been concluded. However, this matter was referred to the Accountants' Joint Disciplinary Scheme on 4 March 1997 for investigation of the former auditors and chartered accountants employed within the company. The investigation is expected to be completed during the course of 1998. The Executive Counsel to the Joint Disciplinary Scheme will then decide whether to lay complaints for hearing by a Joint Disciplinary Tribunal. It is the usual practice of the Joint Disciplinary Scheme to issue a Press Notice when complaints have been laid; and the Reports of Joint Disciplinary Tribunals are published. Where, however, the Executive Counsel decides not to lay complaints, the Executive Committee has a discretion whether to publish the Executive Counsel's Report.

Limited Liability Partnerships

Mr. Mitchell: To ask the President of the Board of Trade if she will place in the Library the submissions made to her Department in response to its consultation exercise on the limited liability partnerships. [31547]

Mr. Ian McCartney: Responses to the consultation paper on limited liability partnership, with the exception of those where the correspondent asked that their comments remain confidential, will be made available to the public in the DTI library and the Libraries of the House, along with a summary of responses, when the draft Bill is published.

Ministerial Meetings

Mr. Randall: To ask the President of the Board of Trade how many meetings have been requested with her Department's Ministers by *(a)* Labour and *(b)* Conservative hon. Members; and how many meetings have been granted in each category. [31295]

Mrs. Beckett: Other than in exceptional circumstances (for instance in relation to decisions on mergers) I would expect Ministers to meet hon. Members when meetings are requested.

Details of meetings that have been held since 2 May 1997 are as follows:

	Number of meetings with Labour hon. Members	*Number of meetings with Conservative hon. Members*	*Number of meetings with Liberal Democrat hon. Members*
President of the Board of Trade	5	—	—
Minister for Trade	4	—	1
Minister for Science, Energy and Industry	40	1	—
Minister of State (plus 1 meeting with Conservatives and Liberal Democrats	76	2	1
Minister for Trade and Competitiveness in Europe	4	—	—
Minister for Small Firms, Trade and Industry	11	4	1
Minister for Competition and Consumer Affairs	30	1	3

Management Consultants

Mr. Redwood: To ask the President of the Board of Trade (1) what remit has been given to PA Consulting Group to review DTI management; [32834]

(2) what will be the cost to public funds of the PA Consulting Contract on DTI management. [32837]

Mrs. Beckett *[holding answer 4 March 1998]:* PA have been asked to look at improving the interface between Ministers' offices and the rest of the Department. The study, which flows from initial work on the Department's Comprehensive Spending Review, is expected to cost under £40k.

Correspondence

Mr. Winnick: To ask the President of the Board of Trade when she expects to reply to the letter from the hon. Member for Walsall, North of 13 January regarding Aspray Transport Ltd. [30533]

Mrs. Roche *[holding answer 23 February 1998]:* I wrote to my hon. Friend on 2 March 1998.

MINISTER WITHOUT PORTFOLIO

Millennium Dome

Mr. Maclean: To ask the Minister without Portfolio what is the cost per square metre of the fabric covering the Millennium Dome. [31620]

Mr. Mandelson *[holding answer 26 February 1998]:* The cost of the fabric covering the Millennium Dome, including tensioning, cabling, and other fittings, is £200 per sq. m.

Millennium Experience

Mr. Mitchell: To ask the Minister without Portfolio what arrangements are proposed to transport visitors who arrive by Eurostar services to the Millennium Experience. [31356]

Mr. Mandelson: Visitors arriving on Eurostar Services at Waterloo International wishing to travel directly to the Millennium Experience at Greenwich will be able to travel on the new Jubilee Line Extension. The journey time will be approximately 10 minutes.

Mr. Mitchell: To ask the Minister without Portfolio what public funding will be made available for water bus services to the Millennium Experience. [31361]

Mr. Mandelson: River bus services to the Millennium Experience will be commercial opportunities. No public funding is being made available.

Mr. Mitchell: To ask the Minister without Portfolio what connecting services will be available from *(a)* City Airport, *(b)* Gatwick and *(c)* Heathrow to the Millennium Experience. [31350]

Mr. Mandelson: City Airport, Gatwick and Heathrow already have good links into the public transport network. That network will extend to, and will serve, the Millennium Experience at Greenwich. The New Millennium Experience Company (NMEC) is working with transport providers to develop integrated transport and entrance tickets.

EDUCATION AND EMPLOYMENT

Student Loans

Ms Perham: To ask the Secretary of State for Education and Employment if he will make a statement on the progress of the competition to sell part of the student loan portfolio. [33359]

Dr. Howells: I have today announced the sale of a portfolio of student loans for £1 bn. This is the outcome of a policy first announced in September 1996. The sale has been achieved after a vigorous competition and we have accepted the most competitive bid. NatWest Markets was the successful bidder.

The loans sold are those made under the current scheme. None of the new income contingent loans available from the 1998–99 academic year are involved.

My right hon. Friend the Chancellor of the Exchequer said in his statement of 10 July 1997 that we would continue the policy of student loan debt sales as part of our pledge to work within the spending plans already announced for this year and next. The sale also underlines our commitment to developing a wide range of public-private partnerships which involve a transfer of risk to the private sector. This sale transfers to the private sector much of the risk of loans defaulting.

The Student Loans Company, the existing administrator, will continue to administer the loans sold for at least for the next five years. Borrowers who are currently repaying their loans or who have made deferment arrangements will consequently notice little change. We have also taken steps through the Education (Student Loans) Act 1998, to ensure that the position of borrowers is protected. Borrowers will retain their existing rights of deferment, where their income is below 85% of average earnings, and interest rates will continue to be linked solely to inflation.

These rights mean that existing student loans are provided at subsidised rates. Additional subsidies will therefore need to be paid to the purchaser to reflect this. Given the value of loans sold, and that some of the loans will be outstanding for a considerable length of time, the estimated net present value of these subsidies is likely to be in the region of £350m. This compares with estimated present value costs of nearly £300m which would have been incurred by the Government had the loans remained publicly owned. Annual subsidy payments will be high in earlier years and reduce over time as borrowers repay more of their debt and the total level of debt outstanding falls.

During the 1998–99 financial year a gross subsidy of about £60m will be paid to Finance for Higher Education Limited (FFHE), a company formed for the purpose of acquiring the assets by NatWest Markets. However, part of the gross subsidy payment will be repaid to the Government through the administration charges paid to the Student Loans Company and tax receipts on private sector profits. The estimated cost to the Government in 1998–99 of selling these loans will therefore be in the region of £15m above the £40m cost of keeping loans in the public sector.

The agreement between the Government and FFHE for the purchase of the loans, with commercially confidential information removed, will be placed in the Library of the House on completion of the sale.

A second competition to sell a further tranche of student loan debt involving loans made under the current scheme is being planned later this year.

School Expenditure

Mr. Chaytor: To ask the Secretary of State for Education and Employment if he will list for each local education authority in England, the average per capita spend from *(a)* capital and *(b)* revenue budgets for 1997–98 and each of the three previous years on pupils in (i) primary schools and (ii) secondary schools. [29920]

Mr. Byers: The requested information for the years 1994–95 to 1997–98, the latest year for which the figures requested are available, are set out in two tables, copies of which have been placed in the Library.

Film Industry

Mr. Sheerman: To ask the Secretary of State for Education and Employment how many people are currently studying courses relating to film production. [29423]

Dr. Howells: Information is not collected centrally for students studying courses relating to film production. Research undertaken last year by Skillset, the National Training Organisation (NTO) for the Broadcasting, Film, Video and Multimedia sectors, indicated that at that time there were over 400 Higher Education courses in Media studies attended by over 32,000 students.

Special Educational Needs

Mr. Patrick Hall: To ask the Secretary of State for Education and Employment how many replies his Department has received from *(a)* schools and *(b)* individuals in Bedford and Kempston to the Green Paper, "Excellence for All Children-Meeting Special Educational Needs". [31759]

Ms Estelle Morris: We have received responses to the Green Paper consultation from three schools—Harrowden Middle School, St. John's School (Grant Maintained Special) and Mark Rutherford School and Community College—and a small number of individuals in Bedford and Kempston.

Specialist Teachers

Mr. Fearn: To ask the Secretary of State for Education and Employment what assessment he has made of the likely impact on recruitment of specialist teachers as a result of the recent reductions in the numbers of teacher training courses for teachers of maths. [31751]

Ms Estelle Morris: The Government have set the Teacher Training Agency (TTA) a target of 2,150 entrants to teacher training courses for secondary maths teaching in 1998–99, compared with a target of 2,250 in 1997–98. Each year the Government review the demand for newly-qualified teachers in each phase and secondary subject, taking into account the latest information on relevant factors. The targets issued reflect the estimated demand, so recruitment to target should ensure an adequate supply of qualified teachers. In November 1997, the Department published an explanatory paper on 'Teacher Supply and Demand Modelling', a copy of which is in the Library.

Ministerial Meetings

Mr. Randall: To ask the Secretary of State for Education and Employment how many meetings have been requested with his Department's Ministers by *(a)* Labour and *(b)* Conservative hon. Members; and how many meetings have been granted in each category. [31291]

Dr. Howells: No formal records are kept of the number of meetings requested with this Department's Ministers by hon. Members.

However, it is our policy to accommodate all such requests and since 1 May 1997–98 meetings have been held; 87 with Labour and 11 with Conservative hon. Members.

Conferences

Mr. Gordon Prentice: To ask the Secretary of State for Education and Employment how many of his officials attended conferences *(a)* in the United Kingdom and *(b)* overseas; and how many and what percentage made (i) oral and (ii) written contributions to the matters under discussion in the last 12 months for which figures are available. [31178]

Dr. Howells: This question cannot be answered in full because of the disproportionate cost that would be involved in locating and collating the information.

After-school Clubs

Mr. Hesford: To ask the Secretary of State for Education and Employment what plans he has to encourage the creation of after school club places in premises other than schools, with particular reference to youth clubs and community centres; and if he will make a statement. [30802]

Ms Estelle Morris: The Government are keen to encourage out of school hours clubs in schools and in other community premises, including youth clubs and community centres. We will shortly publish a National Framework for out of school hours learning, which will acknowledge the valuable work already done by youth and community workers, as well as others, to motivate young people and help them become more active learners. The National Framework will also suggest ways in which such partnerships can be developed and make clear that, although schools have a key role to play in promoting and participating in study support, it can be provided entirely by people or organisations who are not part of a school. The New Opportunities Fund will administer £200 million of Lottery funding for out of school hours learning activities.

Teachers

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will make a statement on the *(a)* gender profile, *(b)* average length of service and *(c)* average age of the teaching profession. [30828]

Mr. Byers: On 31 March 1996, 33 per cent. of full-time teachers in maintained nursery, primary, secondary and special schools in England were male and 67 per cent. female, the average length of service was 15 years, and the average age was 41 years.

Inspectors' Ratings

Mr. Don Foster: To ask the Secretary of State for Education and Employment what are the averages of inspectors' ratings for all maintained primary schools with Year 6 pupils inspected by OFSTED in each school year from 1995 on the scale 1 to 7 in their Judgment Recording Forms of the standards of attainment of their Year 6 pupils in the year of inspection (i) English, (ii) maths and (iii) science at Key Stage 2 for each of the seven groups of school produced by ranking all such schools for each year by their same Year 6 pupils' average Key Stage 2 SAT test levels attained for each of these subjects in the same school year as that of inspection; and if he will divide that ranking into seven groups with equal numbers of schools, indicating for each group the number of schools, their simple average SAT test levels and the averages of inspectors' ratings rounded to three decimal places. [31039]

Mr. Byers: This is a matter for HM Chief Inspector of Schools. I have asked him to write to the hon. Member and to place a copy of his letter in the Library.

Competitive Tendering

Mrs. Dunwoody: To ask the Secretary of State for Education and Employment what estimate she has made of he effect of competitive tendering on the ability of a partnership under the welfare to work scheme to meet its contractual obligations. [31205]

Mr. Andrew Smith: We keep under continuous review the ability of partnerships to meet contractual obligations. In letting the contracts we took into account the method of contracting in terms of quality, value for money, inclusiveness and client choice. Partners were actively involved in developing this strategy.

Physical Education

Mr. Reed: To ask the Secretary of State for Education and Employment what plans he has to improve teacher training in physical education for primary schools. [31003]

Ms Estelle Morris: Our new requirements for Initial Teacher Training, which I announced last June, will allow trainees to specialise across the 7 to 10 age range. From this September, for the first time primary teachers will be able to specialise in PE as part of their course. The new standards for Qualified Teacher Status, which trainees will be required to achieve from May 1998, will ensure that all teachers, including those who teach PE, are equipped with appropriate subject knowledge, understanding and skills.

Training

Mrs. Dunwoody: To ask the Secretary of State for Education and Employment what level of training will be undertaken by Employment Service staff to prepare them for their new duties under the New Deal. [31204]

Mr. Alan Howarth: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mrs. Gwyneth Dunwoody, dated 27 February 1998:

The Secretary of State has asked me to reply to your question about the level of training that will be undertaken by Employment Service staff to prepare them for their duties under the New Deal. This is something which falls within the responsibilities delegated to me as Chief Executive of the Employment Service.

All Employment Service staff are receiving extensive briefing about the New Deal through a combination of guidance, conferences and written information. The main recipients of additional training will be the ES New Deal Personal Advisers, who have been careful selected from amongst the most experienced members of the ES's current advisory teams. In general they will have either to hold an NVQIII in advice, guidance and counselling or to be working to that qualification. In addition they will be provided with an overview event lasting a minimum of half a day on the aims and objectives of New Deal followed by a specific three day event focusing on the knowledge and skills required for the adviser's task.

Specific training has also been designed for other ES staff including a New Deal Overview event, New Deal Marketing and Vacancy Taking event, New Deal Team Leader event and modularised New Deal processes events.

I hope this is helpful.

Jobseeker's Allowance

Mr. Gordon Marsden: To ask the Secretary of State for Education and Employment what representations he has made to the Department of Social Security about the recommendation of the Dearing Report to conduct a review of the interaction between entitlement to JSA and part-time study. [30240]

Mr. Alan Howarth: No such representations have been made. DfEE Ministers have the lead responsibility for JSA and study rules. We have already taken action on the Jobseekers' Allowance rules on education and training. We have extended the JSA Workskill pilots so that there are now pilots in eight areas allowing people unemployed for six months or more to undertake employment-related courses of education and training, full or part-time, for up to a year while on JSA. The pilots aim to test whether and how different benefit arrangements help unemployed people obtain and retain employment.

We are also introducing more flexible arrangements in our New Deals for unemployed people. The New Deal for 18 to 24-year-olds includes an option of full-time education and training for up to a year. People on this option will receive a training allowance in place of JSA. Those aged 25 years and over, unemployed for two years or more, will be allowed from June 1998 to undertake full-time employment-related education and training for up to a year while receiving JSA. Learning for Work—full-time education and training—is also an option in all five prototype Employment Zones.

We will further review the JSA rules on education and training in the light of experience of the Workskill pilots and our welfare to work programme.

HEALTH

Acute Service Beds

Mr. Jenkin: To ask the Secretary of State for Health what is *(a)* the number of NHS hospital acute service beds in each health authority in England and *(b)* the number per head of population in each area arranging the health authorities in order of the number per head of population. [30850]

Mr. Milburn: The information requested has been placed in the Library.

I regret that in my previous reply on 16 February 1998, *Official Report*, column *494* the information placed in the Library was incorrect. A revised version has been placed in the Library.

London Hospitals

Mr. Maples: To ask the Secretary of State for Health if the Turnberg Committee submitted to him an analysis of the costs of *(a)* keeping Bart's Hospital open, as proposed by the committee and *(b)* concentrating all services on the Royal London site in a new hospital building. [30996]

Mr. Milburn: No.

General Practitioner Budgets

Mr. Maples: To ask the Secretary of State for Health, pursuant to his answer of 17 February 1998, *Official Report*, column *553*, (1) for what reasons he did not publish the exact number of submissions received; and if he received written submissions from doctors requesting an end to general practitioner practice level budgets; [31653]

(2) how many submissions he received requesting that general practice level budgets be continued in some form. [31342]

Mr. Milburn: Since May 1997, the Department has received both written and oral contributions from individuals and on behalf of local groups and national organisations about the Government's proposals for replacing the National Health Service internal market, as set out in the White Paper "The New NHS", and about the implications for the general practitioner fundholding scheme and GP commissioning. The opinions expressed have gone into varying degrees of detail.

It is not possible therefore to enumerate the views expressed on these points on a complete and consistent basis.

Food Poisoning (Milk)

Dr. Moonie: To ask the Secretary of State for Health (1) what assessment he has made of the risk of acquiring *(a)* E. coli 0157, *(b)* salmonella sp or *(c)* campylobacter infection from the consumption of unpasteurised milk or dairy products; and if he will make a statement; [30725]

(2) how many outbreaks of food poisoning there have been in each year between 1986 and 1996, listed according to the known infective agent; how many of each were linked to the consumption of unpasteurised milk or dairy products; and if he will make a statement; [30727]

(3) what research he has commissioned on faecal contamination of unpasteurised milk; what were the results; and if he will make a statement. [30728]

Ms Jowell *[holding answer 24 February 1998]*: The potential for acquiring *E. coli* O157, *Salmonella* or *Campylobacter* infection from the consumption of raw cow's drinking milk is considerably higher than that for pasteurised milk. Microbiological surveys have shown that raw cows' milk in England and Wales is a potential source of these pathogenic microorganisms. In England and Wales between 1992 and 1996 there were 15 reported outbreaks of illness involving *E. coli* O157, *Salmonella* species or *Campylobacter* species where milk was the suspected source. Of these outbreaks, 10 were directly associated with raw milk and 5 with pasteurised milk, of which 2 were attributed to pasteurisation failure. As the volume of raw milk consumed in England and Wales is only a small fraction of the total liquid milk drunk, the risk of a person becoming infected from drinking raw milk is, therefore, substantially greater than the risk of a person becoming infected from drinking pasteurised milk.

In response to a request by the Government's independent expert Advisory Committee on the Microbiological Safety of Food, we commissioned surveillance of the prevalence of *E. coli* O157 in raw cow's milk cream and raw milk cheeses. The Committee will be asked to consider the public health significance of the results when these become available.

The Department commissioned ADAS to undertake a survey of the microbiological status of raw (unpasteurised) cows' drinking milk in England and Wales. The survey shows that 62 per cent. of milk samples had evidence of organisms indicating faecal contamination. The findings of the survey have been summarised in the December 1997 issue of the Food Safety Information Bulletin. Copies are available in the Library.

The Government are currently funding surveys on the microbiological status of raw milk from cows, sheep and goats. This work includes looking for microorganisms indicating faecal contamination.

The information requested about outbreaks of food poisoning in the years 1986 to 1996, listed to known infective agent has been placed in the Library.

Mr. Chaytor: To ask the Secretary of State for Health if he will list the notified cases of food poisoning associated with *(a)* raw milk and *(b)* pasteurised milk in each of the last five years. [31870]

Ms Jowell: The information in the format requested is not routinely collected as the majority of notified cases of food poisoning are sporadic and the vehicle of infection is not known. Cases may also occur as part of general outbreaks and for some of these the vehicle of infection may be established. During the period 1993–96, there were 13 reported general outbreaks involving milk and dairy products in England and Wales. Nine outbreaks were associated with unpasteurised milk, affecting 146 people, and four outbreaks were associated with pasteurised milk, affecting 111 people. Of the four outbreaks involving pasteurised milk, three were due to pasteurisation failure and one was due to recontamination after pasteurisation. Detailed information on these outbreaks has been published in the monthly publication "CDR Review", Volume 7, No. 3, dated 7 March 1997, Table 1. Copies have been placed in the Library.

For 1997 provisional information indicates that there were no general outbreaks of food poisoning in England and Wales associated with pasteurised milk. There was one reported general outbreak in England and Wales associated with unpasteurised milk, affecting eight people.

NHS Boards

Mr. Gordon Prentice: To ask the Secretary of State for Health what account he takes of previous membership of community health councils in considering appointments to the boards of NHS trusts and health authorities. [32099]

Mr. Milburn: The new criteria for considering candidates for National Health Service boards stipulate that successful applicants must: have a strong personal commitment to the NHS; be able to demonstrate a commitment to the needs of the local community; be able to demonstrate an ability to contribute to the work of the board; and be able to demonstrate an interest in healthcare issues. The criteria also state that candidates might have already served the community in some other capacity, and be able to offer specialist knowledge relevant to the work of the trust or health authority.

Mr. Gordon Prentice: To ask the Secretary of State for Health, pursuant to his answer of 25 February 1998, *Official Report*, column *264*, if he will make it his policy to collect information centrally on the number of board members of NHS trusts, ambulance NHS trusts and health authorities who prior to their appointment served on a community health council. [32097]

Mr. Milburn: Details of Community Health Council membership is currently collected in the application form for appointment to National Health Service boards. This information is taken into account in considering individual applications but there are no current plans to collate the information for monitoring purposes.

Voluntary Sector Funding

Mr. Green: To ask the Secretary of State for Health what funding his Department provided to *(a)* Alcohol Concern, *(b)* Action on Smoking and Health, *(c)* the Child Accident Prevention Trust, *(d)* the Portman Group and *(e)* the Terence Higgins Trust in the financial year 1997–98; and how much he proposes to allocate to each in the financial year 1998–99. [32538]

Ms Jowell: The information requested is in the table.

£

Organisation	*1997–98*	*Financial year 1998–99*
Alcohol Concern	[1]370,800	[4]—
	[2]1,055,000	[3]555,000
Action on Smoking and Health	[1]114,713	[5]—
Child Accident Prevention Trust	[1]60,000	[1]50,000
	[3]20,596	[3]21,213.88
	[3]26,576	[3]26,910.52

£

Organisation	Financial year 1997–98	Financial year 1998–99
The Portman Group	0	0
The Terence Higgins Trust	[1]150,000	[1]150,000
	[4]1,100,000	[4]1,100,000

[1] Core funding.
[2] Alcohol projects grants programme.
[3] Project funding.
[4] HIV/AIDS health promotion funding for gay and bi-sexual men in England.
[5] These organisations currently have applications for Departmental funding for the 1998–99 financial year pending.

Hospitals

Mr. Sheerman: To ask the Secretary of State for Health if he will introduce a publicly accessible grading system for hospitals which will indicate the effectiveness of hospitals in delivering quality care to their patients. [32405]

Mr. Milburn: We are consulting on a new national framework for assessing performance in the National Health Service, and on an associated set of high-level performance indicators which includes a number of proposed clinical indicators. This new framework will form the basis for published information on NHS performance.

Some of the proposed indicators are available only at health authority level but others, including the clinical indicators, are expected to be available by NHS trust.

Private Finance Initiative

Mr. Rendel: To ask the Secretary of State for Health when he will announce the list of projects costing over £25 million proposed by regional health authorities which will be allowed to go forward for PFI bids this year. [32990]

Mr. Milburn: An announcement about the major schemes going forward in the next tranche of the Private Finance Initiative will be made in due course.

Advertising Contracts

Mr. Burns: To ask the Secretary of State for Health if he will list the advertising contracts his Department has awarded since 1 May 1997, indicating the value of contracts and the number of companies which tendered for them. [30712]

Ms Jowell: *[holding answer 23 February 1998]:* Information on publicity-related advertising contracts awarded since 1 May 1997 is shown in the table.

The nursing advertising campaign was last tendered in January 1991. The tendering process was set up for the Department by Central Office of Information under the Advisory Committee on Advertising (ACA) guidelines. The ACA is an independent group of media and marketing professionals appointed by Ministers to advise on the nomination of suitable advertising agencies for government work, and on cost effective working methods, including media buying.

The Campaign Against Living Miserably agency was selected from the ACA approved list and was chosen because it has experience of mental health including working with the Samaritans.

In addition to publicity advertising, the Department and its agencies place a number of staff recruitment advertisements through a variety of relevant recruitment agencies. The total cost for these since 1 May is £596,648.

Publicity advertising contracts awarded since 1 May 1997

Description	Value of contract £	Number of companies which tendered
Department of Health		
Recruitment into nurse training ads	1,150,000	—
Emergency Helpline Pilot campaign (NHS Direct)	385,000	3
CALM (the Campaign Against Living Miserably)	200,000	—
Encourage expressions of interest in tendering for provision of HIV/AIDS and drugs telephone advice lines	9,476	—
Dental research ads	3,351	—
To attract voluntary agencies to apply for funding for health promotion projects	1,800	—
Blood Donation—Ad in Breeze pop group tour guide	987	—
Blood Donation—Ad in Warner Bros cinema guide	329	—
Medical Devices Agency		
Sponsorship advertisement by MDA in NHS Confederation attendance booklet	3,290	—
Total Publicity Advertising Contracts	1,754,000	—

Hepatitis C

Mrs. Ewing: To ask the Secretary of State for Health how many representations calling for financial assistance he has received on behalf of people with haemophilia infected with Hepatitis C through their NHS treatment. [32049]

Ms Jowell: Since 2 May 1997 hon. Members have asked six Parliamentary Questions (in addition to this one) and we have received approximately 135 letters about the issue of special payments for haemophiliacs infected with hepatitis C through National Health Service blood products.

We have also met with the Haemophilia Society to hear their representations on the matter direct.

Pay

Mr. Jim Cunningham: To ask the Secretary of State for Health what plans he has to offer non-Pay Review Body staff early pay increases in line with those covered by the PRB. [32076]

Mr. Milburn: The pay claims which have been received so far for non Review Body staff are receiving careful consideration and we will open negotiations in due course.

National Health Service Real Estate Sales

Mr. Swayne: To ask the Secretary of State for Health, pursuant to his answer of 18 February 1998, *Official Report*, column *712*, how he establishes the open market value of NHS real estate sold to preferred bidders. [32628]

Mr. Milburn: My right hon. Friend the Secretary of State seeks advice on the assessment of open market value of National Health Service property from the Valuation Office Agency, or suitable and professionally qualified private sector valuers where, exceptionally, any sale is to be made to a preferred bidder. Generally, surplus NHS property is sold in the open market.

Medical Research

Mr. Sayeed: To ask the Secretary of State for Health what guidelines exist to ensure that patients are informed before being included in any medical research; and if he will make a statement. [32544]

Ms Jowell: Research which involves the examination or treatment of an individual performed in the absence of valid consent may constitute an offence against the person.

The National Health Service has a well-established system of research ethics committees which give independent advice to NHS bodies on the ethical acceptability, including the procedures for obtaining consent, of research proposals involving NHS patients.

The recruitment of research subjects and the issue of consent is referred to in *HSG(91)5: Local Research Ethics Committees* and the *Briefing Pack for Research Ethics Committee Members*, copies of which are available in the Library. In addition professional bodies and others with an interest in carrying out research have produced their own guidelines.

DEFENCE

Defence Diversification

Ms Squire: To ask the Secretary of State for Defence when he intends to publish the Government's Green Paper on Defence Diversification. [33128]

Mr. George Robertson: We have today published our Green Paper "Defence Diversification: Getting the most out of defence technology", as Command Paper No. 3861. Copies are available from the Vote Office. There will now be a period of consultation.

Ministerial Visits

Mr. Wilshire: To ask the Secretary of State for Defence if he will list those visits made within the United Kingdom since 1 May on which *(a)* he and *(b)* other Ministers within his Department have been accompanied under Rule 83 of the Ministerial Code indicating (i) those persons accompanying and (ii) the cost to public funds. [23748]

Mr. George Robertson *[holding answer 19 January 1998]:* The information requested is as follows:

Date	*Event*	*Minister accompanied by spouse*	*Total cost*
25 May 1997	Air Fete at RAF Mildenhall	Minister for the Armed Forces	No cost to Private Office budget
3–4 June 1997	Visit Headquarters Land Command, Wilton	Minister for the Armed Forces	£2,149.00
19 June 1997	Beating Retreat, Edinburgh	Minister for the Armed Forces	£79.00
23 August 1997	Salute at Beating Retreat, Edinburgh	Minister for the Armed Forces	Cost not separately identified
17 September 1997	Army Families Federation Conference, Sandhurst	Minister for the Armed Forces	Cost not separately identified
21 September 1997	Laying of Wreath at Polish War Memorial, London	Minister for the Armed Forces	Cost not separately identified
7 October 1997	Reception at IMDEX 97, London	Under-Secretary of State	Cost not separately identified
11 December 1997	Decommissioning ceremony of HMY Britannia, Portsmouth	Secretary of State	£73.50

Germ and Chemical Weapons

Mr. Gordon Prentice: To ask the Secretary of State for Defence what medical preparations and antidotes to germ and chemical weapons service personnel serving in the Gulf are required to take before going into combat. [31124]

Dr. Reid: I refer my hon. Friend to the reply given by my right hon. Friend the Secretary of State for Defence to the hon. Member for Salisbury (Mr. Key), on 3 March 1998, *Official Report*, column *535*.

RNAS Yeovilton

Mr. Hancock: To ask the Secretary of State for Defence what assessment he has made of the contract control systems in use at RNAS Yeovilton; what changes in such systems have taken place in the last two years; and if he will make a statement. [31937]

Dr. Reid: The contract control systems in use at RNAS Yeovilton are those which apply throughout the Ministry of Defence. They are sound and are kept under review.

Mr. Hancock: To ask the Secretary of State for Defence what sums have been recovered by his Department at RNAS Yeovilton following disclosure of irregularities in job booking practices in each of the last three years; and if he will make a statement. [31939]

Dr. Reid: It is presumed that the question refers to the billing of minor works services undertaken on behalf of RNAS Yeovilton by a contractor. Over the past three years, validation of invoices has revealed that £1,686.06 had been overcharged out of a total bill of some £20 million. This sum has been recovered.

Nuclear Accident Exercises

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many exercises to test procedures for dealing with accidents involving nuclear weapons are to be held in 1998; when and where these exercises will be held; and what are the titles of these planned exercises. [32209]

Dr. Reid: The following Grade B and Grade C nuclear weapon accident exercises are planned to be held in 1998:

Nuclear weapon accident exercises

Date	*Name*	*Location*
Jul 98	RAF weapon convoy Standardisation	To be decided
Sep 98	RAF Station Nuclear Accident Response Organisation team Standardisation[1]	Somerset
Sep 98	Diagonal Glance	Somerset
Oct 98	RAF Station Nuclear Accident Response Organisation team Standardisation[1]	South Glamorgan
Oct 98	RAF Station Nuclear Accident Response Organisation team Standardisation[1]	South Glamorgan
Oct 98	RAF Station Nuclear Accident Response Organisation team Standardisation[1]	Suffolk
Nov 98	RAF Station Nuclear Accident Response Organisation team Standardisation[1]	Oxfordshire
Nov 98	Bowline	Clyde Naval Base
Nov 98	RAF Station Nuclear Accident Response Organisation team Standardisation	Norfolk

[1] RAF Station Nuclear Accident Response Organisation teams provide immediate response forces for the air transportation of nuclear weapons.

Information regarding minor exercises, organised at unit level, is not held centrally.

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many exercises to test procedures for dealing with accidents involving nuclear weapons are to be organised on British territory by the United States government in 1998; when and where these exercises will be held; what are the titles of these planned exercises; and if his Department will participate in all of these exercises. [32210]

Dr. Reid: Exercise "Diagonal Glance" is planned to be held in Somerset in September 1998. It is to be a joint UK/US nuclear weapon accident response exercise, the planning for which is being led by my Department. The exercise will test the response to an accident as described in the Local Authority and Emergency Service Information on Nuclear Weapon Transport Contingency Plans. Information regarding minor exercises, organised at US unit level is not held centrally.

Reynolds & Dean

Mrs. Gillan: To ask the Secretary of State for Defence if he will list the staff employed in his Department through Reynolds & Dean; and the total value of the contract with Reynolds & Dean. [32347]

Mr. Spellar *[holding answer 3 March 1998]:* The Department has no contract with or staff employed through Reynolds & Dean.

Nuclear Weapons

Mrs. Ewing: To ask the Secretary of State for Defence what proportion of operational British nuclear weapons will be based in Scotland, including those on vessels based in Scotland, from 1 April. [32050]

Dr. Reid: With the withdrawal from service of the WE-177 free fall nuclear bombs the UK's only nuclear deterrent capability will be provided by the Trident force operating from the Clyde Naval Base. The infrastructure to support the provision of nuclear warheads for our minimum deterrent is based at various locations in both Scotland and England.

Army Legal Services

Mr. Key: To ask the Secretary of State for Defence, pursuant to his answer of 26 February 1998, *Official Report*, column *376*, if the 41 qualified lawyers who are employed as Army officers in the UK, the 15 in Germany and the five elsewhere work for the Adjutant General's Army Legal Service; and if he will make a statement. [32947]

Dr. Reid: The officers are all commissioned into the Army Legal Services branch of the Adjutant General's Corps. They are engaged on a variety of work throughout the Army including the Army Prosecuting Authority.

DUCHY OF LANCASTER

Departmental Buildings

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster what is his estimate of the cost of buildings refurbishment carried out by his Department in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will make a statement. [26583]

Mr. Kilfoyle *[holding answer 5 February 1998]:* For this purpose the Cabinet Office includes the Prime Minister's Office and the Office of Public Service and its executive agencies. The figures requested are:

£

Year	*Cabinet Office*	*OPS Agencies*	*COI*
1995–96	£2,545,100	67,600	0
1996–97	2,693,500	408,255	0
1997–98 to date	1,740,000	11,432,220	n/a
1997–98 full year	2,140,000	14,578,910	600,000

On 1 April 1996 PACE was created as an Executive Agency of the Office of Public Service. PACE inherited all the then wholly vacant office buildings across government on the Civil Estate, much of it in poor condition.

PACE is charged with the disposal of this vacant estate. Many properties are leasehold buildings and have a negative value. PACE has to spend such sums as are required to attract the interest of the market to obtain the best overall outcome for the Exchequer. This is reflected in the figures shown.

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster what is his estimate of the *(a)* annual cost and *(b)* total value of the empty properties owned by (i) his Department, (ii) his agencies and (iii) other public bodies for which he has responsibility, in (A) 1995–96, (B) 1996–97, (C) 1997–98 to date and (D) 1997–98 full year. [26581]

Mr. Kilfoyle *[holding answer 5 February 1998]:* For this purpose the Cabinet Office includes the Prime Minister's Office and the Office of Public Service and its executive agencies. The figures requested are shown.

£

	1995–96	*1996–97*	*1997–98 to date*	*1997–98 full year*
Annual cost				
Cabinet Office	0	0	0	0
Cabinet Office/OPS agencies	0	97,700,000	52,400,000	79,000,000
COI	0	0	0	0
Other public bodies	0	0	0	0
Total value[1]				
Cabinet Office	0	0	0	0
Cabinet Office/OPS agencies				
(i) Freehold	n/a	80,200,000	67,600,000	n/a
(ii) Leasehold	60,000	–486,000,000	[2]–433,300,000	n/a
COI	0	0	0	0
Other public bodies	0	0	0	0

[1] Valuations are carried out in March each year. Estimates for 1997/98 are not yet available. A number of leasehold properties have a negative asset value. This is reflected in the above figures.
[2] Figure given for 31 March 1997.

Overseas Travel

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster what is his estimate of the cost of Ministerial overseas travel in his Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26584]

Dr. David Clark *[holding answer 5 February 1998]:* The estimated costs of overseas travel by Ministers in the Office of Public Service are:

(a) £70,250;

(b) £27,959;

(c) £89,079.

Market Research

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster what expenditure has been incurred by his Department, agencies and non-departmental public bodies *(a)* in 1996–97 and *(b)* since 1 May 1997 on (i) opinion polling, (ii) focus groups and (iii) other forms of market research; if he will list the surveys commissioned and the purpose of each; and if he will make a statement. [26578]

Mr. Kilfoyle *[holding answer 5 February 1998]:* For this answer my Department includes the Prime Minister's Office and the Central Office of Information.

My Department's agencies and NDPBs' expenditure in *(a)* the financial year 1996–97 and *(b)* since 1 May 1997 to date on (i) opinion polling; (ii) focus groups; and (iii) other forms of market research and a list of surveys is set out below:

(a)

(i) None

(ii) None

(iii) £130,256.

The surveys at (iii) were:

a customer survey commissioned by the Buying Agency to assist in the development of their marketing plan;

field work for follow-up research on complaints handling in public services;

a pre-campaign awareness survey of the Charter Mark in the Public Sector; and

a survey assessing the effectiveness of Charter Mark promotion and awareness among public service organisations.

(b)

(i) None

(ii) £26,304

(iii) £282,745.

The surveys at (ii) were:

a series of seminars aimed at improving the delivery of public services;

2 forums for schools to find out schoolchildren's opinions on public services, and public service practitioners to discuss general public service issues;

an older people's forum to discuss public services, identify key areas of concern, and the ways in which new technology could be used to deliver services to older people.

The surveys at (iii) were:

market research on the public's and small businesses' attitudes to the electronic delivery of government services;

an evaluation of the effectiveness of Charter Mark in improving public services;

follow-up research on complaints handling in public services;

market research to establish the requirement for a Corporate Development and Training Centre for the Civil Service; and

a survey to assess customer perception and future expectations for Government Car Service services.

Mr. Duncan: To ask the Chancellor of the Duchy of Lancaster how many contracts for public opinion research his Department has awarded since 1 May; if he will indicate the *(a)* purpose, *(b)* cost, *(c)* value and *(d)* duration of each contract; and which companies (i) bid for and (ii) were awarded each contract. [28877]

Mr. Kilfoyle *[holding answer 10 February 1998]:* For this answer my Department includes the Prime Minister's Office, the Minister without Portfolio's Office, and the Central Office of Information.

Since 1 May my Department has awarded two public opinion research contracts. The information requested is as follows:

1. *(a)* a contract to assess the extent to which citizens and small business in the UK would use electronically delivered public services;

(b) £440,000;

(c) the contract will identify those elements of electronic service delivery that would be/would not be used by the public—the contract will make a valuable contribution to the "Better Government" White Paper;

(d) 10 months from October 1997

(i) Kable Ltd.; MORI; and BMRB International

(ii) BMRB International.

2. *(a)* a framework agreement to facilitate consultation with members of the public about the delivery of public services;

(b) the cost depends on how much the framework agreement is used over its life—it is anticipated that the total cost will exceed £100,000;

(c) the contracts made under the framework will identify areas where the quality of public services can be improved;

(d) three years

(i) BMRB and the Policy Studies Institute

MORI and the School of Public Policy at Birmingham University

the National Consumer Council

the Office for National Statistics and the City University Business School

PPCR Associates, Independent Data Analysis Ltd., the New Fieldwork Company and the University of North London

Research Services Ltd.

SCPR and Opinion Leader Research

Taylor Nelson AGB, Cragg Ross Dawson and the University of Essex

(ii) MORI and the School of Public Policy at Birmingham University.

Periodicals

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster what is his estimate of the expenditure of his Department on newspapers and magazines in *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 to date and *(d)* 1997–98 full year; and if he will list the newspapers and magazines purchased or subscribed to on a regular basis. [26582]

Mr. Kilfoyle *[holding answer 5 February 1998]:* Expenditure on newspapers and magazines by the Cabinet Office, including the Prime Minister's office and the Office of Public Service, OPS executive agencies and Central Office of Information is shown in the table.

£

Period	*Cabinet Office*	*Agencies*	*COI*	*Total*
1995–96	106,208	100,357	34,676	241,151
1996–97	101,765	59,658	53,992	215,415
1997–98 to date[1]	91,626	41,814	34,726	168,166
1997–98 full year	109,951	49,618	39,850	199,419

[1] Figures for 1997–98 to date cover the period 1 April—31 January.

Details of the newspapers and magazines purchased or subscribed to are not held centrally and could be provided only at disproportionate cost.

Consultants

Mr. Malcolm Bruce: To ask the Chancellor of the Duchy of Lancaster what is his estimate of the expenditure of his *(a)* Department, *(b)* agencies and *(c)* non-departmental public bodies on external consultants in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year; and if he will also estimate the cost savings resulting from the employment of such consultants for each of the above years. [26579]

Mr. Kilfoyle *[holding answer 5 February 1998]:* For this answer my Department includes the Prime Minister's Office and the Central Office of Information.

My Department's agencies' and NDPBs' expenditure in (i) 1995–96; (ii) 1996–97; (iii) 1997–98 to date and (iv) 1997–98 full year (estimated outturn) is set out.

£

	Cabinet Office	*OPS agencies*	*COI*	*NDPBs*
1995–96	1,517,630	3,297,291	146,574	0
1996–97	3,916,258	683,742	108,290	0
1997–98 to date	835,207	293,709	52,582	0
1997–98 full year (estimate)	1,182,000	354,000	53,000	0

Consultants are not primarily used to achieve cost savings. The Department uses external consultants to assist in the improvement of its operational efficiency and effectiveness, for example by better use of Information Technology, and they are also used to improve the delivery of Government policy programmes by drawing consultants' expertise.

Departmental Contracts

Mr. Salmond: To ask the Chancellor of the Duchy of Lancaster how many contracts of a value greater than £5,000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30069]

Mr. Kilfoyle *[holding answer 18 February 1998]:* This information is not held centrally and is available only at disproportionate cost.

Departmental Expenditure

Mr. Salmond: To ask the Chancellor of the Duchy of Lancaster if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30068]

Mr. Kilfoyle *[holding answer 18 February 1998]:* Expenditure on hospitality, stationery and travel by the Cabinet Office, including the Prime Minister's Office, the Office of Public Service and its executive agencies and the Central Office of Information, for 1996–97 broken down by region is shown in the table.

£

	Hospitality	*Stationery*	*Travel*
London & South East	90,017	863,934	1,079,613
South West & Wales	993	14,155	33,213
East Anglia	8,589	72,371	353,532
Midlands	2,522	23,493	47,076
North West	4,684	54,059	669,150
North East	1,603	18,053	47,966
Scotland	951	3,727	28,813
Total	109,359	1,049,792	2,259,363

Surplus Property and Land

Mr. Baker: To ask the Chancellor of the Duchy of Lancaster if he will list the properties and land owned by his Department which he has identified as surplus to requirements, giving in each case their estimated value. [30313]

Mr. Kilfoyle *[holding answer 23 February 1998]:* For this purpose the Cabinet Office includes the Prime Minister's Office and the Office of Public Service and its executive agencies.

The Cabinet Office is reviewing the use of all its assets, including identifying assets which are surplus to requirements, as part of its Comprehensive Spending Review which will be completed this summer.

The Cabinet Office has, so far, identified only one building as surplus to our requirements. We are currently in the midst of negotiations to sell the property and to reveal our estimate of the value of that building would prejudice our position and the eventual income to the Exchequer.

PACE, Property Advisers to the Civil Estate, was set up as an Executive Agency of the Office of Public Service on 1 April 1996. In addition to the buildings it occupies for its own use, PACE also inherited all the wholly vacant buildings then on the Civil Estate.

PACE is charged with the disposal of this vacant estate which currently totals some 286 properties. I have asked the Chief Executive of PACE to write separately to the hon. Member.

Letter from John C Locke to Mr. Norman Baker, dated 5 February 1998:

I have been asked by the Parliamentary Secretary, Office of Public Service, to reply to your Parliamentary Question relating to the estimated value of the surplus government properties for which I have responsibility.

From 1 April 1996 responsibility for individual properties was transferred to government departments. At the same time, PACE inherited wholly vacant properties that were at the time surplus to departments needs. Departments retain responsibility for all accommodation subsequently declared surplus.

Our Annual Report and Accounts spells out the numbers and value of the surplus property for which we are responsible. We inherited 384 properties in April 1996 which were reduced to 268 properties by March 1997. We are on target this year to achieve a further 110 disposals. The majority of the properties are leaseholds with a negative value. At 1 April 1996 this negative value was £486 million and at 31 March 1997 it was £433.3 million. So far as freeholds are concerned the opening positive book value was £80.2 million at 1 April 1996, reducing to £67.6 million at 31 March 1997, taking into account the disposals achieved during the year. Copies of our Annual Report and Accounts have been placed in the libraries of both Houses of Parliament. Our second Annual Report and Accounts will report the position at 31 March 1998.

It might be helpful for me to explain how this value of surplus accommodation has arisen. Since 1990 the marked decline in civil service staff numbers, combined with rationalisation, relocation out of London and the more effective use of office space, has enabled Departments to declare an ever increasing volume of space surplus to requirements. Sluggish market conditions in the past have not enabled disposals to keep pace with these surrenders although the market has now picked up particularly in London. In the longer term reductions in the size of the government's office estate will provide the taxpayer with even greater value for money.

Written Answers to Questions

Friday 6 March 1998

ATTORNEY-GENERAL

Crown Prosecution Service

Sir Nicholas Lyell: To ask the Attorney-General if he will update the information contained in tables 1, 2, and 3 of his Department's answer of 10 March 1997, *Official Report*, columns *81–82*, to include *(a)* the year ending March 1997, *(b)* the calendar year 1997 and *(c)* the most recent months for which figures are available; if such figures are now maintained in relation to each of the new Crown Prosecution Service areas; if he will publish in the *Official Report*, such figures as are available for the period since 1 April 1997 ; and if he will make a statement. [32568]

The Attorney-General: Table 1 shows the number of defendants whose case was received from the police during the year ending March 1997, the year ending December 1997, and the quarter ending December 1997. The figures are inclusive of non-criminal proceedings and of cases in which the Service advised the police pre-charge.

Table 2 shows the number of cases completed by the Service in magistrates' courts for these periods, and the way in which they were finalised. Pre-charge advice cases and non-criminal proceedings are identified separately. The remainder of finalised cases are divided into those discontinued before the first court hearing; discontinuances at the first hearing and subsequent to the first hearing, but before trial; cases written off; those resulting in a bind over to keep the peace; committals to the Crown Court; proceedings discharged at a committal hearing; and cases heard in magistrates' courts. Hearings are inclusive of guilty pleas as well as cases proceeding to a contested hearing after a plea of not guilty.

Table 3 shows the number of proportion of hearings resulting in conviction and in dismissal in magistrates' courts.

Tables, 4, 5 and 6 show the same information for each of the 42 proposed new Crown Prosecution Service Areas for the period April-December 1997. This information is provisional until such time as the new structure of the Crown Prosecution Service becomes operational.

The number of cases handled by the Service has increased slightly over the last year for which figures are available: during the year ending December 1997, receipts increased by 3% and finalisations increased by 3.9%.

During 1997, a total of 161,461 cases were discontinued. This amounted to 12.2% of completed cases, compared with 12% during 1996. The overall level of discontinuance fell from 13.3% in 1992, and has remained little changed at around 12% for the last four years. The scope for further falls is dependent of the police not beginning cases where the evidence is incomplete.

The number of cases discontinued is not determined solely, or even primarily, by the judgment of lawyers. The Crown Prosecution Service has no choice but to discontinue cases when witnesses fail to appear, reuse to give evidence, or change their story; when defendants produce driving documents proving their innocence; when evidence must be excluded because of irregularities in its collection; and when gaps in the prosecution case cannot be plugged by the police. About half of all cases discontinued are estimated to fall into these categories.

Where a case must be discontinued, an early decision avoids the commitment of time and resources to proceedings in which there is no realistic prospect of conviction. Discontinuance before the first hearing fell slightly from 10.2% of all discontinuance in 1996 to 9.1% in 1997, and future progress in securing early decisions is dependent on improvements in the timeliness and quality of police files.

There is no connection between discontinuance and write offs. The latter is an administrative process carried out when the case cannot proceed, for example because the defendant cannot be traced by the police or because a warrant for the defendant's arrest remains unexecuted. When the defendant is eventually arrested, the prosecution can then continue.

Convictions have remained consistently high at around 98% of all cases proceeding to a hearing. During the year ending December 1997, 98.1% of hearings resulted in a conviction, inclusive of guilty pleas, compared with 98% for the previous year. The high level of convictions supports the view that the Crown Prosecution Service has succeeded in identifying cases in which the balance of evidence weighs in favour of prosecution, and has pursued them effectively in the courts.

Crown Prosecution Service Case Numbers and Outcomes

Table 1: Crown Prosecution Service receipts

Year	*Received in magistrates' courts*
Year ending March 1997	1,344,184
Year ending December 1997	1,388,474
October-December 1997	347,466

Table 2: Crown Prosecution Service completed cases in Magistrates' Courts

Cases	*Year ending March 1997*	*Year ending December 1997*	*October—December 1997*
Finalised	1,330,317	1,387,557	352,511
Advice	45,216	48,316	14,853
Non-criminal proceedings	12,808	11,461	2,814
Discontinued before 1st hearing	13,742	13,054	3,189
Discontinued before trial	140,649	148,406	37,328
Write off	98,795	92,930	24,733
Bind over	20,941	22,747	5,802
Committed to Crown Court	98,661	106,269	25,921
Discharged at committal	1,911	1,711	354
Hearing in magistrates' courts	897,596	942,665	237,517

Table 3: Crown Prosecution Service case outcomes

Year	Convicted	Per cent.	Dismissed	Per cent.
Year ending March 1997	884,767	98	17,769	2
Year ending December 1997	928,902	98.1	18,323	1.9
October-December 1997	234,237	98.2	4,398	1.8

Table 4: 42 Area receipts April-December 1997

Area	Received in magistrates' courts
Avon and Somerset	24,459
Bedfordshire	11,288
Cambridgeshire	13,267
Devon and Cornwall	22,732
Dorset	10,483
Essex	21,870
Gloucestershire	11,952
Hampshire	29,476
Hertfordshire	13,545
Kent	23,735
Metropolitan and City	151,697
Norfolk	13,339
Staffordshire	22,783
Suffolk	9,550
Surrey	9,701
Sussex	23,378

Table 4: 42 Area receipts April-December 1997

Area	Received in magistrates' courts
Thames Valley	31,594
Warwickshire	6,838
West Mercia	17,510
West Midlands	62,353
Wiltshire	11,385
Cheshire	18,224
Cleveland	14,167
Cumbria	14,431
Derbyshire	14,971
Durham	10,124
Dyfed Powys	10,069
Greater Manchester	70,529
Gwent	14,739
Humberside	16,245
Lancashire	45,549
Leicestershire	16,806
Lincolnshire	10,825
Merseyside	35,645
Northamptonshire	8,674
Northumbria	34,042
North Wales	12,805
North Yorkshire	13,752
Nottinghamshire	22,687
South Wales	36,942
South Yorkshire	25,688
West Yorkshire	60,511
42 Total Areas	1,050,360

Table 5: 42 Area completed cases in magistrates' courts April-December 1997

Area	Finalised	Advice	Non-riminal proceedings	Discontinued before 1st hearing	Discontinued before trial	Write off	Bind over	Committed to Crown Court	Discharged at Committal	Heard in magistrates' courts
Avon & Somerset	24,652	659	104	177	2,748	2,176	174	1,937	21	16,656
Bedfordshire	11,493	607	0	59	1,345	470	224	861	26	7,901
Cambridgeshire	13,149	359	1	65	1,232	497	189	939	15	9,852
Devon & Cornwall	222,727	729	38	212	2,529	762	361	1,762	11	16,323
Dorset	10,589	214	0	271	1,014	490	33	682	1	7,864
Essex	21,944	527	0	167	2,283	2,039	408	1,611	32	14,877
Gloucestershire	11,956	888	117	105	1,727	563	51	574	5	7,516
Hampshire	13,251	611	30	105	2,481	2,138	175	2,541	50	22,122
Hertfordshire	13,070	341	7	323	1,418	899	60	863	24	9,135
Kent	23,307	589	327	519	2,536	894	441	2,074	7	15,920
Metropolitan & City	155,135	5,021	78	1,214	17,553	19,635	1,118	13,168	300	97,048
Norfolk	13,508	976	0	142	1,241	260	126	896	15	9,852
Staffordshire	22,002	1,088	64	207	2,958	894	557	1,620	19	14,955
Suffolk	9,864	600	0	122	814	490	83	761	34	6,960
Surrey	9,709	246	71	165	830	769	129	645	1	6,853
Sussex	23,403	1,712	276	177	2,511	1,852	290	1,510	23	15,052
Thames Valley	32,075	1,659	218	152	3,315	3,751	519	1,723	27	20,711
Warwickshire	6,950	211	0	112	424	363	89	404	0	5,347
West Mercia	16,572	480	115	108	1,585	838	200	1,177	20	12,009
West Midlands	58,902	1,989	212	293	6,565	5,479	2,333	4,718	39	37,274
Wiltshire	11,621	757	139	186	794	855	90	484	0	8,316
Cheshire	18,243	1,290	66	130	1,108	608	294	1,632	17	13,098
Cleveland	13,982	400	0	87	1,763	413	333	1,166	18	9,802
Cumbria	14,169	427	0	157	1,211	273	224	618	12	11,247
Derbyshire	14,200	536	1	361	1,448	608	222	1,262	9	9,753
Durham	9,604	427	0	243	804	228	196	893	18	6,795
Dyfed Powys	9,802	346	5	353	669	471	125	645	2	7,187
Greater Manchester	70,975	2,942	2,695	628	5,966	3,030	562	5,627	53	49,922
Gwent	13,853	956	125	130	1,795	248	186	907	10	9,496
Humberside	16,578	696	254	176	1,180	441	158	1,547	0	12,126
Lancashire	45,555	1,048	1,871	225	6,121	2,117	678	2,989	53	30,453
Leicestershire	18,300	235	0	12	2,535	1,052	231	1,479	67	12,688
Lincolnshire	10,540	515	109	150	1,239	437	101	659	3	7,327
Merseyside	35,731	1,310	286	279	2,983	2,342	805	2,980	23	24,723
Northamptonshire	8,568	682	0	35	1,057	70	66	794	34	5,830
Northumbria	33,492	561	0	401	3,471	1,789	1,151	2,356	71	23,692
North Wales	12,823	609	14	241	1,189	572	135	740	8	9,317
North Yorkshire	13,554	1,093	303	76	1,243	112	240	920	10	9,557
Nottinghamshire	19,428	347	22	345	2,293	1,199	443	1,844	33	12,901
South Wales	36,595	1,194	257	537	4,454	2,786	667	2,216	9	24,475

Table 5: 42 Area completed cases in magistrates' courts April-December 1997

Area	Finalised	Advice	Non-riminal proceedings	Discontinued before 1st hearing	Discontinued before trial	Write off	Bind over	Committed to Crown Court	Discharged at Committal	Heard in magistrates' courts
South Yorkshire	26,271	962	526	166	3,434	833	515	2,484	67	17,284
West Yorkshire	60,230	1,037	87	175	8,148	2,734	1,982	5,473	28	40,566
42 Areas Total	1,044,942	37,426	8,458	9,788	111,654	68,476	16,964	80,180	1,215	710,782

Table 6: 42 Area case outcomes April-December 1997

Area	Convicted	Per cent	Dismissed	Per cent.
Avon & Somerset	16,481	98.5	253	1.5
Oxfordshire	7,780	98.0	159	2.0
Cambridgeshire	9,716	98.0	201	2.0
Devon & Cornwall	16,136	98.7	205	1.3
Dorset	7,779	99.1	73	0.9
Essex	14,677	98.2	268	1.8
Gloucestershire	7,432	98.6	104	1.4
Hampshire	21,839	97.6	546	2.4
Hertfordshire	8,960	97.9	191	2.1
Kent	15,667	98.3	265	1.7
Metropolitan & City	95,304	97.4	2,512	2.6
Norfolk	9,674	98.0	198	2.0
Staffordshire	14,776	98.5	232	1.5
Suffolk	6,869	98.4	111	1.6
Surrey	6,771	98.5	106	1.5
Sussex	14,853	98.2	278	1.8
Thames Valley	20,343	98.1	397	1.9
Warwickshire	5,306	98.8	66	1.2
West Mercia	11,759	97.5	300	2.5
West Midlands	36,792	98.1	712	1.9
Wiltshire	8,282	99.1	78	0.9
Cheshire	12,866	97.8	291	2.2
Cleveland	9,700	98.6	140	1.4
Cumbria	11,110	98.4	183	1.6
Derbyshire	9,543	97.3	269	2.7
Durham	6,709	97.8	149	2.2
Dyfed Powys	7,250	98.2	131	1.8
Greater Manchester	49,363	98.6	680	1.4
Gwent	9,284	97.4	247	2.6
Humberside	12,025	98.9	133	1.1
Lancashire	30,174	98.9	347	1.1
Leicestershire	12,487	98.0	259	2.0
Lincolnshire	7,250	98.5	111	1.5
Merseyside	24,068	97.1	721	2.9
Northamptonshire	5,792	97.1	172	2.9
Northumbria	23,214	97.7	550	2.3
North Wales	9,154	97.9	193	2.1
North Yorkshire	9,598	98.8	116	1.2
Nottinghamshire	12,664	97.6	306	2.4
South Wales	24,005	97.8	549	2.2
South Yorkshire	17,066	98.4	284	1.6
West Yorkshire	40,232	99.0	420	1.0
42 Areas Total	700,765	98.1	13,505	1.9

Sir Nicholas Lyell: To ask the Attorney-General if he will make a statement as to the nature of the statistics compiled in relation to cases referred to the Crown Prosecution Service since 1 April 1996 in relation to each of the new Crown Prosecution Service areas. [32570]

The Attorney-General: The information systems maintained by the Crown Prosecution Service are sufficiently flexible to provide in relation to the new areas information on case numbers and outcomes from April 1996 equivalent to that presently available in relation to the 13 existing areas.

Millennium Compliance

Sir Nicholas Lyell: To ask the Attorney-General what is his latest estimate of the costs of millennium compliance for *(a)* the Crown Prosecution Service, *(b)* the Serious Fraud Office, *(c)* the Treasury Solicitor's Department and *(d)* the Government Property Lawyers; and by what date compliance testing will be completed within *(a)* to (d). [32567]

The Attorney-General: The position is as follows:

(a) the latest estimate of the costs of millennium compliance for the Crown Prosecution Service is £663,000 with compliance testing expected to be complete by the end of May 1998.

(b) The latest estimate of the cost of millennium compliance for the Serious Fraud Office is £300,000 with compliance testing expected to be complete by the end of the year.

(c) and *(d)* I would refer to the information place in the library of the House by the Chancellor of the Duchy of Lancaster on 3 March.

Discontinued Prosecutions

Mr. Baker: To ask the Attorney-General how many and what percentage of cases in England forwarded by the police to the Crown Prosecution Service for prosecuting were discontinued in each year from 1994 to 1997. [33020]

The Attorney-General: The number and percentage of defendants whose cases were discontinued are as follows:

Year	Discontinuances	as % of completed cases in magistrates' courts
1994	149,014	11.8
1995	145,472	11.9
1996	141,420	11.9
1997	148,852	12.1

INTERNATIONAL DEVELOPMENT

Democracy Programmes

Mr. Faber: To ask the Secretary of State for International Development what notification her Department has received from the European Commission about the consultation process relating to the future of the Phare and Tacis Democracy Programmes; and if she has responded to that consultation process. [33311]

Mr. Foulkes: The European Commission has tabled a draft Council Regulation for discussion in the Development Co-operation Working Group, covering the European Community's human rights and democratisation programmes worldwide (including Phare and Tacis countries). The Department will be contributing fully to

the Working Group Discussion. We have not otherwise been invited to participate in consultations on the Phare and Tacis Democracy Programmes.

Mr. Faber: To ask the Secretary of State for International Development how much her Department will contribute to the Phare and Tacis Democracy Programmes in the current year. [33309]

Mr. Foulkes: The budget for the Phare and Tacis Democracy Programmes in 1998 is 25 mecu. The UK share of the programmes will be approximately 15% (i.e. about £2.5 million).

International Development

Mr. Faber: To ask the Secretary of State for International Development what representations she has received concerning the European Commission's review of the Phare and Tacis Democracy Programmes. [33310]

Mr. Foulkes: We received no representations concerning the review.

SCOTLAND

Greenfield Land

Mr. Brake: To ask the Secretary of State for Scotland what percentage of housing has been built on *(a)* recycled and *(b)* green field land in each of the last 12 years by county and region in Scotland. [32427]

Mr. Macdonald: While this information is not held centrally at present, research will be commissioned shortly to advise on how best it might be collected for current local authority areas in Scotland.

Phoebe Traquair Murals

Mr. Gorrie: To ask the Secretary of State for Scotland if he will ensure that enough funds are obtained to achieve the restoration of the Phoebe Traquair murals in the Mansfield Place Church, Edinburgh, and its opening to the public. [32541]

Mr. Macdonald: The repair and restoration of Mansfield Place Church, Edinburgh is the responsibility of the owners. As the church is a category A-listed building of outstanding architectural and historic interest, it is open to the owners to apply for financial assistance under the Historic Buildings Repair Grants Scheme administered by Historic Scotland, as well as from other sources. In determining an application, the Agency would take due account of the urgency of the repair work, the extent to which public access would be provided, the other demands on its budget and the views of the Historic Buildings Council for Scotland.

Recyled Land

Mr. Brake: To ask the Secretary of State for Scotland what estimate he has made of *(a)* the percentage and surface area of recycled land by county and region in Scotland and *(b)* the percentage and surface area of this land which requires decontamination. [32424]

Mr. Macdonald: Information is not held centrally on all land that is recycled. However, the table provides information from the Scottish Vacant and Derelict land Survey 1996 on vacant and derelict land which was brought back into use since the 1995 survey.

	Derelict Land			*Vacant Land*			*Total Vacant and Derelict*		
Authority	*Area (ha)*	*% of area*	*No. of Sites*	*Area (ha)*	*% of area*	*No. of Sites*	*Area (ha)*	*% of area*	*No. of Sites*
Aberdeen City	5	2	8	15	4	22	20	3	30
Aberdeenshire[1]	7	2	13	2	1	4	9	1	17
Angus	2	1	5	5	1	3	8	1	8
Argyll and Bute	1	0	1	11	3	11	12	2	12
Clackmananshire	0	0	1	1	0	2	1	0	3
Dundee City[1]	16	5	19	36	9	47	52	8	66
East Dunbartonshire	0	0	0	5	1	7	5	1	7
East Lothian	2	1	3	2	1	3	4	1	6
East Renfrewshire	1	0	2	9	2	15	10	1	17
Edinburgh, City of	3	1	4	33	8	20	36	5	24
Falkirk	4	1	7	36	9	27	41	6	34
Fife	8	3	14	2	1	8	10	1	22
Glasgow City	48	16	25	81	21	75	129	19	100
Inverclyde	0	0	1	7	2	16	7	1	17
Moray	3	1	4	2	1	4	5	1	8
North Ayrshire	4	1	4	8	2	8	12	2	12
North Lanarkshire	110	38	48	36	9	18	146	21	66
Perthshire and Kinross	4	1	2	1	0	1	5	1	3
Scottish Border[1]	4	1	11	9	2	12	13	2	23
Renfrewshire	0	0	1	23	6	29	24	3	30
Shetland Islands	2	1	2	0	0	0	2	0	2
South Ayshire	3	1	2	15	4	10	17	2	12
South Lanarkshire	58	20	29	26	7	35	84	12	64
Stirling	2	1	2	3	1	3	4	1	5
West Dunbartonshire	7	2	7	19	5	7	26	4	14
Western Isles[1]	0	0	0	10	3	4	10	1	4
Scotland	293	100	215	395	100	391	688	100	606

[1] The figures for Scottish Borders, Aberdeenshire, Dundee and the Western Isles are since the 1994 survey, as they contain district areas that did not participate in the 1995 survey.

Notes:

1. Figures relate to 1996 and may not sum due to rounding.
2. The figures for Dumfries and Galloway, East Ayrshire, Highland, Midlothian and West Lothian are not included as they were unable to participate in the 1996 survey.

Of the 688 hectares of land brought back into use, 15 hectares (2.2%) were recorded as being contaminated. Copies of the full report on the Vacant and Derelict Land Survey are available in the House of Commons Library.

Mr. Brake: To ask the Secretary of State for Scotland what grants are available to assist with the cost of decontaminating recycled land in Scotland; and what grants have been available in each of the last 12 years. [32425]

Mr. Wilson: Scottish Enterprise, which came into being on 1 April 1991, has comprehensive discretionary powers under Section 4 of the Enterprise and New Towns (Scotland) Act 1990 to undertake or assist the undertaking of the development, re-development and improvement of the environment. Scottish Enterprises's predecessor body, the Scottish Development Agency, had broadly similar powers.

Higher Still Programme

Mr. Gorrie: To ask the Secretary of State for Scotland what plans he has to ensure that teachers have the time, materials and resources requested by teachers' organisations to implement in full the Higher Still programme by August 1999. [32540]

Mr. Wilson: Within months of taking office, we allowed an extra year for teachers to prepare for Higher Still. This has been widely welcomed.

By the time Higher Still classes commence in schools in 1999, around £20m will have been invested in the reforms by The Scottish Office, with further substantial sums invested by other key partners. This investment will ensure that teachers in S5 and S6 are better supported than ever before. The Higher Still Development Unit has provided local authorities and colleges with detailed plans of what will be provided, and when. These timelines cover the period from now to implementation in 1999, to the Advanced Higher in 2000 and beyond.

The most significant initiatives in support of teachers are: the National Staff Development Programme, offering all principal teachers and subject leaders in-depth training; the support materials strategy, offering teaching support materials; the National Assessment Bank, offering nationally validated tests for teachers; and IT based guidance materials.

In the run up to introduction of the reforms, a programme of implementation studies will assist authorities in considering priorities and managing implementation within available resources. Field Officers have been assigned to work with each authority on implementation planning.

Mr. Gorrie: To ask the Secretary of State for Scotland what recent response he has made to the concerns expressed by teachers of English about the content of the Higher Still English syllabus. [32542]

Mr. Wilson: Additional seminars and advice have been provided to English teachers about the new course. The Higher Still assessment arrangements are broadly comparable to those of the existing Higher. I recognise, however, that the workload associated with assessment in English has been an issue for English teachers for some time.

Workload issues are always prominent when major change is implemented. Teacher representatives have, however, been positive about the range of support which the Higher Still Programme will provide. This is because we have listened to the views of the profession; adapting the programme and responding to needs. I am confident that teachers in S5 and S6 will be better supported than they have ever been before.

In comparison with other subjects, however, English has a heavier load of internal assessment. We intend, therefore, to reduce the burden of internal assessment for English to bring it more into line with other subjects. I am confident that these changes will be broadly welcomed as further evidence of our commitment to partnership with the profession in implementing Higher Still.

Tourism

Dr. Kumar: To ask the Secretary of State for Scotland if he will make a statement on the money allocated for tourism per head in Scotland for the years 1995 to 1998. [32261]

Mr. Wilson: The Grant-in-Aid allocated to the Scottish Tourist Board expressed per head of population in Scotland is as follows:

Year	*£*
1995–96	3.43
1996–97	3.54
1997–98	3.79
1998–99	3.79

These figures exclude the residual impact of Section 4 grants, to support tourism business development. The Section 4 scheme in Scotland was suspended in 1993.

The tourism industry in Scotland also benefits from the support and activities of other public agencies, including Scottish Enterprise and Highlands and Islands Enterprise (which provide support for business development), the British Tourist Authority, Scottish Natural Heritage, Historic Scotland and local authorities. It is not possible to quantify the total spend directly attributable to activities in support of tourism in Scotland.

Dounreay

Mr. Maclennan: To ask the Secretary of State for Scotland which authority has regulatory responsibility for the waste disposal shaft and other repositories of waste at Dounreay. [32797]

Mr. Macdonald *[holding answer 3 March 1998]:* The regulatory responsibilities on nuclear licensed sites such as Dounreay are differentiated according to the activities being carried out, not specifically according to the facility. The Scottish Environment Protection Agency (SEPA) regulates primarily the disposal of radioactive waste on or from the site and the Health and Safety Executive (HSE) regulates primarily hazards both to workers and to members of the public from any work carried out on the site, including the accumulation and storage of radioactive waste. The waste disposal shaft, which has not been used since 1977, is a disposal facility for Intermediate Level Waste. Accordingly, SEPA regulates aspects relating to disposal of waste and HSE regulates aspects relating to

work on the shaft. A similar split of responsibilities relates to the pits where Low Level Waste is disposed. Radioactive waste is also stored in a number of facilities at Dounreay. HSE regulates the accumulation and storage of the waste while SEPA regulates any discharge from these stores. SEPA and HSE co-operate to ensure effective and comprehensive regulation of the site.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Protected Areas

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions if the Government will support proposals for a programme of work on protected areas at the Fourth Conference of the Parties of the Convention on Biological Diversity. [31540]

Angela Eagle: The Fourth Meeting of the Conference of Parties to the Convention on Biological Diversity has a number of issues on its agenda. In formulating our position for the meeting, the Government will be considering the case for an initiative on protected areas.

Sainsbury's (Cockermouth)

Mr. Campbell-Savours: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to announce his decision in relation to the planning application relating to Sainsbury's at Cockermouth. [31727]

Mr. Raynsford: I expect to announce a decision shortly.

Toll Roads

Mr. Vaz: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's policy regarding toll roads. [31667]

Ms Glenda Jackson: The Government are currently reviewing all aspects of transport policy as part of their commitment towards developing an integrated transport policy. One issue being addressed is whether to make greater use of the price mechanism, for instance through road user charging, to influence travel choice. The forthcoming Transport White Paper will set out our conclusions on this issue in the context of our overall objectives towards a sustainable transport system.

London Underground (Northern Line)

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the maintenance and investment budget for rolling stock, signalling and track in each of the last 10 years for the Northern Line of London Underground. [32634]

Ms Glenda Jackson: Information in the format is readily available only since 1994/95, when responsibility for maintenance of equipment and infrastructure assets was devolved to individual lines.

The following figures show the annual capital investment, including renewals, but excludes the Private Finance Initiative contract entered into with GEC Alsthom, which provides for a fleet of new trains at an approximate cost of £400m.

Investment

£million

Year	*Track*	*Signalling*	*Rolling stock*
1994–95	2	0	1
1995–96	10	2	0
1996–97	16	1	1
1997–98	11	1	8

Maintenance

£million

Year	*Track*	*Signalling*	*Rolling stock*
1994–95	5,689	2,375	9,143
1995–96	5,977	2,554	[1]10,542
1996–97	5,962	2,744	10,901
1997–98	5,492	2,883	7,573

[1] Rolling stock maintenance was transferred to GEC Alsthom, with effect from 26 November 1995, under the above mentioned PFI contract.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the maintenance and investment budget for London Underground's Northern Line stations in each of the last 10 years. [32635]

Ms Glenda Jackson: This information is not readily available and could be obtained only at disproportionate cost.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on *(a)* train, *(b)* signal and *(c)* track failures in each of the last 10 years for the Northern Line of London Underground. [32636]

Ms Glenda Jackson: Information in the format requested is readily available only since 1994–95, when responsibility for maintenance of equipment and infrastructure assets was devolved to individual lines.

Year	*Trains*	*Signal*	*Track*
1994–95	3,044	179	150
1995–96	4,888	234	130
1996–97	3,536	194	40
1997–98	3,846	191	15

Notes:
Northern line has recorded the failures on the following basis:
Trains—all failures causing delays of two minutes or more.
Signal—all failures causing delays of two minutes or more.
Track—average impact in seconds per train per round trip journey (track failures during service hours are rare; any failures are generally detected early and result in the application of temporary speed restrictions).

House Building

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what percentage

of housing has been built on *(a)* recycled land and *(b)* greenfield land in each of the last 12 years by county and region in England. [32419]

Mr. Raynsford: There is no specific definition of 'recycled' land but it is usually taken to mean land previously developed for urban uses. These uses include residential, transport and utilities, industry and commerce, community services, previously developed vacant land and derelict land. The Department's Land Use Statistics for England provide information on the percentage of new dwellings (excluding conversions) built on land previously developed for urban uses since 1989. Table 1 gives estimates for the number of new dwellings built on previously developed land, by Government Office Region for the period 1989 to 1993 (the most recent available). Figures are not available at county level. Table 2 shows the proportion of land for new housing that was previously developed over the same period, by Government Office Region.

There is no specific definition of 'greenfield' land, but it could be interpreted as 'land not previously developed'. The proportion of housing built on 'greenfield' land would then simply be the difference between 100 (per cent) and the figures in the Tables.

Table 1: Proportion of new dwellings[1] built on previously developed land: Government Office Region

percentage

Region	*1989*	*1990*	*1991*	*1992*	*[2]1993*
North East	43	42	47	55	41
North West and Merseyside	49	55	55	62	62
North West	47	55	55	60	57
Merseyside	61	52	53	71	80
Yorkshire and Humberside	43	44	42	47	51
East Midlands	40	38	35	36	33
West Midlands	44	47	48	52	56
Eastern	51	52	46	48	51
London	87	83	84	89	87
South East	55	54	53	50	52
South West	44	42	34	40	36
England	51	50	49	53	53

[1] Excludes conversions

[2] Provisional estimate

Source:

Land Use Change Statistics

Table 2: Proportion of land for new housing that was previously developed: by Government Office Region

percentage

Region	*1989*	*1990*	*1991*	*1992*	*[1]1993*
North East	35	35	43	46	40
North West and Merseyside	43	47	49	56	59
North West	39	46	49	54	55
Merseyside	66	52	48	65	76
Yorkshire and Humberside	38	38	38	42	48
East Midlands	35	36	33	34	33
West Midlands	37	39	44	46	49
Eastern	44	46	41	46	49

Table 2: Proportion of land for new housing that was previously developed: by Government Office Region

percentage

Region	*1989*	*1990*	*1991*	*1992*	*[1]1993*
London	85	79	83	84	83
South East	49	52	50	49	49
South West	35	33	30	35	32
England	42	43	44	47	48

[1] Provisional estimate

Source:

Land Use Change Statistics

Recycled Land

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of *(a)* the percentage and surface area of recycled land by county and region in England and *(b)* the percentage and surface area of this land which requires decontamination. [32416]

Mr. Raynsford: There is no specific definition of 'recycled' land, but it is generally taken to mean land previously developed for urban uses. These uses include residential, transport and utilities, industry and commerce, community services, previously developed vacant land and derelict land. Figures on the total stock of previously developed land available for recycling are not held centrally. However, my Department is currently working with the Local Government Management Board, local authorities, English Partnerships, and others to establish a National Land Use Database that will provide, as a priority, a consistent assessment of previously developed land available for housing.

Estimates of the amount of derelict land—defined as "land so damaged by industrial or other development that it is incapable of beneficial use without treatment". by region and county are available from a survey of derelict land last undertaken in 1993. This information is included in Tables 3 and 5 of "Survey of Derelict Land in England 1993 Volume 2—Reference Tables", a copy of which is in the Library.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what grants are available to assist with the cost of decontaminating recycled land in England; and what grants have been available in each of the past 12 years. [32417]

Angela Eagle: Both English Partnership and the Single Regeneration Budget Challenge Fund can support projects which include land reclamation. Applications to English Partnerships are handled within the framework provided by its overall development programme (Investment Fund), largely as part of its Land Reclamation and Partnership Investment Programmes. The operation of this Fund emphases flexible partnerships and funding mechanisms and on maximising private investment. The Challenge Fund operates in a similar manner. Money from the European Structural funds can also be used for land reclamation as part of a wider project.

My Department ceased to accept further applications for Derelict Land Grant (DLG) in March 1994 when the programme ended. Since April 1994, transitional arrangements have been in place whereby English Partnerships make payments to local authorities on behalf

of the Secretary of State for all DLG projects which had been approved at that time. Annual payments have, inevitably, decreased, with an annual breakdown as follows:

Year	£ million
1986–87	61.9
1987–88	66.9
1988–89	57.8
1989–90	52.4
1990–91	67.1
1991–92	81.5
1992–93	105.4
1993–94	103.8
1994–95	84.6
1995–96	65.5
1996–97	25.0
1997–98	18.0

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what percentage and surface area of recycled land has been decontaminated in each of the last 12 years by county and region in England; and what percentage and surface area of that land has been used for housing developments. [32418]

Mr. Raynsford: Estimates of the amount of derelict land reclaimed, and the amount of this land that was used for housing are available from the "Survey of Derelict Land 1993". Derelict land is defined as "land so damaged by industrial or other development that it is incapable of beneficial use without treatment". Table 1 shows, for the period 1988 to 1993 (the most recently available), the amount of derelict land reclaimed annually, by Standard Region. Figures to county level are shown in Table 14 of "Survey of Derelict Land in England 1993 Volume 2—Reference Tables", a copy of which is in the Library. Table 2 shows the amount of that land that was used for residential purposes, by Standard Region. Information on the end use of derelict land is not available at county level.

Figures on the total stock of previously developed land available for recycling are not held centrally. However, the Department is currently working with the Local Government Management Board, local authorities, English Partnerships, and others to establish a National Land Use Database that will provide, as a priority, a consistent assessment of previously developed land available for housing.

Table 1: Derelict land reclaimed annually between 1 April 1988 and 31 March 1993: by standard region

hectares

Standard region	1 April 1988 to 31 March 1989	1 April 1989 to 31 March 1990	1 April 1990 to 31 March 1991	1 April 1991 to 31 March 1992	1 April 1992 to 31 March 1993
North	337	340	431	272	180
North West	274	392	314	208	527
Yorkshire and Humberside	170	327	269	261	429
West Midlands	393	287	182	304	301
East Midlands	601	203	143	420	463
East Anglia	16	8	37	49	37
South West	79	136	103	111	147
South East (excluding Greater London)	108	60	46	157	114
Greater London	52	30	53	27	90
England	2,030	1,783	1,576	1,808	2,286

Source:
Survey of Derelict Land in England 1993

Table 2: Amount of reclaimed derelict land with a residential end use: by standard region

hectares

Standard region	1 April 1988 to 31 March 1989	1 April 1989 to 31 March 1990	1 April 1990 to 31 March 1991	1 April 1991 to 31 March 1992	1 April 1992 to 31 March 1993
North	17	2	22	14	0
North West	50	46	65	29	98
Yorkshire and Humberside	8	27	49	4	30
West Midlands	56	52	27	23	45
East Midlands	80	5	16	3	5
East Anglia	0	0	1	0	1
South West	4	1	9	5	5
South East (excluding Greater London)	1	1	1	87	3
Greater London	1	13	5	1	12
England	217	147	194	166	199

Source:
Survey of Derelict Land in England 1993

Contaminated Land

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of hectares of contaminated land in each of the last 12 years in each county and region. [33035]

Angela Eagle: The information requested is not currently collected.

Car Parking

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce additional charges for non-residential car parking spaces; and what estimates he has made of the revenue which will be so raised from Government Departments. [32221]

Ms Glenda Jackson *[holding answer 2 March 1998]:* The Government are currently looking at the potential costs and benefits of a levy on non-residential parking places. They will set out their conclusions on whether to legislate to introduce such a levy in the forthcoming transport White Paper. No separate assessment has been made of the financial implications for Government Departments of this policy option.

Bus Lanes

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the experiment of fitting cameras to buses to record the identity of other vehicles misusing bus lanes; and if he will make a statement. [31495]

Ms Glenda Jackson *[holding answer 3 March 1998]:* The Traffic Director for London is running a pilot project in North London to test the technology to be used for bus lane enforcement. The results will be made public shortly.

LORD CHANCELLOR'S DEPARTMENT

Magistrates' Courts

Mr. Todd: To ask the Parliamentary Secretary, Lord Chancellor's Department how many cases have been tried at Swadlincote magistrates' court in each of the last five years. [32101]

Mr. Hoon: The Lord Chancellor's Department does not collect statistics at this level of detail. Swadlincote forms part of the Derby and South Derbyshire Petty Sessional Division, where 11,599; 12,184; 12,804; 12,456 and 12,862 cases were completed in 1993–1997 respectively.

Mr. Todd: To ask the Parliamentary Secretary, Lord Chancellor's Department what guidance he has issued to county magistrates' committees on the allocation of cases where the nearest convenient magistrates' court for a locality is in another county. [32180]

Mr. Hoon: No guidance has been issued.

The magistrates' courts have statutory jurisdiction to try indictable offences triable either way and to deal with preliminary matters relating to indictable-only offences, wherever committed, by virtue of the Magistrates' Court Act 1980.

Section 2(1) of that Act provides that a magistrates' court for a commission area shall have jurisdiction to try all summary offences committed within that commission area.

Mr. Todd: To ask the Parliamentary Secretary, Lord Chancellor's Department on how many occasions police witnesses have been called at Swadlincote Magistrates' Court in each of the last five years. [32179]

Mr. Hoon: These figures are not collected centrally, and could be obtained only at disproportionate cost.

Mr. Todd: To ask the Parliamentary Secretary, Lord Chancellor's Department what guidelines are available to county magistrates' committees to define the appropriate geographical distance and elapsed travel time from an individual's locality to the magistrates' court at which his case is to be heard. [32178]

Mr. Hoon: No formal guidelines are issued by the Department. Decisions on accessibility of magistrates' courts are a matter for each magistrates' courts committee (MCC) to determine in conjunction with their paying authority.

However, distance and travelling time between one court and another is one of the geographical factors that is taken into account when the Lord Chancellor considers an appeal against the proposed closure of a magistrates' court in accordance with section 56 of the Justices of the Peace Act 1997.

Also, when assessing the need for new buildings with a Private Finance Initiative provider, the Department suggests that courthouses should be within 10–15 minutes' walk of more than one form of public transport. The Department does not provide guidance on total travel distance or time.

Mr. Todd: To ask the Parliamentary Secretary, Lord Chancellor's Department what assessment he has made of the reasons which have led to the transfer of cases to other courts from Swadlincote Magistrates' Court over the last five years; and if he will estimate the number of cases transferred on account of each reason. [32177]

Mr. Hoon: I have made no assessment. All decisions concerning the transfer of cases in a given area are for the relevant magistrates' courts committee (MCC) to determine. Each MCC has a statutory responsibility to provide an efficient and effective service to court users.

It is the practice of Courts Administration at Derby to ensure that all cases which arise in the South Derbyshire area are listed for hearing at Swadlincote. The only cases that have been transferred to other courts from the Swadlincote Magistrates' Court are the overflow of youth court cases. The Swadlincote Youth Court sits for only one day per month. Therefore, to avoid unnecessary delay, a case may be heard at one of the courts in the Derby City if there is an earlier date for hearing before a youth court panel sitting in one of the Derby City courts.

Mr. Barry Jones: To ask the Parliamentary Secretary, Lord Chancellor's Department what is his policy on the operation of magistrates' courts committees. [32217]

Mr. Hoon: The Government have a policy on the operation of magistrates' courts committees (MCC) which is given effect in section 31 of the Justices of the Peace Act 1997. The Act explains that each MCC has a statutory

responsibility to provide an efficient and effective service to court users. The committee will, of course, have regard to the quality of service which it is seeking to deliver locally.

The Justices of the Peace Act 1997 also provides the mechanism for any changes that an MCC may wish to effect to aid the delivery of the service provided. The Lord Chancellor may be asked to consider application or appeals arising from such proposals.

Mr. Barry Jones: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the magistrates' courts that *(a)* have been closed and *(b)* are scheduled to be closed in each of the counties of Wales since 1990; and if he will make a statement. [32216]

Mr. Hoon: Since 1990 there have been a significant number of local government changes in Wales. To answer this question, it would be necessary to reconstruct the history of those changes, as this information is not complied centrally or stored locally. To do so would involve great effort and could be completed only at disproportionate cost.

However, a survey was conducted in 1996 on courthouse numbers for each magistrates' courts committee which revealed a decreased number of magistrates' courts in Wales. In 1992 there were 70 courts; in 1993, 65; in 1994, 63; in 1995, 60; and 1996, 57.

Decisions concerning the future of a magistrates' court is for the relevant MCC to determine. A local authority that contributed financially may appeal to the Lord Chancellor against a proposed closure. The procedure for such appeals is set out in section 56 of the Justices of the Peace Act 1997. This is the only time that I will be informed of a proposed magistrates' court closure. In the absence of an appeal, however, the Lord Chancellor plays no part in the process.

Mr. Barry Jones: To ask the Parliamentary Secretary, Lord Chancellor's Department how many *(a)* magistrates and *(b)* magistrates' courts' clerks in Wales are (i) male and (ii) female. [32218]

Mr. Hoon: There are 1,110 male and 886 female magistrates, and 56 male and 54 female magistrates' courts' clerks in Wales.

Surveys

Mr. Forth: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list each information, promotional, marketing and opinion survey contract, with its value, concluded by his Department and its agencies for the years *(a)* 1997–98, *(b)* 1998–99, *(c)* 1999–2000, *(d)* 2000–2001 and *(e)* 2001–2002. [32008]

Mr. Hoon: The information, promotional, marketing and opinion survey contracts concluded by this Department and its agencies are shown in the table.

With regard to the Court Service, regional budgets are devolved to court level and therefore full figures could be provided only at disproportionate costs. Figures are provided for the contracts from the Headquarters building.

	Year	*£*
Lord Chancellor's Department		
Monitoring the Small Claims Limit	1997–98	40,800
Literature Reviews on Delays in the Criminal Justice System	1997–98	4,640
Research Review on Law and Economics	1997–98	4,000
The Workings of the Child Abduction Conventions	1997–98	6,457
Regulating Legal Services	1997–98	9,000
Distribution of Pension Rights Following Divorce	1997–98	4,900
Review of the Court of Appeal	1997–98	13,486
Project on Judicial Appointments Commissions	1997–98	2,250
Judicial Appointments: A Critical Review of the Practice Outside the UK	1997–98	8,400
Contracting for Civil Litigation: Modelling Research	1997–98	1,800
Literature Review of International Experience in the Field of Health Economics	1997–98	8,000
Previous Misconduct of Defendants before Magistrates	1997–98	33,940
Review Papers on Marriage	1997–98	75,150
ADR in the Court of Appeal: Preliminary Work	1997–98	5,000
Testing Fast Track Procedures Through Hypothetical Case Studies	1997–98	96,000
Fast Track Simulation Pilot	1997–98	31,386
Contracting to Legal Services Under Different Costs Rules	1997–98	6,200
Ancillary Relief Pilot Project	1997–98	231,735
Monitoring Mediation at Central London County Court	1998–99	23,615
Intergenerational Qualitative Study of Marriage	1998–99	71,906
Empirical Analysis of Litigation: A Survey of the Economics Literature	1998–99	8,000
The Impact of Plaintiff's Source of Funding on Litigants Behaviour	1998–99	43,800
Criminal Justice Reform and the Organisation of Criminal Defence Services	1998–99	15,200
Toward a Civil Justice Audit	1998–99	32,168
Study of Services to Litigants in Person Provided by the CAB in the RCJ	1998–99	1,063
Children in Divorce	1998–99	190,317
The Applicability to other Tribunals and Court Jurisdictions of the Organisational Principles and Practices of the London Parking Appeals Service	1998–99	24,193
The Economic Impact of the Quality of Legal Machinery	1998–99	2,500
Pilot Study: Homelessness Cases in the County Court	1998–99	30,989
Government Policies & Lawyers Roles: Evaluation & Approaches to Research	1998–99	10,875
Information Meetings	1999–2000	1,371,307
Professionalising Lay Justice: The Role & Function of Clerks to the Magistrates in Care Proceedings	1999–2000	40,222
Civil Legal Aid for Children: A Mapping Exercise	1999–2000	24,654
New Public Management & the Administration of Justice in the Magistrates' Court	1999–2000	25,000

	Year	£
ADR & commercial cases in the Commercial Court Civil Division	1999–2000	14,500
County Court Baseline Data	1999–2000	39,420
Court Service Headquarters		
ONS Omnibus Opinion Survey	1997–98	3,600
Staff Opinion Survey (British Market Research Bureau)	1997–98	21,780
Staff Opinion Survey (British Market Research Bureau)	1998–99	21,780
Northern Ireland Court Service		
Support for Survey on Divorce Commissioned by the Office of Law Reform	1997–98	10,000
Land Registry		
Survey to Provide Independent Verification of Customer's Satisfaction with Delivery of Registry's Services	1997–98	7,765
Public Record Office		
Halpen Marketing Management Ltd: 3 year contract from May 1996 for PRO design and information material e.g. Reader's Bulletin, reading room signage, graphic panels, etc.	1997–98	33,000
	1998–99	33,000
Jennifer Potter, copywriter PRO annual report: 3 year contract from February 1997	1997–98	2,500 (max)
	1998–99	2,500 (max)
	1999–2000	2,500 (max)
First Impression Ltd—graphics for new web site	1997–98	7,050
CCTA Government Information Service—web site maintenance	1997–98	3,920
Jennifer Potter, copywriter—text of booklet promoting archives	1997–98	1,000
Typecast, printer—printing of 2,000 booklets promoting archives	1997–98	3,360
BDI—staff satisfaction survey	1997–98	10,000
	1998–99	2,000
	1999–2000	2,000
CCTA Government Information Service—web site redirection and listing	1998–99	free
	1999–2000	free
	2000–2001	free
First Impression Ltd—Design and print of 10,000 on-line services leaflets	1998–99	3,064
Dart Advertising—mouse mats promoting new web site	1998–99	573

HOME DEPARTMENT

Animal Experiments

Mr. Baker: To ask the Secretary of State for the Home Department what guidelines his Department issues relating to *(a)* genetic defects and *(b)* physical abnormalities caused by breeding of animals in respect of (i) commercial breeding establishments and (ii) genetic engineering; and if he will make a statement. [33018]

Mr. George Howarth: There are no guidelines issued specifically covering animals with physical abnormalities bred in commercial breeding establishments. Genetically modified animals are bred and produced under project licences whether in commercial breeding establishments or elsewhere, and such breeding is subject to the controls of these project licences. The project licences define the specific welfare endpoints which are to be implemented.

The Home Office will shortly issue a supplementary guidance to applicants for project licences on projects to generate or maintain genetically modified animals. The Inspectorate are also drawing up for publication a Code of Practice for the care and welfare of high health status pigs for use in xenotransplantation processes.

Mr. Farrakhan

Mr. Dismore: To ask the Secretary of State for the Home Department when he expects to make a decision on whether the exclusion of Mr. Farrakhan is to be maintained or lifted. [33123]

Mr. Mike O'Brien: I expect to be able to respond to the representations in Mr. Farrakhan's case shortly.

London Fire Service

Dr. Cable: To ask the Secretary of State for the Home Department what was the cost of preparations for the planned London Fire Service strike; and from what budget heading the costs will be met. [32890]

Mr. George Howarth: The London Fire and Civil Defence Authority has to meet costs incurred by the Ministry of Defence and the Home Office in preparing to provide the authority with military assistance in the event of a strike. These costs are still being calculated.

Immigration and Asylum

Mr. Öpik: To ask the Secretary of State for the Home Department what factors underlie the length of interval between application and completion of the process for aliens to apply for indefinite leave to remain in the United Kingdom, what plans he has to reduce this period; and if he will make a statement. [32821]

Mr. Mike O'Brien: The factors vary according to the individual case, the category in which the application is being made, the need or otherwise for further information, and the number of other applications waiting to be decided. The introduction of compulsory application forms has enabled a large number of straightforward applications to be decided within a few days of receipt. The current computerisation and restructuring of the Immigration and Nationality Directorate's caseworking functions is intended to speed up caseworking times, including those for indefinite leave to remain.

Dunblane

Mr. Beith: To ask the Secretary of State for the Home Department if he will make a statement on his policy regarding implementation of the recommendations in Lord Cullen's report on the circumstances leading up to and surrounding the events at Dunblane Primary School on 13 March 1996, concerning regulation of those working with young people. [32609]

Mr. Michael: Recommendation 27 of Lord Cullen's Report proposed that there should be a system for the accreditation to a national body of clubs and organisations attended voluntarily by young people, the main purpose of which would be to ensure that there are adequate checks on the suitability of the leaders and workers who have substantial unsupervised access to them. Recommendation 28 proposed the development of a Scottish Vocational Qualification in respect of work with children, including the organisation of clubs and child development and protection.

In February 1997, the Scottish Office issued to a wide range of organisations a consultation paper inviting views on possible arrangements for a national system of accreditation and vetting for groups and individuals. The consultation drew a large number of detailed and thoughtful responses. These are currently being considered by the Scottish Office prior to wider consideration across Government to ensure that this difficult and important issue is dealt with in a way which will stand the test of time.

With respect to Recommendation 28, options for qualifications and training for adults working with children in groups and clubs are also currently being considered by the Scottish Office.

Departmental Spending

Mr. Beith: To ask the Secretary of State for the Home Department what estimate he has made of the (i) percentage, and (ii) amount, of Home Office expenditure on *(a)* prisons, *(b)* policing, *(c)* probation, *(d)* fire services, *(e)* direct crime prevention initiatives, *(f)* immigration measures, *(g)* asylum measures, *(h)* victim support and *(i)* other matters in each of the next two years. [32582]

Mr. Straw: I regret that I am not yet able to provide the information requested for 1998–99. This is because I cannot anticipate the presentation of the Home Office Departmental Report and the main Supply Estimates to Parliament. This will happen shortly after the Budget. I will then write to the right hon. Member with the information which he requests about the percentage of Home Office expenditure in 1998–99 allocated to the areas he has identified.

There is no information yet available about expenditure in 1999–2000. This is because decisions about the allocation of expenditure after 1998–99 will be made after the completion of the Comprehensive Spending Review.

"In Excelsis"

Mr. Loughton: To ask the Secretary of State for the Home Department what steps he has taken to ensure that there has been no infringement of copyright on the work, "In Excelsis"; and if he will ensure that any dues payable will be paid to the beneficiary of Lord Alfred Douglas' estate. [32607]

Mr. Straw: I understand that, in accordance with normal Public Record Office practice in cases of material which is not in Crown Copyright, any member of the public wishing to reproduce "In Excelsis" will be advised to seek permission from the owner of the copyright. I understand also that no requests for reproduction have yet been received. No copyright royalty fees are levied by the Public Record Office for use on non-Crown copyright works.

Mr. Loughton: To ask the Secretary of State for the Home Department, pursuant to his answer of 23 February 1998, *Official Report*, column *49*, which member of the public requested access to the manuscript of "In Excelsis". [32801]

Mr. Straw: To provide this information would constitute an unwarranted invasion of the privacy of a third party.

Public Records

Mr. Loughton: To ask the Secretary of State for the Home Department how many files have been authorised for early opening on the authority of the Lord Chancellor under the terms of the Public Records Act 1958 since 1968. [32606]

Mr. Straw: Since June 1992, 3,337 Home Office files have been opened in accordance with Instruments made by the Lord Chancellor under section 5(1) of the Public Records Act 1958. Figures for the period prior to June 1992 could be obtained only at disproportionate cost.

Millennium Compliance

Mr. Jenkin: To ask the Secretary of State for the Home Department what contingency plans he will establish in case of failure on 1 January 2000 of computer systems in the Fire Service in Wales. [32776]

Mr. George Howarth *[holding answer 3 March 1998]:* Guidance was issued to all fire brigades in England and Wales on 7 January 1998 on contingency planning for the year 2000. A copy of this guidance has already been placed in the Library. Further information on progress has recently been sought from brigades. This will complement the ongoing review which my right hon. Friend the Chancellor of the Duchy of Lancaster is undertaking of progress on tackling the millennium computer problem within central Government.

NORTHERN IRELAND

Draft Decommissioning Scheme

Mr. Salter: To ask the Secretary of State for Northern Ireland if she will make public the draft decommissioning scheme presented to the parties at the Talks. [33575]

Marjorie Mowlam: I have today placed copies of the draft decommissioning scheme in the Libraries of both Houses and copies will be made available in the Vote

Office. The scheme provides the detailed mechanisms which would allow voluntary decommissioning to take place.

In conjunction with the draft scheme, I recently laid a draft Order which will extend by approximately one year the period during which an amnesty for those decommissioning arms in accordance with the scheme can be made.

Police Authority

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) what was the number and purpose of official journeys outside Northern Ireland undertaken by the *(a)* Secretary and *(b)* Chief Executive of the Police Authority for Northern Ireland in *(a)* 1995, *(b)* 1996 and *(c)* 1997; [31633]

(2) if she will list the amounts of personal expenditure claimed by and reimbursed to the *(a)* Secretary and *(b)* Chief Executive of the Police Authority for Northern Ireland in (i) 1993–94, (ii) 1994–95, (iii) 1995–96, (iv) 1996–97 and (v) 1997; [31636]

(3) what arrangements are in place to authorise or reimburse personal expenditure by the *(a)* Secretary and *(b)* Chief Executive of the Police Authority for Northern Ireland; [31635]

(4) what was the cost of official journeys outside Northern Ireland by the *(a)* Secretary and *(b)* Chief Executive of the Police Authority for Northern Ireland in terms of (i) travel, (ii) subsistence and (iii) entertainment paid from official funds or for which reimbursement was claimed in (1) 1995, (2) 1996 and (3) 1997. [31634]

Mr. Ingram *[holding answer 27 February 1998]:* The Secretary and Chief Executive of the Police Authority for Northern Ireland is, and has always been, a post for a single individual and I therefore refer my hon. Friend to the answers I gave on 18 December 1997, *Official Report*, column *290* and on 2 February 1998, *Official Report*, columns *474–75*.

Processions

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the meetings she has had with representatives of each of the groups known as Concerned Residents to discuss processions, indicating the names of the persons she met on each occasion since 1 May. [26740]

Mr. Ingram: Since 1 May 1997, my right hon. Friend the Secretary of State has met delegations from the following Residents Groups to discuss processions. It would not be appropriate for reasons of confidentiality to indicate the names of the individuals in the delegations.

Date	*Residents Groups*
21 May 1997	Dunloy Residents and Parents Association
23 June 1997	Bogside Residents Association
18 June 1997	Bellaghy Concerned Residents
21 May 1997	Garvaghy Road Residents Association
17 June 1997	Garvaghy Road Residents Association
27 June 1997	Garvaghy Road Residents Association
21 May 1997	Lower Ormeau Concerned Community

Ministerial Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland what is her estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis, in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27741]

Mr. Paul Murphy *[holding answer 5 March 1998]:* The information for the Northern Ireland Office and the Northern Ireland Departments is as follows:

£ 000

Year	*(a)*	*'(b)*
1995–96	526	166
1996–97	787	204
1997–98 to date	512	162
1997–98 full year	859	204

' The information at *(b)* does not include figures from the Departments of Agriculture and of the Environment as the information was not readily available in the form requested and could be provided only at disproportionate cost. The figures for the Department of Health and Social Services relate to all Public Transport Fares as the information on taxis could be separated only at disproportionate cost.

Conference

Mr. Malcolm Bruce: To ask the Secretary of State for Northern Ireland if she will list the conferences held by her Department since 1 May 1997, giving in each case the *(a)* purpose and *(b)* estimated cost. [27744]

Mr. Paul Murphy *[holding answer 5 February 1998]:* The information requested has been placed in the library.

Scheduled Offences

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many individuals have a criminal record as a result of convictions for scheduled offences. [30032]

Mr. Ingram *[holding answer 25 February 1998]:* The information requested is not readily available and would incur disproportionate cost to provide. However, from 1980 to the end of the 3rd quarter of 1997, 8,270 persons were found guilty of indictable scheduled offences.

Organophosphates

Mr. Beggs: To ask the Secretary of State for Northern Ireland if she will provide comprehensive advice on the potential dangers of exposure to organophosphate users and on appropriate protective equipment when using organophosphate products. [31993]

Mr. Ingram: The risks associated with the use of organophosphoros (OP) compounds are well known. Advice on measures which users can take to reduce risk, including advice on personal protective equipment, was issued on 25 July 1997 in a document entitled "Warning on Sheep Dipping". A booklet and video produced by The Health and Safety Executive containing comprehensive advice on this subject are available through the Health and Safety Agency for Northern Ireland and the Health and Safety Division and the Employment Medical Advisory Service of the Department of Economic Development.

The Health and Safety Agency for Northern Ireland is currently making arrangements for an updated booklet to be issued shortly.

EDUCATION AND EMPLOYMENT

Nursery Places

Mr. Jenkins: To ask the Secretary of State for Education and Employment how many and what proportion of *(a)* three year olds and *(b)* four year olds currently have nursery places in (i) Stoke-on-Trent City and (ii) each district and borough council in Staffordshire. [33045]

Ms Estelle Morris: 4,664 three year olds, 11,543 four year olds and 61% of children under 5 were in maintained nursery schools and nursery classes in maintained primary schools in the Staffordshire Local Education Authority area in January 1997.

Mr. Jenkins: To ask the Secretary of State for Education and Employment what is the current average cost of providing a full-time nursery place in Staffordshire. [33046]

Mr. Byers: In 1996–97, the latest year for which data are available, the net institutional expenditure per full time equivalent nursery school pupil in Staffordshire was £2,634.

Mr. Jenkins: To ask the Secretary of State for Education and Employment what is the current number of nursery places available in *(a)* Stoke-on-Trent City and *(b)* each district and borough council in Staffordshire. [33044]

Mr. Byers: Information on nursery places is not collected centrally.

School Pupils

Mr. Jenkins: To ask the Secretary of State for Education and Employment how many children are currently being taught in *(a)* primary and *(b)* secondary schools in (i) Stoke-on-Trent City and (ii) each district and borough council in Staffordshire. [33048]

Mr. Byers: In January 1997, the number of children taught in maintained primary and secondary schools in Staffordshire Local Education Authority area was 96,437 and 71,712 respectively.

Class Sizes

Mr. Jenkins: To ask the Secretary of State for Education and Employment what is the average class size in *(a)* primary and *(b)* secondary schools in Staffordshire. [33049]

Mr. Byers: The average size taught by one teacher in maintained primary and secondary schools in Staffordshire Local Education Authority area in January 1997 were 27.5 and 22.3 respectively.

Mr. Don Foster: To ask the Secretary of State for Education and Employment what estimate he has made of the costs of reducing class sizes for Key Stage 2 to a maximum of 30 *(a)* in total and *(b)* broken down into the costs of (i) additional teachers, (ii) teacher training and (iii) premises. [32377]

Mr. Byers *[holding answer 3 March 1998]:* We have made no estimate of these costs. The Government's pledge relates to reducing infant class sizes only.

Schools Spending

Mr. Jenkins: To ask the Secretary of State for Education and Employment what is the average amount spent per pupil in *(a)* primary and *(b)* secondary schools in Staffordshire. [33047]

Mr. Byers: In 1996–97, the latest year for which data are available, the net institutional expenditure per pre-primary and primary pupil in Staffordshire was £1,588 and per secondary pupil was £2,138.

New Deal

Mr. Derek Foster: To ask the Secretary of State for Education and Employment what representations he has received from private sector companies participating in the New Deal that they are unable to provide the equivalent of one full day's training per week to lead to an accredited qualification, for every placement. [32291]

Mr. Andrew Smith: Training is a key feature of all the New Deal options, not least the jobs options. All employers who receive the subsidy agree to ensure that the young person receives training during the time that they are with the employer, payment being made in arrears subject to satisfactory progress being made in training.

We have not heard of any employers for whom the provision of training during the option is an issue. Indeed, the response we have had from employers has been most enthusiastic and shows a clear understanding of the aims of New Deal to improve long term employability and raise skill levels and the emphasis that is placed on quality. These aims will be best achieved by giving young people the chance to acquire approved qualifications or working towards them by gaining specific units. Success in these areas will benefit not only the young person but also the employer.

Mr. Derek Foster: To ask the Secretary of State for Education and Employment what is the estimated timescale for the provision of 50,000 trained child carers under the New Deal for lone parents. [32293]

Mr. Andrew Smith: We aim to provide places for up to 50,000 young people to train as childcare workers under the New Deal for 18–24 year olds over the lifetime of the Parliament. Potentially, participants on the New Deal for long-term unemployed people could also train as childcare workers, and participants on the New Deal for lone parents could be helped to find employment in childcare. This initiative will make it easier for all parents, including lone parents, to balance their family commitments with employment.

Head Teachers

Mr. Llwyd: To ask the Secretary of State for Education and Employment what percentage of applicants for headships are female; and what percentage are successful. [32603]

Ms Estelle Morris: This information is not held centrally.

Student Funding

Mrs. Virginia Bottomley: To ask the Secretary of State for Education and Employment when his review of funding for post-16 education will be completed; who is chairing the review; and if he will make a statement. [32279]

Dr. Howells: Funding for post-16 education is being considered as part of the Government's Comprehensive Spending Review. It is expected that announcements will be made in the Summer or the Autumn.

Mrs. Virginia Bottomley: To ask the Secretary of State for Education and Employment what plans he has to introduce a single unit of resource for 16 to 19 year olds. [32399]

Dr. Howells: We currently have no plans to create such a unit of resource. As our recently published lifelong learning consultation paper, "The Learning Age", makes clear, we will reward providers for retaining people in learning, for raising achievement and for excellence. I will be consulting our partners in the education service before making any proposals about future funding mechanisms for 16 to 19 education.

Mrs. Virginia Bottomley: To ask the Secretary of State for Education and Employment what the average level of funding is for 16 to 19 year old students undertaking A level courses in (i) schools and (ii) sixth form colleges. [32280]

Dr. Howells: The estimates of median public funding costs for the achievement of a 3 A-level package in 1995–96 are:

LEA/Voluntary Aided School Sixth Forms: £6,970

Grant Maintained School Sixth Forms: £7,010

Sixth Form Colleges: £6,640

Further information on these figures is in "The Public Funding Costs of Education and Training for 16–19 year olds in England 1995–96", copies of which are in the Library.

Nursery Nurses

Mr. Hoyle: To ask the Secretary of State for Education and Employment what plans he has to create a standard qualification for nursery nurses. [32190]

Ms Estelle Morris *[holding answer 2 March 1998]:* There are many different qualifications in childcare and education held by staff working in the full range of early years settings. In the context of the promotion of both early education and childcare, the Government have asked the Qualifications and Curriculum Authority, together with the relevant National Training Organisations, to examine the qualifications framework for the sector. It is the role of the NTOs to ensure coherence of the qualifications framework and to promote the value of qualifications in the sector.

Work is currently being undertaken to establish the range and type of qualifications held by nursery nurses. Preliminary indications are that there will be more than one qualification and more than one route to achieving it. Such diversity may be necessary to ensure sufficiently broad access to qualifications.

Early Years Education

Mr. Don Foster: To ask the Secretary of State for Education and Employment what plans he has to give financial support to parents in respect of the education of children aged under one year; and if he will make a statement. [32316]

Ms Estelle Morris *[holding answer 3 March 1998]:* There are no plans to give financial support to parents for the education of children aged under one year.

Mr. Don Foster: To ask the Secretary of State for Education and Employment what estimate he has made of the *(a)* total costs and *(b)* specific costs of (i) additional teachers, (ii) teacher training and (iii) premises arising from the extension of high quality early years education to three year olds; and what assumption of likely demand was used in his calculations. [32492]

Ms Estelle Morris *[holding answer 3 March 1998]:* In January 1997 approximately 416,000 three year olds did not have an early education place in the maintained sector. The cost of providing free places for those children in the maintained, private or voluntary sectors at the current rate for four year olds of £1,100 for five two and a half hour sessions a week over 33 weeks would be some £460 million.

National Advisory Council on Employment of People with Disabilities

Mr. Pendry: To ask the Secretary of State for Education and Employment what decision he has made on the future of the National Advisory Council on Employment of People with Disabilities. [33693]

Mr. Alan Howarth: Our Disability Rights Task Force is currently considering how best to implement the Manifesto commitment to comprehensive and enforceable civil rights for disabled people and, in particular, the role and functions of a Disability Rights Commission (DRC). To ensure appropriate advisory structures are in place which will facilitate a smooth passage of responsibilities to the DRC when formed, I have decided that the National Advisory Council on Employment of People with Disabilities (NACEPD) should not be reconstituted when members' current appointments cease on 31 March 1998. The duty in the Disabled Persons (Employment) Act 1944 to have NACEPD will accordingly be repealed by a statutory order laid before the House today.

This will enable the National Disability Council (NDC) to advise on its own initiative on employment discrimination issues and ensure that the Council can advise Government on all matters relating to the elimination of discrimination against disabled people. Additionally, I have decided to establish a non-statutory advisory body to provide the Government with independent advice on employment, self employment and training programmes and services for disabled people.

These changes have the full support of both NACEPD and the NDC, and I would like to take this opportunity to record my thanks and appreciation for the important contribution made by current and past members of

NACEPD. Their willingness to work with officials and Ministers over many years has done much to help improve employment prospects for disabled people.

National Curriculum

Dr. Kumar: To ask the Secretary of State for Education and Employment what plans he has to introduce science project work for pupils in Key Stages 3 and 4 as part of proposed changes to the National Curriculum. [31507]

Ms Estelle Morris: We have no plans to do so at present. The Qualifications and Curriculum Authority will provide advice on the nature and scope of any changes to the national Curriculum for the year 2000 at Easter.

Assisted Places Scheme

Mr. Randall: To ask the Secretary of State for Education and Employment how many children under the age of 11 years currently benefit from the assisted places scheme. [31456]

Mr. Byers: At the start of the current academic year 1997–98, there were 2,030 children under the age of 11 years holding assisted places.

A-Level Turkish

Mr. Love: To ask the Secretary of State for Education and Employment how many students in higher education have an A Level in Turkish. [31655]

Dr. Howells: The information requested is not held centrally. The Universities and Colleges Admissions Service (UCAS) collects data on the entry qualifications of applicants to HE, and the latest data show that there were 43 students with an A level in Turkish who were accepted for entry to a first degree course in autumn 1997.

Mr. Love: To ask the Secretary of State for Education and Employment if he will ensure that A Level Turkish will continue to be available after 1999; and if he will make a statement. [31656]

Dr. Howells: The Qualifications and Curriculum Authority (QCA) is working with the GCE A level examinations boards to develop new cost-effective arrangements for protecting small entry subjects, including A level Turkish. I am confident that these new arrangements will be agreed shortly.

Special Educational Needs

Mr. Patrick Hall: To ask the Secretary of State for Education and Employment how he intends to respond to concerns expressed by the Governors of St. John's School, Kempston, about the proposals in the Green Paper, "Excellence for all Children-Meeting Special Educational Needs", regarding *(a)* the legal status of statements of special educational needs and *(b)* a redefined role for special schools and the effect upon parental choice. [31758]

Ms Estelle Morris: We are at present considering the many thoughtful comments on the Special Educational Needs (SEN) Green Paper. In the light of those responses, and taking account of advice form the National Advisory Group on SEN, we expect to announce an action programme in the summer.

The Green Paper did not propose changes to the fundamental legal framework for SEN. Parents will continue to have the right to seek a statutory assessment and a statement of SEN for their child. The Green Paper also made clear that we will maintain parents' present right to express a preference for a special school place for their child.

Mr. Reed: To ask the Secretary of State for Education and Employment what plans he has to improve the integration of services with local authorities in the delivery of statements of special educational need. [31974]

Ms Estelle Morris: The Department will shortly be publishing a report by Newcastle University of a DfEE-funded research project on effective communication between schools, LEAs, and health and social services in the field of special educational needs (SEN). The report will help LEAs to improve the integration of services in the delivery of statements and other aspects of SEN by providing models of effective co-operation; by recommending ways in which co-operation and decision-making in the field of SEN can be improved; and by setting out practical measures to achieve this improvement. More broadly, this is an issue which we shall be addressing in the Government's response to consultation on the Green Paper "Excellence for all Children—Meeting Special Educational Needs".

School Buildings (London)

Mr. Cox: To ask the Secretary of State for Education and Employment how much money has been allocated to each London borough education authority in 1997–98 for the repair and modernisation of school buildings. [31658]

Mr. Byers: The table sets out the amount of credit cover and New Deal for Schools (NDS) grant we have allocated to each London borough education authority in 1997–98 to support capital expenditure at local education authority (LEA) maintained schools. NDS grant for 1997–98 was provided for the improvement, renovation or replacement of buildings used for educational purposes and the provision of equipment (including information technology) for educational purposes. This included support to develop a number of local public-private partnerships which we expect will result in substantial additional spending on capital. Credit approvals may be applied to capital spending of all kinds, as may other resources that LEAs have available to them, such as receipts and revenue. We do not collect information centrally about how much LEAs spend on the repair and modernisation of school buildings.

£000

LEA	NDS grant	[1]Credit cover
Barking & Dagenham	210	1,057
Barnet	97	948
Bexley	487	3,573
Brent	461	289
Bromley	251	1,058
Camden	177	119
Croydon	195	1,294
Ealing	123	4,850
Enfield	344	8,172

£000

LEA	NDS grant	[1]Credit cover
Greenwich	306	3,235
Hackney	1,250	818
Hammersmith & Fulham	300	1,554
Haringey	426	4,004
Harrow	88	1,373
Havering	337	245
Hillingdon	310	2,394
Hounslow	341	3,199
Islington	295	381
Kensington & Chelsea	244	109
Kingston	456	3,326
Lambeth	261	758
Lewisham	705	2,297
Merton	360	71
Newham	482	2,942
Redbridge	207	7,730
Richmond	317	153
Southwark	381	1,923
Sutton	602	4,937
Tower Hamlets	928	4,276
Waltham Forest	507	1,228
Wandsworth	135	162
Westminster	312	669

[1] Allocations under the specialist schools programme are not included

Waste Management

Mr. Bennett: To ask the Secretary of State for Education and Employment what guidance is provided within the National Curriculum on the teaching of waste awareness and the options for waste management provided by the waste hierarchy. [32055]

Ms Estelle Morris: The National Curriculum includes requirements and opportunities for pupils to study environmental issues, such as waste management. For example, pupils must be taught how considerations of sustainable development, stewardship and conservation affect environmental planning and management.

In 1996, the School Curriculum and Assessment Authority issued guidance to schools on teaching about environmental matters through the National Curriculum.

GCSE Results

Mr. Don Foster: To ask the Secretary of State for Education and Employment what is the average proportion of pupils in all schools, excluding the independent sector, in each local education authority, gaining five or more GCSEs at grades A to C. [30845]

Dr. Howells *[holding answer 27 February 1998]:* The information requested in respect of GCSE achievements is shown in the table.

15 year old pupils achieving 5 or more GCSE grades A-C or the GNVQ equivalent, maintained schools in England, 1996/97*

	Per cent.
Camden	47.8
Greenwich	30.8
Hackney	30.4
Hammersmith & Fulham	40.1
Islington	24.9
Kensington & Chelsea	43.9
Lambeth	28.6
Lewisham	29.4
Southwark	27.2
Tower Hamlets	25.7
Wandsworth	35.0
Westminster	34.1
Barking and Dagenham	30.9
Barnet	52.0
Bexley	44.5
Brent	38.3
Bromley	52.7
Croydon	40.4
Ealing	37.9
Enfield	42.3
Haringey	26.7
Harrow	53.4
Havering	48.1
Hillingdom	40.4
Hounslow	44.1
Kingston-upon-Thames	57.5
Merton	37.5
Newham	33.4
Redbridge	52.5
Richmond-upon-Thames	46.5
Sutton	54.7
Waltham Forest	35.5
Birmingham	35.3
Coventry	36.9
Dudley	42.5
Sandwell	26.9
Solihull	51.2
Walsall	33.8
Wolverhampton	33.1
Knowsley	23.4
Liverpool	30.1
St. Helens	40.2
Sefton	45.0
Wirral	44.5
Bolton	40.0
Bury	47.8
Manchester	26.3
Oldham	35.8
Rochdale	35.5
Salford	30.7
Stockport	50.2
Tameside	37.7
Trafford	51.6
Wigan	44.8
Barnsley	28.6
Doncaster	33.8
Rotherham	37.4
Sheffield	38.3
Bradford	28.9
Calderdale	38.2
Kirklees	39.5
Leeds	37.4
Wakefield	37.9
Gateshead	39.2
Newcastle-upon-Tyne	31.6
North Tyneside	42.7
South Tyneside	35.7
Sunderland	34.4
Isles of Scilly	61.1
Bath & NE Somerset	51.3
City of Bristol	32.1
North Somerset	50.9
South Gloucester	44.6
Hartlepool	29.1
Middlesbrough	28.5
Redcar & Cleveland	38.4

15 year old pupils achieving 5 or more GCSE grades A-C or the GNVQ equivalent, maintained schools in England, 1996/97*

15 year old pupils achieving 5 or more GCSE grades A-C or the GNVQ equivalent, maintained schools in England, 1996/97*

	Per cent.
Stockton on Tees	39.1
City of Kingston-upon-Hull	21.4
East Riding of Yorkshire	44.3
North East Lincolnshire	30.7
North Lincolnshire	39.7
North Yorkshire	54.0
York	51.4
Bedfordshire	44.3
Luton	34.3
Buckinghamshire	59.7
Milton Keynes	35.0
Derbyshire	43.5
City of Derby	38.2
Dorset	49.8
Poole	50.7
Bournemouth	47.6
Durham	36.3
Darlington	37.5
East Sussex	45.5
Brighton and Hove	40.1
Hampshire	49.4
Portsmouth	31.6
Southampton	40.9
Leicestershire	44.7
Leicester City	32.8
Rutland	49.0
Staffordshire	45.0
Stoke-on-Trent	30.5
Wiltshire	50.5
Swindon	43.0
Berkshire	48.9
Cambridgeshire	45.6
Cheshire	48.5
Cornwall	48.8
Cumbria	43.5
Devon	44.0
Essex	44.6
Gloucestershire	51.6
Hereford & Worcester	44.1
Hertfordshire	50.7
Isle of Wight	43.9
Kent	45.7
Lancashire	43.8
Lincolnshire	46.7
Norfolk	44.6
Northamptonshire	42.2
Northumberland	43.2
Nottinghamshire	37.6
Oxfordshire	47.2
Shropshire	49.3
Somerset	48.9
Suffolk	47.4
Surrey	51.0
Warwickshire	44.5
West Sussex	50.3

Free School Meals

Mr. Don Foster: To ask the Secretary of State for Education and Employment if he will list by local education authority in England the percentage of pupils in *(a)* maintained schools, *(b)* voluntary-aided schools and *(c)* grant-maintained schools entitled to free school meals. [30844]

Mr. Byers *[holding answer 27 February 1998]:* The latest available information is shown in the following table.

Percentage of day pupils known to be eligible for free schools meals in maintained nursery, primary and secondary schools by local education authority area

England *January 1997*

LEA	All schools	Of which: Voluntary aided	Of which: Grant maintained
City of London	51.4	51.4	[1]—
Camden	37.0	35.9	15.2
Greenwich	38.7	30.9	41.6
Hackney	55.2	48.4	58.6
Hammersmith and Fulham	42.1	30.5	10.5
Islington	52.1	44.8	[1]—
Kensington and Chelsea	44.1	35.2	21.8
Lambeth	46.8	39.0	40.5
Lewisham	38.1	30.6	39.6
Southwark	48.7	41.1	43.3
Tower Hamlets	60.9	50.2	31.5
Wandsworth	35.6	28.3	32.0
Westminster	43.7	37.2	[1]—
Barking and Dagenham	26.4	20.4	[1]—
Barnet	16.9	11.4	11.6
Bexley	15.5	11.8	10.2
Brent	27.5	27.5	25.7
Bromley	16.5	16.5	12.6
Croydon	24.4	15.5	16.6
Ealing	27.0	16.2	27.8
Enfield	21.6	11.5	18.4
Haringey	40.8	29.8	[1]—
Harrow	13.2	5.7	14.3
Havering	13.7	6.1	6.3
Hillingdon	13.2	3.7	13.7
Hounslow	24.8	17.6	14.2
Kingston-upon-Thames	8.4	5.5	10.9
Merton	19.3	12.3	8.5
Newham	39.0	27.3	54.0
Redbridge	18.8	8.7	17.0
Richmond-upon-Thames	15.4	14.5	[1]—
Sutton	11.6	8.5	3.8
Waltham Forest	32.5	19.9	13.5
Birmingham	35.3	29.7	19.8
Coventry	22.0	21.5	[1]—
Dudley	17.6	24.6	14.0
Sandwell	26.2	18.7	28.7
Solihull	14.1	12.9	39.4
Walsall	23.5	16.6	9.7
Wolverhampton	24.3	19.7	23.7
Knowsley	47.4	44.4	58.3
Liverpool	41.2	40.2	21.1
St Helens	21.7	18.1	[1]—
Sefton	24.4	26.1	[1]—
Wirral	28.3	30.3	6.3
Bolton	20.5	16.0	11.4
Bury	17.3	14.8	13.5
Manchester	46.5	40.3	47.9
Oldham	25.7	18.1	[1]—
Rochdale	27.8	20.7	15.4
Salford	33.2	27.7	12.5
Stockport	17.0	15.0	[1]—
Tameside	23.1	17.1	11.7
Trafford	19.9	15.2	21.4
Wigan	18.2	15.9	[1]—
Barnsley	25.7	17.7	[1]—
Doncaster	24.7	16.7	6.0
Rotherham	21.5	19.6	[1]—
Sheffield	26.9	25.3	15.0
Bradford	27.8	18.2	18.2
Calderdale	18.9	18.4	10.6
Kirklees	21.4	17.2	3.9
Leeds	21.3	18.1	7.8
Wakefield	19.2	14.0	[1]—

Percentage of day pupils known to be eligible for free schools meals in maintained nursery, primary and secondary schools by local education authority area

England *January 1997*

LEA	*All schools*	*Of which* *Voluntary aided*	*Grant maintained*
Gateshead	25.5	22.0	[1]—
Newcastle-upon-Tyne	34.4	28.0	[1]—
North Tyneside	22.4	20.5	5.1
South Tyneside	32.3	24.8	[1]—
Sunderland	27.9	17.8	[1]—
Isles of Scilly	11.3	[1]—	[1]—
Bath and North East Somerset	13.0	12.4	8.7
City of Bristol	26.1	21.9	[1]—
North Somerset	12.4	8.7	[1]—
South Gloucestershire	11.5	9.9	[1]—
Hartlepool	30.5	19.4	[1]—
Middlesbrough	34.6	27.0	[1]—
Redcar and Cleveland	28.0	24.9	[1]—
Stockton-on-Tees	24.5	19.5	[1]—
City of Kingston-Upon-Hull	28.3	17.7	[1]—
East Riding of Yorkshire	10.7	7.6	5.6
North East Lincolnshire	22.9	18.1	[1]—
North Lincolnshire	17.7	12.9	[1]—
North Yorkshire	9.1	5.4	0.0
York	13.6	12.6	[1]—
Bedfordshire	19.1	17.0	14.9
Berkshire	11.0	8.2	10.2
Buckinghamshire	9.0	3.4	9.0
Cambridge	15.2	16.5	12.3
Cheshire	15.8	16.3	11.7
Cornwall	17.7	14.2	9.8
Cumbria	15.8	15.9	9.1
Derbyshire	15.9	12.6	10.9
Devon	16.3	14.5	9.3
Dorset	9.8	6.2	8.3
Durham	20.9	15.7	[1]—
East Sussex	19.2	18.2	[1]—
Essex	15.2	10.4	12.4
Gloucestershire	11.8	7.8	8.9
Hampshire	13.2	10.5	9.5
Hereford and Worcester	9.8	6.4	6.4
Hertfordshire	11.3	7.7	8.1
Isle of Wight	21.4	18.7	[1]—
Kent	16.2	15.0	13.0
Lancashire	21.9	17.1	7.7
Leicestershire	14.8	9.1	10.1
Lincolnshire	9.5	5.2	10.1
Norfolk	14.2	12.6	13.2
Northamptonshire	12.5	12.9	13.0
Northumberland	15.3	10.5	9.5
Nottinghamshire	22.3	14.8	29.5
Oxfordshire	10.3	10.6	3.5
Shropshire	15.0	14.2	14.3
Somerset	11.2	9.5	10.9
Staffordshire	16.5	13.7	15.6
Suffolk	14.7	10.0	[1]—
Surrey	9.1	7.3	7.2
Warwickshire	11.1	10.1	9.5
West Sussex	11.3	9.3	7.5
Wiltshire	11.9	10.4	9.1
England	19.9	18.7	13.0

[1] not applicable—there are no schools of this type in the LEA area.

Key Stage 2 English

Mr. Don Foster: To ask the Secretary of State for Education and Employment what percentage of all year 6 *(a)* pupils, *(b)* boys and *(c)* girls attained (i) Level 2 or better, (ii) Level 3 or better, (iii) Level 4 or better and (iv) Level 5 or better in the Key Stage 2 English SAT test for (1) reading and (2) writing; and what was the national average level attained per pupil and by each gender in (A) 1996 and (B) 1997. [31854]

Mr. Byers *[holding answer 27 February 1998]:* The table shows the percentage of pupils assessed achieving (i) level 3 and above, (ii) level 4 and above, (iii) level 5 and above, and (iv) the average level attained in the reading and writing Key Stage 2 National Curriculum assessment tests by boys and girls in 1997.

Percentage

	Writing			*Reading*		
Level	*Boy*	*Girls*	*All pupils*	*Boys*	*Girls*	*All pupils*
Level 3 and above	87	92	90	88	92	90
Level 4 and above	46	63	54	65	72	68
Level 5 and above	10	19	14	17	23	20
Average level	3.2	3.6	3.4	3.5	3.7	3.6

Equivalent information is not available for 1996.

Ministerial Transport

Mr. Malcolm Bruce: To ask the Secretary of State for Education and Employment what is his estimate of the cost of *(a)* Ministerial cars and drivers and *(b)* the Department's bill for taxis in (i) 1995–96, (ii) 1996–97, (iii) 1997–98 to date and (iv) 1997–98 full year. [27781]

Dr. Howells *[holding answer 5 February 1998]:* The cost of Ministerial cars and drivers for the DfEE is estimated at:

£352,245 for 1996–97

£301,839 for 1997–98 to date, and

£357,398 for the full year 1997–98.

In 1996–97 there were six Ministers; from 2 May 1997, seven. For 1995–96 the figures is available only for the former Employment Department which spent £181,949 on Ministerial cars and drivers in the year.

The Department's bill for taxis can be obtained only at disproportionate cost.

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Education and Employment what is his estimate of the cost of Ministerial overseas travel in his Department in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98 to date. [26687]

Dr. Howells *[holding answer 5 February 1998]:* The estimate of the costs of Ministerial overseas travel in the years stated are:

Year	*Cost £*
1995–96	124,430
1996–97	85,412
1997–98[1]	69,614

[1] Costs not yet fully brought to account.

AGRICULTURE, FISHERIES AND FOOD

Fishing and Farming Support

Mr. Salmond: To ask the Minister of Agriculture, Fisheries and Food if he will give a breakdown of the total financial support his Department gave to *(a)* the fishing industry and *(b)* the farming sector in the last year for which figures are available in (i) South-East England (ii) England and (iii) total. [30102]

Mr. Rooker *[holding answer 18 February 1998]:* Information in the format requested could be provided only at disproportionate cost.

Farming (Information Technology)

Mr. Llwyd: To ask the Minister of Agriculture, Fisheries and Food what initiatives are being pursued to encourage farmers to use information technology. [32548]

Mr. Morley: The Department has its own Internet web site on which it publishes useful information and guidance for farmers and others in the agricultural industry.

In relation to the Government Direct and Better Government initiatives, the Department is considering further opportunities for using information technology for the direct provision of information and the provision and collection of information from the farming community via 'interactive forms'. This could extend, eventually, to the electronic processing of complete transactions over direct links with farmers. This will require wider consultation with the agricultural community and industry to establish cost effective opportunities, and to ensure that all parties concerned have access to the required facilities and that systems integrity can be maintained.

One current example of the wider use of information technology relates to the Cattle Tracing System, currently under development with private sector involvement, which will enable cattle markets, abattoirs, farmers and agents to submit cattle movement data via electronic mail services.

Milk Quotas

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what plans he has to end the holding of milk quota by farms which are not producing milk; and if he will make a statement. [32856]

Mr. Rooker: The Government have no such plans. The leasing of milk quota by those no longer involved in producing milk is permitted under current Community legislation on milk quotas.

Mr. Öpik: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce a milk quota reserve; and if he will make a statement. [32841]

Mr. Rooker: There is already a limited national milk quota reserve. There are at present no plans to extend its scope.

Car Parking Spaces

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what plans he has *(a)* to reduce the number of car parking spaces available for use by staff and *(b)* to introduce charges for staff using workplace car parking spaces. [33021]

Mr. Morley: In line with the Guide to Green Transport Plans circulated last September by my hon. Friend the Under-Secretary of State for the Environment, Transport and the Regions, the Department will be actively considering this issue in preparing Green Transport Plans for its key buildings.

TRADE AND INDUSTRY

Mauritius

Dr. Marek: To ask the President of the Board of Trade if she will list the subjects to be discussed when one of her junior Ministers visits Mauritius in April. [33052]

Mrs. Roche: There are no plans at present for a DTI Minister to visit Mauritius.

Works of Art

Ms Roseanna Cunningham: To ask the President of the Board of Trade how many works of art she has borrowed for use in her offices and official residence; which organisations she has borrowed these works from; what the insurance value is of these works; what guidance she received on the acquisition of these works; if the works have yet been removed for temporary public exhibition elsewhere; and if the works have been or will be replaced on a regular basis. [31536]

Mrs. Beckett *[holding answer 27 February 1998]:* I refer the hon. Member to the answer given by my right hon. Friend the Secretary of State for Culture, Media and Sport on 27 February 1998, *Official Report*, columns *388–89*.

Retail Petrol Industry

Mr. Boswell: To ask the President of the Board of Trade by what means and with what objectives the retail petrol industry is monitored by the Director General of Fair Trading; and if she will make a statement. [31703]

Mr. Nigel Griffiths *[holding answer 2 March 1998]:* The Director General of Fair Trading has been carrying out a major review of the petrol market in the UK to examine the effects of changes in the market's structure since the 1990 Monopolies and Mergers Commission report on the supply of petrol.

Under section 2 of the Fair Trading Act 1973, the Director General of Fair Trading has a duty to review commercial activities in the United Kingdom. The purpose of this is to help him detect monopoly situations

and anti-competitive practices; the Director General can, if appropriate, refer these to the Monopolies and Mergers Commission for investigation.

In relation to petrol, the Office of Fair Trading meets representatives of the industry from time to time to keep track of the competitive processes within it. The Office also collects information about the market on a regular basis and investigates complaints about alleged anti-competitive behaviour.

Mr. Boswell: To ask the President of the Board of Trade if she will make a statement on recent changes in the degree of competition *(a)* nationally and *(b)* locally in the retail petrol industry. [31704]

Mr. Nigel Griffiths *[holding answer 2 March 1998]:* The Director General of Fair Trading confirmed on 10 June 1997 that he was reviewing the wholesale and retail petrol market in the United Kingdom. I understand he expects to publish the findings shortly.

DEFENCE

Newsletters

Mr. Matthew Taylor: To ask the Secretary of State for Defence what are the current security classifications of the newsletters produced for the staff of *(a)* the Naval Aircraft Repair Organisation, *(b)* the Defence Vetting Agency and *(c)* the RAF Signals Engineering Establishment; how often each newsletter is produced; and when each newsletter was first produced. [32187]

Dr. Reid: Where these matters fall to the Chief Executives of my Department's agencies, I have asked the Chief Executives to write to the hon. Member.

Letter from Mike Wilson to Mr. Matthew Taylor, dated 6 March 1998:

I am replying to your Question to the Secretary of State for Defence Vetting Agency's Newsletter as this falls within my area of responsibility as Chief Executive.

The Defence Vetting Agency produces an unclassified internal newsletter for its staff called "Vetting News". The newsletter is produced quarterly. The first issue of Vetting News was published in June 1997; the third issue is in preparation.

You may care to note that the Defence Vetting Agency formed on 1 April 1997, and is faced with a particularly turbulent period involving collocation, reorganisation and the introduction of new systems and processes. The newsletter is an important means of helping to ensure that staff are kept aware of what is going on during this time.

I hope this is helpful.

Letter from Grahame Jones to Mr. Matthew Taylor, dated 6 March 1998:

I am replying to your Question to the Secretary of State for Defence about the current security classification of newsletters produced for the staff of several of his Defence Agencies, as these matters fall within my responsibility as Chief Executive of the Royal Air Force Signals Engineering Establishment Defence Agency. Specifically, you asked for details of: how often each newsletter is produced, and when each newsletter was first issued.

The Agency currently produces three newsletters for its staff:

A Personnel Publicity Bulletin, which informs Service men and women of pertinent and topical personnel issues. The news letter has been in existence for many years, and certainly for the life of the Agency, and is published monthly and whenever there are specific topics of interest.

A Civilian Personnel Bulletin, which informs Civil Service employees of pertinent and topical personnel issues. Like its Service equivalent, this newsletter has been in existence for many years, but is published weekly.

"Antenna", a general interest newsletter, which also provides for the staff to express their views on any topic connected with the Agency's business. This newsletter was launched on 13 February this year, and is published weekly.

All three newsletters are unclassified.

Letter from Mr. S. R. Hill to Mr. Matthew Taylor, dated 6 March 1998:

1. I am replying to your Question to the Secretary of State for Defence that sought the current security classification of the newsletters produced for the staff of the Naval Aircraft Repair Organisation (NARO) as this falls within may area of responsibility as Chief Executive.

2. I am able to confirm that the Fleetlands Bulletin and Almondbank Weekly Orders are both unclassified, issued weekly and first produced more than 20 years ago. Contact magazine is unclassified, is issued quarterly to both sites in the NARO, and was first produced in January 1998.

Parliamentary Answer

Mr. Key: To ask the Secretary of State for Defence if he will publish in the *Official Report* the reply of the Minister for Defence Procurement of 12 February to the question for written answer of the Countess of Mar of 16 December 1997 in another place (Ref. D/Min/(DP)/JWG/MP 15551/97/M). [33152]

Dr. Reid: The text of the letter referred to in the hon. Member's question is to be found in *Official Report, House of Lords*, 2 March 1998, columns *137–43*.

Major Eric Joyce

Mr. Blunt: To ask the Secretary of State for Defence when he will reply to the letter from the hon. Member for Reigate of 21 January concerning Major Eric Joyce and the Labour Party. [33134]

Mr. George Robertson: I wrote to the hon. Member on 5 March 1998.

Night Shooting

Mr. Gray: To ask the Secretary of State for Defence, pursuant to his answer of 23 February 1998, *Official Report*, column *41*, in what circumstances he permits the use of rifles at night as a means of vermin control in areas of the Defence Estate that are being used for military training at that time; and how many *(a)* accidents and *(b)* other incidents arising from such activity have been notified to his Department in the last three years. [33122]

Mr. Spellar: The use of rifles at night for vermin control when military training is taking place has not been permitted. Accordingly, there have been no reported accidents or incidents.

Army Prosecuting Authority

Mr. Matthew Taylor: To ask the Secretary of State for Defence what is the current security classification of the annual report produced by the Army Prosecuting Authority. [32188]

Dr. Reid: The Army Prosecuting Authority, which was set up on 1 April 1997 and operates under the general superintendence of the Attorney-General, has no plans to produce and publish an annual report. An internal analysis of the first years operation is being considered but the classification and distribution of this work has yet to be decided.

DUCHY OF LANCASTER

Computer Systems

Mrs. Dunwoody: To ask the Chancellor of the Duchy of Lancaster what procedures he has in place to ensure that difficulties with computer systems experienced by one Government Department or agency are shared with other Government Departments and agencies. [31282]

Dr. David Clark: CCTA collects best practice where it arises in government and in co-operation with industry, and through central initiatives funded by the CITU on behalf of OPS, as typified by their current work with departments and agencies on the year 2000 date change. It provides a number of mechanisms to enable government departments and agencies to share both positive and negative IT experiences. These include: two groups which cater specifically for the needs of larger and smaller organisations; the publishing of best practice advice and guidance, and case studies based on departmental experiences; an inter-departmental forum funded by departments for information exchange known as the CCTA Foundation; and the delivery of direct services to departments on a full repayment basis.

Millennium Compliance

Mr. David Atkinson: To ask the Chancellor of the Duchy of Lancaster, pursuant to his oral statement of 27 November 1997, *Official Report*, columns 1104–05, on how Government departments and their agencies are tackling the millennium compliance problem, when he expects to make his first quarterly report to the House. [33336]

Dr. David Clark: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Wolverhampton, South-East (Mr. Turner) on 3 March 1998, *Official Report*, columns *621–22* and the quarterly progress reports that I have placed in the libraries of the House.

Cabinet Committees

Ms Hodge: To ask the Chancellor of the Duchy of Lancaster if he will list the number of ad hoc Cabinet Committees established by Prime Ministers between the periods *(a)* June 1970 to February 1974, *(b)* February 1974 to May 1979, *(c)* May 1979 to November 1990, *(d)* November 1990 to May 1997 and *(e)* May 1997 to date. [29442]

Dr. David Clark *[holding answer 16 February 1998]:* Since May 1997, my right hon. Friend the Prime Minister has established four Cabinet Committees in the MISC series. The Government are not responsible for Committees established under previous administrations.

CHURCH COMMISSIONERS

Clergy Pay

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners what is the range and average pay of the Church of England bishops and archbishops. [33024]

Mr. Stuart Bell: For the 1997/98 stipends year (1 April to 31 March), the recommended rates of stipend are as follows:

£

	Stipends
Archbishop of Canterbury	48,825
Archbishop of York	42,780
Bishop of London	39,870
Diocesan Bishops	26,470
Suffragan Bishops	21,760

Theses figures are provided annually in the Commissioners' Annual Report.

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what is the range and average pay for the lowest ranking clergy of the Church of England. [33025]

Mr. Stuart Bell: For the 1997/98 stipends year (1 April to 31 March), the CSA recommended for full-time assistant staff a range between £12,850 and £13,850.

Dioceses are free to exceed the scale points, or to use the points flexibly, for reasons of responsibility, seniority, or personal circumstance.

The average stipend paid in the current stipends year is £13,620.

WALES

Recycled Land

Mr. Brake: To ask the Secretary of State for Wales what grants are available to assist with the cost of decontaminating recycled land in Wales; and what grants have been available in each of the past 12 years. [32421]

Mr. Hain: The Welsh Development Agency (WDA) currently administers the Land Reclamation Grant and Urban Investment Grand (UIG) schemes in Wales. These may provide assistance towards the cost of dealing with contamination which is either part of a reclamation scheme or, in the case of UIG, is part of a more comprehensive redevelopment proposal. Land Reclamation Grants have been available from the WDA in each of the past 12 years. UIG was introduced and administered by the Welsh Office in April 1989. Prior to that, an Urban Development Grant scheme was available and could have provided assistance. On 1 October 1996, the responsibility for administering the UIG scheme was transferred to the WDA.

Mr. Brake: To ask the Secretary of State for Wales what estimate he has made of *(a)* the percentage and surface area of recycled land by county in Wales and *(b)* the percentage and surface area of this land which requires decontamination. [32420]

Mr. Hain: This information is not held centrally. However, the Welsh Development Agency (WDA) is responsible for managing the land reclamation programme in Wales and may have some of the information which the hon. Member requires or which he may find helpful. I will, therefore, arrange for the Chief Executive of the WDA to write to the hon. Member and for a copy of his letter to be placed in the Library of the House.

Tourism

Dr. Kumar: To ask the Secretary of State for Wales if he will make a statement on the money allocated for tourism per head in Wales for the years 1995 to 1998. [32259]

Mr. Hain: Welsh Office funding for the Welsh Tourist Board in each of the last three financial years and in 1998–99 is as follows:

Year	*Net provision £ million*	*Average spend per head of population £*
1995–96 outturn	14.6	5.01
1996–97 outturn	14.7	5.04
1997–98 forecast outturn	15.0	5.11
1998–99 plans	14.4	4.92

It is estimated that in 1996 the total spent by tourists in Wales was £1.9 billion.

Regional Selective Assistance

Dr. Ladyman: To ask the Secretary of State for Wales how many grants of regional selective assistance were made in Wales in 1997; how many were at the maximum level; what was the average level; and how many jobs he estimates were created. [32557]

Mr. Hain: 167 offers of Regional Selective Assistance (RSA) were made in Wales in 1997. Maximum levels for RSA in intermediate and development areas are fixed by the EU and cannot be exceeded. The Government also impose cost per job limits on the total RSA that can be offered to individual projects: no offers were made to development area projects at the maximum level permitted by the limit applying to those areas; 3 cases were approved at the lower limit applying to intermediate area projects and, for the first time in Wales, 1 case was approved for exceptional treatment above the intermediate area limit.

The average RSA cost per job in development areas was £8,033 and in intermediate areas, excluding the case afforded exceptional treatment, £4,139. These offers were in total associated with the planned creation of 14,013 new jobs and safeguarding 3,468. The actual number of jobs created and safeguarded cannot be ascertained until the project in question have been completed, usually some 3 to 5 years.

CULTURE, MEDIA AND SPORT

Tourism

Mr. Rapson: To ask the Secretary of State for Culture, Media and Sport how the culture, media, sports and tourism sectors will benefit from the New Deal. [32290]

Mr. Chris Smith: The New Deal will deliver benefits in all the sectors for which my Department is responsible. The tourism, hospitality and leisure industry is particularly well placed to benefit, as a major employer with the potential to create many more jobs over the next decade. The creative industries can also use New Deal to ensure an adequate skills base for the future.

Lottery Awards

Mr. Livsey: To ask the Secretary of State for Culture, Media and Sport (1) what action he will take to redress the imbalance between the regions and nations of the United Kingdom in the awards made by the Millennium Commission, with special reference to projects in Wales; [33388]

(2) what are the *(a)* total sums awarded and *(b)* numbers of projects accepted by the Millennium Commission in each of the regions and nations of the United Kingdom. [33389]

Mr. Chris Smith: This is a matter for the Millennium Commission. I shall write to the hon. Member in my capacity as Chairman of the Commission, and place copies of my reply in the Libraries of the House.

NESTA

Dr. Gibson: To ask the Secretary of State for Culture, Media and Sport how he will ensure that there will be representation of scientific interests on the NESTA Board. [32874]

Mr. Chris Smith: In accordance with the provisions contained in paragraph 1(2) of schedule 4 to the National Lottery Bill currently before Parliament, my Department has consulted over 250 bodies considered representative of those engaged in the fields of science, technology and the arts, seeking suggestions of people who might serve as the Chair or Trustees of the National Endowment for Science, Technology and the Arts (NESTA). The posts have also been advertised in the national press. In both exercises, we have stressed the need for the Trustees collectively to be able to reflect interests across the three fields of science, technology and the arts, and have sought information from candidates about relevant experience and expertise. In considering with my ministerial colleagues whom to appoint to these posts, I shall take full account of the need to ensure that NESTA is equipped to meet its objectives in each of the three fields, and at the points at which they meet.

Millennium Experience

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport what steps he is taking to ensure that companies and individuals making donations or contributions to the millennium celebrations do not concentrate them disproportionately on the Millennium Experience. [31352]

Mr. Chris Smith: Individual private sector sponsors will make their own decisions on where they should direct their support for Millennium celebrations. The Policy Directions for the Millennium Commission require all funded projects to be supported by a significant element of partnership funding and/or contributions in kind from sources other than the National Lottery. Match-funding has been set at at least 50% for capital projects and 10% for the Millennium Awards scheme of bursaries to individuals. The Commission's expenditure of £2 billion will therefore lead a total of around £4 billion of investment in the social and economic infrastructure of every part of the United Kingdom. To date, the Commission has offered a total of £1.24 billion to 186 capital projects around the country, and has allocated £200 million to the Millennium Awards scheme.

Private sector contributions to the Millennium Experience will also support the associated Millennium Challenge, a country-wide programme of events and activities organised by the New Millennium Experience Company. All four of the founding partners in the Experience (Tesco, British Telecom, Manpower and Sky) have made it clear that their support is intended both for the Dome and for the Challenge programme.

SOCIAL SECURITY

Lone Parents

Mr. Burns: To ask the Secretary of State for Social Security, pursuant to her answer of 2 March 1998, *Official Report*, column *506*, for what reason the Secretary of State for Social Security was unable to provide comparable information to that given in previous answers to the hon. Member for West Chelmsford. [33136]

Mr. Keith Bradley: The information was not provided due to an error within the Department. I apologise for any inconvenience caused to the hon. Member.

Information on the operation of the New Deal for Lone Parents is available up to and including 31 January 1998.

As at 31 January: 20,205 first invitations had been issued to lone parents; 4,584 initial interviews had been arranged, and 3,761 lone parents had attended interviews; 3,368 lone parents had agreed to participate in the New Deal for Lone Parents following initial interviews; 1,113 lone parents have found jobs following agreement to participate in the New Deal for Lone parents programme.

Income Support

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to her answer of 2 March 1998, *Official Report*, column *503*, for what reason statistics on the age and gender of income support recipients are not available for 1989. [33264]

Mr. Keith Bradley: Information on the age and gender of Income Support recipients in 1989 is held by age band, rather than by individual ages.

PRIME MINISTER

Blind Trust

Mr. Ian Bruce: To ask the Prime Minister what official appointments have been given to the trustees of the blind trust set up to finance his office when Leader of the Opposition. [31091]

The Prime Minister: Two of the three former Trustees of the Labour Leader's Office Fund hold official appointments, one as a Minister of State and another as part-time Chairman of the Housing Corporation. The third was a Secretary of State for Northern Ireland and Home Secretary in a former Government.

Mr. Ian Bruce: To ask the Prime Minister if he will list the names of people who have been given official appointments and also donated towards the blind trust set up to finance his office when Leader of the Opposition; and if he will make a statement on the mechanism whereby he is notified of such matters. [31093]

The Prime Minister: I was not notified of the names of donors to the Labour Leader's Office Fund. The rules drawn up on legal advice deliberately required the three members of the Board not to reveal the names so there could be no suggestion that the making of donations might influence or secure favour.

Departmental Contracts

Mr. Salmond: To ask the Prime Minister how many contracts of a value of greater than £5000 his Department has with companies in *(a)* London, *(b)* South East England, *(c)* England, *(d)* Scotland, *(e)* Wales and *(f)* Northern Ireland; and what is the total value of such contracts for each area. [30088]

The Prime Minister *[holding answer 18 February 1998]:* For this purpose, my office is part of the Cabinet Office. I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Office of Public Service on 5 March, *Official Report*, column *766*.

Departmental Expenditure

Mr. Salmond: To ask the Prime Minister if he will give a regional breakdown of his Department's expenditure on *(a)* hospitality, *(b)* stationery and *(c)* travel in the last year for which figures are available. [30087]

The Prime Minister *[holding answer 18 February 1998]:* For this purpose, my office is part of the Cabinet Office. I refer the hon. Member to the reply given by my hon. Friend the Parliamentary Secretary, Office of Public Service on 5 March 1998, *Official Report*, column *767*.

Lockerbie

Mr. Dalyell: To ask the Prime Minister when he plans to meet the relatives of the victims of the Lockerbie air disaster. [33273]

The Prime Minister: My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs plans to meet the Lockerbie relatives in early April. I will meet them thereafter.

Ministerial Visits

Sir Richard Body: To ask the Prime Minister what criteria governed which businessmen accompanied him on his recent visit to Japan. [32989]

The Prime Minister: I was accompanied by businessmen from companies with major interests in the commercial and trading relationship with Japan.

Mr. Forth: To ask the Prime Minister, pursuant to his answer of 3 February 1998, *Official Report*, column *581*, on ministerial visits, if he will list the occasions since 1 May 1997 on which he has given his prior approval for personal companions, other than a spouse, to accompany a Minister travelling on official business. [33369]

The Prime Minister: I refer the right hon. Member to the answer I gave to the hon. Member for Spelthorne (Mr. Wilshire) on 3 February 1998, *Official Report*, column *581*.

TREASURY

VAT (Energy-saving Materials)

Mr. Dafis: To ask the Chancellor of the Exchequer if he will place in the Library a copy of the letter sent by H.M. Customs and Excise to the European Commission DG XXI concerning the potential for reducing the rate of value-added tax levied upon energy saving materials and services, together with the reply received. [31571]

Dawn Primarolo *[holding answer 4 March 1998]:* Customs and Excise have advised the Commission that the Government intend to introduce a reduced rate of VAT for energy saving measures carried out under certain Government-funded schemes, and to explore the possibility of a reduced rate with wider application than European law presently allows. Customs did not expect, and have not received, a reply to the letter.

Publication of this letter is inappropriate under the Code of Practice on Access to Government Information.

Coins (50p Piece)

Mr. Redwood: To ask the Chancellor of the Exchequer (1) what representations he has received from business concerning conversion to the new 50p piece; [32835]

(2) what estimate his Department has made of the costs to British business of converting from the old to the new 50p piece. [32836]

Mrs. Liddell *[holding answer 4 March 1998]:* The decision to change to the new 50p coin was made following a review of the United Kingdom's coinage conducted by the Royal Mint and reflected the public requirement for smaller, lighter coins. In conducting the review, the Royal Mint sought the views of the general public and consulted major users and handlers of coins such as the vending industry, banks and retailers as well as special interest groups such as the blind and the elderly. A compliance cost assessment was undertaken prior to the decision in 1995 to introduce the new 50p and £2 coins. The vending industry's estimates of the total cost of the changes was £71 million.

Travel Insurance

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer what assessment he has made of the trend in the provision of travel insurance from *(a)* travel agents, *(b)* direct insurance brokers, *(c)* credit card companies and *(d)* other sources since the introduction of higher rate insurance premium tax. [31111]

Dawn Primarolo *[holding answer 25 February 1998]:* There is no conclusive evidence that any shift of business is due to the price effect of this measure. Figures supplied by travel agents support estimates that such outlets have lost between 5 per cent and 10 per cent of their travel insurance customers since the introduction of the higher rate of insurance premium tax (IPT). However, they also suggest that travel agents have been losing travel insurance business regardless of whether or not they have increased their insurance premiums in response to the tax change. This is in line with a 1996 Mintel survey which identified that in the period between 1992 and 1996 the share of the travel insurance market enjoyed by other outlets rose from 12 per cent to 23 per cent. I have no reliable information on how the current decline in market share is shared between other providers.

Expenditure Review

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what estimates he has made of the likely scale of the reallocation of resources between Departments following the completion of the comprehensive expenditure review in July. [32277]

Mr. Darling: Departments are still engaged in their own and the cross departmental elements of the overall review. It would be premature to give any estimates of the likely outcome.

Trusts

Mr. Timms: To ask the Chancellor of the Exchequer if he will make a statement on his policy on the tax treatment of the disposal of an interest in a trust. [33692]

Dawn Primarolo: This Government are determined to stem tax leakage by detecting, deterring and countering tax avoidance. We will therefore take action, to be included in the next Finance Bill, to prevent avoidance of tax by those who dispose of an interest in, or originating from, a trust which has ever been an offshore trust. The measure will have effect in relation to all disposals on or after today.

Further details will be given in an Inland Revenue Press Release which is being issued today.

FOREIGN AND COMMONWEALTH AFFAIRS

European Communities

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those institutions and organisations authorised by his Department to distribute printed matter on the European Communities in the United Kingdom. [32962]

Mr. Doug Henderson: No such authorisation is required. Anyone may distribute printed matter on the European Communities in the UK, so long as they do so within the law.

EU Presidency (Youth Programme)

Sir Richard Body: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those prizes currently planned for the United Kingdom Presidency Youth Programme; and if he will list the agencies and Governments consulted. [32941]

Mr. Doug Henderson: Prizewinners from the FCO's "Ambassador for a Day" competition for 11–15 year olds will shadow certain personalities in other European Union countries for a day. Up to 60 prizes are being offered including days with British Ambassadors, European politicians, football clubs and fashion houses. Prizes were arranged with the co-operation of UK Diplomatic Missions, Foreign Ministries, individuals and sponsoring companies.

The ten award winners in the "Celebrating Europe" competition for schools, colleges and youth groups will receive major awards to the value of £5,000, and there will be a number of supporting awards. All awards will be provided by commercial sponsors. The competition is being administered by the Central Bureau for Educational Visits and Exchanges and the Youth Exchange Centre. The four UK education departments are involved.

Gulf War

Mr. Alan Clark: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to review the upper limit for compensation for loss of personal possessions suffered by UK citizens working in Kuwait at the time of the Gulf War. [32858]

Mr. Fatchett: Awards of compensation for personal property losses are decided by Panels of Commissioners appointed by the UN Compensation Commission (UNCC). Although there is no appeal against award decisions, where the compensation is considered to be too low it has been our practice to ask the UNCC for an explanation.

Kidnap Victims

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in ascertaining the whereabouts of Paul Wells, Keith Mangan, Donald Hutchens and Dirk Hassart. [32873]

Mr. Fatchett: Despite our continuing efforts, there is still no conclusive proof of what has happened to Paul Wells, Keith Mangan, and the US and German hostages. We have had no confirmed news of them since late 1995. We continue to pursue every lead that may help us to find out what happened to them. Together with the Governments of the other kidnap victims, we remain in close touch with the Indian authorities, who are leading the investigation, and with the Government of Pakistan. My right hon. Friend the Foreign Secretary and I have raised the plight of the kidnap victims at every possible opportunity.

EU Presidency (T-Shirts)

Mr. Gill: To ask the Secretary of State for Foreign and Commonwealth Affairs how many T-shirts were printed for distribution to *(a)* schoolchildren and *(b)* others commemorating the United Kingdom Presidency of the European Union; and at what cost to public funds. [33009]

Mr. Doug Henderson: 154 T-shirts were printed by the Foreign and Commonwealth Office, bearing the UK Presidency logo. These were given to the children who designed the logo and children involved in Presidency launch events at British Embassies in other EU countries. The total cost was £661.60 excluding VAT. Other posts and organisations have also been able to use the Presidency logo and in some cases have produced T-shirts, but finding out how many and at what cost to public funds would involve disproportionate cost.

British Council

Mr. Gray: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason the British Council advertised in the booklet, "Britain in Europe"; at what cost; and if he will make a statement. [32955]

Mr. Fatchett: The British Council advertised in the reputable publication "Britain in Europe" to publicise its forthcoming activities during the UK's Presidency of the European Union. The Council did not pay for the advertisement.

The Council also considered it appropriate and useful for its Chairman, Sir Martin Jacomb, to accept the Editor's invitation to contribute an article on the Council's activities in Europe.

Protection of National Minorities

Mr. Hunter: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make representations to *(a)* member states of the Council of Europe and *(b)* other states which are signatories to the Framework Convention for the Protection of National Minorities encouraging them to ratify and enforce that Framework Convention. [32959]

Mr. Tony Lloyd: We have made clear our strong support for the Framework Convention for the Protection of National Minorities during the negotiations on the Convention in Strasbourg. We will continue to support the widest possible ratification of the Framework Convention. We supported the decision in the Council of Europe Summit Action Plan in October 1997 to complement the Convention with practical initiatives, and will encourage States, through the Convention's monitoring machinery, to abide by the commitments it entails.

Schengen Agreement

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the role of the special adviser present at the Amsterdam Treaty negotiations; and if the adviser was present for any part of the negotiations, with particular reference to the Schengen discussions. [32985]

Mr. Doug Henderson: The role of Special Advisers at the Foreign and Commonwealth Office is to advise the Foreign Secretary in the development of Government policy and its effective presentation. One of these Special Advisers was present at the Amsterdam European Council. He did not attend any of the sessions of the European Council.

Japan (Embassy)

Mr. Wigley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people his Department employs on a *(a)* full time, *(b)* part time and *(c)* temporary basis in the UK Embassy in Japan; and how many have commercial and industrial responsibilities. [32978]

Mr. Fatchett: Our Embassy in Japan employs 38 UK-based and 126 locally engaged members of staff. A number of the locally engaged staff job share. As a result, there are the equivalent of 122 full-time positions. This figure includes 45 manual workers. The time equivalent of 14.85 UK-based and 37.25 locally engaged members of staff is devoted to commercial, industrial or investment work.

Indonesia

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to raise the issue of human rights violations in Indonesia with the Indonesian authorities. [33022]

Mr. Fatchett: We regularly raise our concerns about human rights with Indonesia bilaterally and in multilateral fora. We are concerned about recent violence in Indonesia. We have urged the Indonesian authorities to act with restraint.

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 2 February 1998, *Official Report*, columns *543–44*, on Indonesia, if he will list those hon. Members and NGOs from whom he has received representations on the question of police training in Indonesia. [33219]

Mr. Fatchett: We have received representations on police training for Indonesia from the hon. Member, my hon. Friends the Members for Cynon Valley (Ann Clwyd), for Birmingham, Selly Oak (Dr. Jones) and for Clydebank and Milngavie (Mr. Worthington) and the right hon. Member for Eddisbury (Sir A. Goodlad) and from NGOs. The NGOs include Tapol and the World Development Movement. My right hon. Friend the Foreign Secretary also discussed the matter with the Indonesian NGOs in Jakarta last year.

China

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs what position the Government adopted within the EU on the draft Resolution in the UN in respect of human rights in China. [33019]

Mr. Fatchett: I refer the hon. Member to the answer I gave to the right hon. Member for Tonbridge and Malling (Sir J. Stanley) on 5 March 1998, *Official Report*, column *711*.

ASSIST Programme

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs from which budget head the funding for the ASSIST programme will come. [33223]

Mr. Tony Lloyd: The ASSIST programme will be funded from Class II, Vote II, Foreign and Commonwealth Office: other external relations, subhead C: Other FCO programmes and grants.

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* governmental and *(b)* non-governmental projects which are to be funded under the ASSIST programme, with the level of funding in each case. [33227]

Mr. Tony Lloyd: Funding for individual projects is allocated in response to proposals made by our Embassies and High Commissions overseas throughout the year. It is not possible at this stage to list projects to be funded with any accuracy.

Human Rights

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs from which budget the £2.75 million for the Human Rights Project Fund not reallocated from the military training budget will come. [33224]

Mr. Tony Lloyd: The £2.75 million for the Human Rights Project Fund was found through reprioritisation in the overall allocation of resources for 1998–99.

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the *(a)* governmental and *(b)* non-governmental projects which are to be funded by the Human Rights Project Fund, with the level of funding in each case. [33226]

Mr. Tony Lloyd: The Human Rights Project Fund will be used to promote human rights both through technical assistance to governments and through non-governmental organisations.

Funding allocations for specific projects will be determined during the 1998–99 Financial Year on the basis of bids from FCO Posts overseas and geographical Commands at home. Full details are not yet available.

Lockerbie

Mr. Faber: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the ruling by the International Court of Justice in relation to the Lockerbie bombing. [33225]

Mr. Tony Lloyd: The International Court of Justice has held that it does have jurisdiction under the Montreal Convention to consider Libya's claims, but has equally held that it is not able to determine, as a preliminary issue, the effect of the resolutions of the Security Council on Libya's claims under the Montreal Convention.

Gibraltar

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to support and sustain Gibraltar should unfriendly action be taken by the Spanish Government. [33051]

Mr. Doug Henderson: We are committed to ensuring the security of all UK Overseas Territories and to promoting their prosperity.

HEALTH

Hepatitis C

Mr. Jenkins: To ask the Secretary of State for Health what research his Department has evaluated on the impact of infection with hepatitis C on people's lives. [33220]

Ms Jowell: We are not aware of any studies on the overall impact of infection with hepatitis C on individuals' lives.

Reports on clinical aspects of hepatitis C infection indicate that the natural history varies widely. About 20 per cent. of those infected may recover completely; the others develop chronic infection. Some of those with chronic infection are asymptomatic and some experience vague symptoms such as fatigue. Some of those with chronic hepatitis C will progress to severe liver disease, including cirrhosis and hepatocellular carcinoma, but these complications may take 20 to 30 years to develop.

In February 1996, the Haemophilia Society produced an unpublished report relating the experiences of people with haemophilia who are infected with hepatitis C. Copies of this report are available from the Haemophilia Society.

Haemophiliacs (HIV)

Mr. Jenkins: To ask the Secretary of State for Health how many people with haemophilia have received financial compensation for being infected with HIV through the use of contaminated blood products given as part of NHS treatment; and how much has been paid. [33221]

Ms Jowell: I understand that, as at 31 January 1998, 1,239 haemophiliac patients had received a total of some £90 million since the beginning of such payments in 1988.

Guardian ad Litem and Reporting Officer Service

Mr. Hancock: To ask the Secretary of State for Health on how many occasions a court requested use of the Guardian ad Litem and Reporting Officer Service from each local authority in each of the last three years. [31942]

Mr. Boateng: The information requested, as supplied by local authorities in England, will be placed as a collated table in the Library. The information for Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

Utting Report

Mr. Rowe: To ask the Secretary of State for Health if he will list the membership and outline the terms of reference of the Ministerial Taskforce to implement the Government's response to the Utting Report. [23370]

Mr. Boateng: I refer the hon. Member to the reply I gave on 20 January 1998, *Official Report*, column 499.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 307**

SESSION 1997–98

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SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes and cannot therefore, be used in connection with the daily part or weekly Hansard. For these versions use the Fortnightly Index.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There are, however, the headings 'Northern Ireland', 'Scotland', and 'Wales' under which one can find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instruments etc, under subject headings and under the names of those taking part.

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The date of each item except Parliamentary Questions is inserted immediately before the reference.

Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates, etc.* (to include interventions on statements, points of order and so on) or *Questions.*

Abbreviations

Bills 1R = first reading, 2R = second reading, Money res = money resolution, Comm = Committee stage, Rep = Report stage, 3R = third reading, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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